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**MEDITERRANEAN ACTION PLAN**

Fourth meeting on Reporting System

Athens (Greece), 4-5 July 2003

**REPORT OF THE MEETING**

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## Introduction

1. Following the adoption by the Contracting Parties of reporting formats on the legal component of the Mediterranean Action Plan at their Twelfth Ordinary Meeting (Monaco, 14-17 November 2001), seven Contracting Parties (Algeria, Croatia, Libya, Monaco, Spain, Tunisia and Turkey) responded to a request by the Secretariat for volunteers to participate in a reporting exercise which would constitute the pilot phase of the system.

2. The Working Group on Reporting Systems, consisting of participants from the above countries, as well as representatives of the relevant components of MAP, held two meetings during 2002. The first meeting, held in Athens from 20 to 21 May 2002, and attended by representatives of five (Croatia, Libya, Monaco, Spain and Turkey) of the seven countries participating in the exercise, reviewed the document prepared by the Secretariat on National reporting Obligations within the framework of the Legal Component of the Mediterranean Action Plan, with a view to implementation of the exercise through completion of national reports following the formats contained in this document. The meeting agreed that a set of guidelines should be incorporated into the formats, so that countries would know exactly what information they were expected to submit. A revised version of the document, incorporating both the various amendments to the text agreed upon by the meeting, and the new guidelines included within the overall framework of the reporting formats, was prepared by the Secretariat, and distributed to Mediterranean countries in June 2002 as an annex to the meeting report (UNEP(DEC)/MED WG.206/2, Annex III).

3. Following a request to the Secretariat by the Bureau of the Contracting Parties at its meeting in Monaco (17 - 18 October 2002), a second meeting of the Working Group was held in Catania, Italy, on 12 December 2002, with the object of reviewing progress in the implementation of the pilot exercise. This meeting was attended by representatives of four (Croatia, Spain, Tunisia and Turkey) of the seven countries participating in the exercise. The meeting reviewed progress in the preparation of the various country reports, and agreed that the final reports should reach the Secretariat not later than 31 May 2003, in order to enable discussion of the technical points involved during the meetings of MED POL, REMPEC and SPA/RAC National Focal Points.

4. At its meeting in Sarajevo (19 – 20 May 2003), the Bureau of the Contracting Parties requested the Secretariat to carefully follow up the reporting exercise, and to organise a consultation meeting with participating countries and open to all other countries wishing to attend. This meeting would be convened by UNEP/MAP with the objectives of discussing the final report of the pilot phase of the reporting exercise, considering eventual options, and making appropriate recommendations related to the establishment of an institutional mechanism to review future national reports and control country compliance with the terms of the Barcelona Convention and its related Protocols.

5. The meeting was held in Athens on 4 – 5 July 2003, and was attended by representatives of five countries (Croatia, Monaco, Spain, Tunisia and Turkey) of the seven participating in the voluntary pilot phase of the reporting system, by representatives of seven other Mediterranean countries (Albania, Bosnia and Herzegovina, Egypt, France, Israel, Morocco and Syria) and the European Commission, by representatives of MED POL and SPA/RAC, and by members of the Coordinating Unit of the Mediterranean Action Plan.

6. The agenda of the meeting is attached as Annex I to this report, and a complete list of participants as **Annex II** to this report.

### **Opening of the Meeting**

7. Mr Francesco-Saverio Civili, MED POL Coordinator in the MAP Coordinating Unit, opened the meeting and welcomed participants on behalf of Mr Lucien Chabason, Coordinator of the Mediterranean Action Plan, who was unable to attend due to indisposition, and outlined the history of the current pilot reporting exercise from the recommendation leading to its development made at the extraordinary meeting of the Contracting Parties in Montpellier in July 1996. He briefly explained the objectives of the meeting, which he considered as very important. It was expected that after reviewing the results of the pilot exercise, the meeting would make recommendations to the forthcoming meeting of the Contracting Parties to commence reporting on the implementation of the legal component of the Mediterranean Action Plan on a regular basis. At the same time, the necessary preparations would also start for eventual reporting on measures taken regarding the non-legal components of the Action Plan.

### **Rules of Procedure and Election of Officers**

8. Mr Civili explained that the rules of procedure as approved by the Contracting Parties would apply to the present meeting. In accordance with such Rules of Procedure, the meeting proceeded towards the election of its officers.

9. Mr Wilfrid Deri (Monaco) was elected Chairman of the Meeting, Mr Nejib Trabelsi (Tunisia) Vice-Chairman, and Ms Ozlem Aykel (Turkey) Rapporteur.

### **Adoption of the Agenda**

10. The Provisional agenda as detailed in document UNEP(DEC)/MED WG.237/1 was adopted by the meeting.

### **Presentation of National Reports by participating countries**

11. The Representative of Croatia stated that the explanations provided throughout the period of the exercise as to how the reports should be presented were satisfactory. She stated that one problem was, when submitting the first report, whether or not to include measures and activities undertaken prior to the commencement of the period under review. This was an important point, and the meeting should agree on what action should be taken. Another problem which affected her country and probably also others was that several Ministries were responsible for activities relating to the different aspects of the Mediterranean Action Plan, and internal coordination was therefore necessary. She stated that REMPEC had recently sent a questionnaire the contents of which overlapped with those in the present reporting exercise, and stated that this should be avoided to the extent possible. Finally, she reminded the meeting that some of the Protocols were not yet in force, and there was therefore no legal obligation for countries not yet bound by their terms to submit reports.

12. The Representative of Spain presented his country's report, and stated that this was based on the new versions of the Convention and Protocols, even though most of these were not yet in force. He explained the internal procedures used for compiling the report. The formats had been sent to relevant local and regional authorities, which had then submitted the data pertaining to their fields of activity. He strongly recommended that there should be the fullest possible coordination between MAP and other international bodies to whom similar reports had to be sent, in order to minimise duplication. The accent should therefore be on harmonisation and information exchange.

13. The Representative of Spain also stressed the need for a visionary review of the Barcelona Convention and Protocols in order to be able to face new challenges, mainly in connection with implementation of the terms of the Convention and Protocols by Contracting Parties, the role of the Mediterranean Commission for Sustainable Development (MCSD), new developments within the European Union, particularly regarding the new European Marine Strategy and the role of the Mediterranean Action Plan in such development and, finally, the financial resources and technical assistance which could be made available to Contracting Parties in order to enable them to fulfil their reporting obligations.

14. The Representative of Tunisia presented his national report, and described the current National Focal Point structure for the Mediterranean Action Plan in Tunisia. He also described the status of ratification of the revised versions of the Convention and Protocols by his country. He then explained the procedures used for compiling the report, starting with a meeting of all relevant national bodies. He stated that the report submitted to the Secretariat was only an interim one. Material from the various national agencies was still coming in, and the report would be finalised by late 2003.

15. The Representative of Tunisia also outlined some of the difficulties faced during compilation of the report. One problem related to the time-frame: the formats were initially available only in the English language, and the French version was only received in February 2002. This had created problems for the local authorities who had to send in the data. There was also a problem relating to the amount of information available. In some aspects, abundant information was available, and in the next phase, the recruitment of experts on a temporary basis would be required. In other areas, only sparse information was available. The main lessons learnt from participation in the exercise were (a) the need for mobilisation of National Focal Points for the various MAP components, (b) the need for creating a data base, (c) the need to establish a national procedure for collection of information and data, (d) the need for financial resources and (e) the need for technical assistance from the MAP Secretariat and the MAP regional Centres, mainly in the form of guidelines, models, etc.

16. The Representative of Turkey presented her national report, and stated that several organisations in Turkey were involved in the activities detailed in the various questionnaires. She stated that a large degree of cooperation between the different national agencies had been achieved, but this could be improved upon. She also described the new procedures initiated for the collection and centralisation of the information to be submitted to UNEP/MAP.

17. The Representative of Monaco presented his national report, and described the procedures and time-table followed for its compilation. He stated that the French version of the reporting formats had become available in September 2002, and the final version of the report had been completed and submitted to the MAP Secretariat in May 2003. He described the national bodies responsible for implementation of the different activities relating to the various aspects of the Mediterranean Action Plan, and explained that Government Offices in Monaco were responsible for both the legal/administrative and technical aspects of such activities. He stated that among the difficulties involved were the facts that (a) sometimes, it took a long time to obtain results in the form of data, (b) some of the Protocols had still not been ratified by Monaco, and therefore no activities relative to their terms had been undertaken, (c) some procedures, such as POLREP, were only very rarely implemented, and therefore, the necessary infrastructure for their implementation still had to be properly established, and (d) some situations were never encountered, and it was therefore not necessary to enact legal measures to cover them. Finally, he stated that information exchange was very important, and that the quality of replies to the various questionnaires required improvement.

18. Representatives of other countries, *i.e.* those not participating in the pilot reporting exercise, present at the meeting were invited to comment on the reporting formats, and provide some indication of any problems they might possibly encounter when the reporting

system was extended to all countries. The Representative of Israel stated that the reporting formats appeared to be rather lengthy, and with present staff available, it might be difficult to reply to all the items. A lengthy discussion took place on this point, during which it was explained by the Secretariat that the items in the formats were essentially a reflection of the obligations in the various articles of the Convention and Protocols, and could not therefore be reduced. The Representative of Israel stated that some items could be replied to quantitatively, as distinct from descriptively. It was agreed by the meeting that quantitative data should also be introduced whenever appropriate. During the discussion, the Representatives of Croatia, Morocco and Spain, mentioned the difficulties involved in obtaining relevant information and data from local structures.

19. The Representative of Bosnia-Herzegovina described the status of environmental information system development in his country. The current situation was that some information was available, but no system was as yet in operation. Relevant legislation was being enacted, and the objective was to establish a data-base to ensure the flow of information both internally and outwards (*i.e.* abroad).

20. The Representative of Egypt described the current situation in his country regarding the availability of environmental information, there were some problems, and the allocation of financial resources and technical assistance could alleviate these. The Representative of Albania also described the national set-up as regards the collection and compilation of data and information relevant to the implementation of the Convention and Protocols. He also stressed the need for technical assistance.

### **Results of the reporting exercise**

21. Mrs Tatiana Hema, Programme Officer, UNEP/MAP introduced the report on the results of the reporting exercise (document UNEP(DEC)/MED WG.237/3), the text of which is attached as Annex III to this report, and explained its general structure. Dr Louis Saliba, UNEP Consultant, then explained the technical elements of the report. It was stressed that the only evaluation that had been made was on the degree of reporting, and no attempt had been made to evaluate the degree to which the reporting countries had implemented the terms of the Barcelona Convention and Protocols. The text of the report was, therefore, a factual account of the number of replies that had been received with regard to the items in the reporting formats. One of the problems was that in many instances the formats had been returned unanswered or partially answered, and more often than not, no indication had been given as to why any specific item had not been responded to. As a result, it could not be known whether the item in question did not refer to the particular country in question, whether no action had been taken, or whether the information was not available to the compilers of the report. As a result, during the next phase of the exercise, when reporting became general, the guidelines would have to stress the necessity of replying to every item in the formats.

22. During the discussion that ensued, a number of participants again commented that the reporting formats appeared to be too lengthy, and a considerable amount of information was being asked for. Some participants suggested that the formats could be divided into two parts – a mandatory part and an optional part. In this context, the Secretariat again reminded participants that each item in the reporting formats referred to a specific article in the Convention or in an individual Protocol, and it was not therefore possible to arbitrarily differentiate between these.

23. The Secretariat made a brief recapitulation of the situation following the discussion. One main problem was that of lack of collaboration between the different Ministries in a number of countries. In this regard, the next Meeting of the Contracting Parties, scheduled to be held in Catania later in 2003, could be requested to approve assistance to countries for

the improvement of liaison between the National Focal Points for the different components of MAP. The Representative of SPA/RAC stated that insofar as Specially Protected Areas and Biodiversity were concerned, harmonisation procedures with other international bodies were currently under way. The Representative of the European Commission stated that reporting was a very important element, and assistance for capacity building should look at the reporting context in the wide sense, *i.e.* with a view to satisfying the requirements of both the Barcelona Convention and Protocols and other relevant international legal instruments

### **Updated Reporting Formats**

24. The Secretariat presented the updated version of the reporting formats, and explained the various changes that had been made following approval of the original version by the Contracting Parties. Briefly, these changes consisted in (a) insertion of some items of a general nature in response to problems encountered by some countries during the reporting exercise, (b) amendment of some items following recommendations and suggestions made by participating countries when submitting their national reports, and (c) correction of a small number of errors in the original document.

25. The meeting discussed the reporting formats, and a number of suggestions for modification were made. It was agreed that any item not directly representing the requirements of any article in the Convention or any Protocol should either be removed, or made optional as distinct from mandatory. It was also agreed that (a) all reports should be submitted to the MAP Coordinating Unit, which would then make the necessary internal arrangements regarding transmission of any questionnaire to the relevant MAP Component or Regional Centre, (b) the formats collectively making up the biennial report on the implementation of the Convention and Protocols should be converted into one integrated format, with the general parts presented only once, and (c) the two items at the end of each questionnaire regarding problems in implementation and general comments should be amalgamated into one item, made optional, and transferred to the general part of the biennial report.

26. During the discussion which followed, a number of minor modifications were made to some of the items in the formats. The reporting formats, as revised in accordance with the decisions taken by the meeting, are attached as Annex IV.

27. A number of participants again drew the attention of the meeting to the necessity of avoiding duplication and repetition. The Representative of Monaco suggested that tabular information could be sent through MED POL. The Representative of Syria stressed the need for coordination between the report on the technical implementation of the LBS Protocol and the Strategic Action Programme's baseline budget. The Secretariat pointed out that the MED POL guidelines had been adopted by the Contracting Parties, and that repetition was not the case.

28. The Representative of Tunisia stated that from the results of the exercise, the major gaps in information acquisition appeared to be related to the technical elements of implementation of the various Protocols. It was therefore necessary to provide adequate assistance to countries, and the role of Regional Centres in this regard was crucial.

29. The Representative of the European Commission again stressed the need for harmonisation of reports on the same subject-matter submitted to different organisations. She suggested that while the countries were engaged in preparing their national reports on the 2002-2003 biennium, the Secretariat could start preparing new formats.

30. The meeting took note of the fact that a number of countries had still not ratified the amended versions of the Convention and older Protocols, or the new protocols, and a

number of these were not yet in force. Therefore, such countries were not bound by the reporting provisions contained in these legal instruments. The meeting, however, also recognized the necessity for the reporting formats to be based on the latest versions of the Convention and Protocols, as had already been decided in earlier meetings of the Working Group. It was therefore agreed that while it would not be mandatory for countries to complete those sections of the reporting formats dealing with legal instruments they were still not Party to, such countries should, however, on an optional basis, provide information on measures and activities carried out which were relevant to the terms of the legal instruments in question.

31. The meeting also agreed on the need to establish a mechanism for promoting implementation and compliance with the terms of the Barcelona Convention and Protocols, and supported the proposal of the Secretariat to establish an open-ended Working Group of legal and technical experts on Implementation and Compliance, which would work under the overall guidance of the Bureau of the Contracting Parties on the basis of the platform described in Annex 2 of the report on the implementation of the pilot phase of the MAP Reporting Exercise (document UNEP(DEC)/MED WG.237/3). The proposal, as finalised by the meeting, is attached as Annex V to this report.

32. With a view of rationalizing the activity of the Working Group on Implementation and Compliance, the meeting suggested to reduce the number of its tasks proposed by the Secretariat. It was decided that the Working Group would focus mainly on two issues: a) formulate the mechanism and b) guide the process of harmonization of the reporting formats. The meeting also recommended that on the basis of the national Parties' reports for the biennium 2002-2003, the Secretariat would prepare a regional report for submission to the CP meeting in 2005 'Assessment of implementation of article 26 of the Barcelona Convention'.

### **Other business**

33. The Representative of Tunisia drew the attention of the Secretariat to the fact that some of the countries participating in the pilot exercise had not yet submitted final reports. He suggested that these countries be invited to complete the exercise by the end of 2003. The Representative of Croatia stated that they would complete the current report by the end of the year. In response, the Secretariat stated that assistance could be provided to participating countries to enable them to complete the reports.

### **Recommendations**

34. In reviewing the report prepared by the Secretariat on the implementation of the pilot phase of the MAP Reporting Exercise (document UNEP(DEC)/MED WG.237/3), the meeting approved in general terms the main findings and the recommendations therein.

35. The meeting also made the following recommendations to the UNEP/MAP Secretariat:

- To provide assistance to the Contracting Parties to strengthen their reporting capabilities and systems;
- To continue working towards the harmonisation of reporting within the framework of MAP and within those of other International legal instruments and relevant EC Directives, with a view to having updated formats for consideration by Contracting Parties at their 2005 Ordinary Meeting, and taking into account all related activities;



- To prepare reporting formats and guidelines for the non-legal components of MAP with a view of having a draft for consideration by Contracting Parties at their 2005 Ordinary Meeting;
  - To consolidate the reporting formats for the implementation of the Convention and Protocols in terms of Article 26 of the Convention into one comprehensive format.
  - To prepare a regional report on the implementation of the Barcelona Convention in the biennium 2002-2003 for submission to the meeting of the Contracting Parties in 2005
36. The Meeting made the following recommendation to the Contracting Parties:
- To commence implementation of Article 26 of the Barcelona Convention with respect to measures and activities carried out in terms of the legal component of the Mediterranean Action Plan, on the basis of the Reporting Formats as finalised by the Working Group and contained in Annex IV to document UNEP(DEC)MED WG.237.4.

### **Closure of the meeting**

37. Mr Civili thanked participants for their contributions to the meeting, and expressed his satisfaction at the positive results achieved. He declared the meeting closed on Saturday 5 July at 11.30 hours.

## **ANNEX I**

### **AGENDA**

1. Opening of the meeting
2. Rules of procedure and election of officers
3. Adoption of the Provisional Agenda and organization of work
4. Presentation of National Reporting Reports by the participating countries
5. Presentation of the Integrated report "Lessons learnt and Recommendations drawn from the reporting exercise"
6. Presentation of the updated reporting format
7. Any other business
8. Adoption of the recommendations of the meeting
9. Closure of the meeting

**ANNEX II**

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**REGIONAL ACTIVITY CENTRES AND PROGRAMMES OF THE  
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CENTRES D'ACTIVITES REGIONALES ET PROGRAMMES DU  
PLAN D'ACTION POUR LA MEDITERRANEE**

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## ANNEX III

### LESSONS LEARNT AND RECOMMENDATIONS DRAWN FROM REPORTING EXERCISE

#### I. INTRODUCTION AND BACKGROUND

1. At their Extraordinary Meeting in Montpellier in July 1996, the Contracting Parties to the Barcelona Convention and Protocols made a number of recommendations in connection with the implementation of the Second Phase of the Mediterranean Action plan (MAP II). In recommending on the strategic priorities in institutional and financial arrangements, the Meeting invited the Secretariat, in consultation with the Contracting Parties and the assistance of two to three experts, to propose the development of a system of coherent reporting by the Contracting Parties in conformity with MAP II and the relevant provisions of the Barcelona Convention and its Protocols.

2. Initially, two documents were prepared in terms of the above recommendation, one of which, listing the various topics, which Contracting Parties would have to include in their reports to the Secretariat on the implementation of the Convention and Protocols, was submitted to the Eleventh Ordinary Meeting of the Contracting Parties, held in Malta in October 1999, as an information document, but was not discussed. At this meeting, however, the Secretariat was requested by the Contracting Parties to continue and finalise the work on the MAP Reporting System with the assistance of a group of experts composed of the members of the Bureau, and submit the first report to the Bureau.

3. Following authorisation by the Bureau in October 2000, a document was produced which detailed the reporting commitments of the Contracting parties in terms of (a) the Barcelona Convention and each Protocol, and (b) resolutions and recommendations of the Contracting Parties which were not related to the legal component of MAP, particularly the 1995 Barcelona Resolution on the Environment and Sustainable Development of the Mediterranean Basin, and its two appendices, namely the Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP Phase II), and the Priority Fields of Action for the Environment and Development of the Mediterranean Basin. The document also contained a set of proposed reporting formats for biennial national reports on the implementation of the Barcelona Convention and Protocols in terms of Article 26 of the Convention, and for national reports on the technical implementation of each Protocol. In the preparation of the document, the need for as much harmonisation as was feasible with the reporting requirements of other international legal instruments dealing with the same subject-matter to which Mediterranean States were Parties, as well as to those of relevant EU Directives, was taken fully into account.

4. An *ad hoc* Working Group was convened by the Secretariat in Athens in February 2001, at which the document was discussed and reviewed. It was decided that it would be desirable to plan for separate reports on (a) issues arising directly from the terms of the Convention and Protocols, and (b) other issues arising from resolutions and recommendations of the Contracting Parties. The report of the Working Group and the revised document was submitted to the Twelfth Ordinary Meeting of the Contracting Parties, held in Monaco in November 2001. The Meeting adopted the reporting formats on the legal component of the Mediterranean Action Plan, and agreed to start implementing it progressively during the next biennium. It also requested the Secretariat (a) to provide technical and financial support for the progressive implementation, on a trial basis, of the

reporting system and (b) to report to the Contracting Parties at their Thirteenth Meeting on the lessons learnt from the first phase of implementation and to propose appropriate revision based on MAP experience, as well as on ongoing coordination of reporting activities implemented within the United Nations framework.

5. Seven Contracting Parties (Algeria, Croatia, Libya, Monaco, Spain, Tunisia and Turkey) volunteered to participate in the initial phase of the reporting exercise in response to a request by the Secretariat. Representatives from these countries formed the Working Group on Reporting Systems. In conformity with a request by the Bureau, participation was kept open for other countries that might decide to join the group during the biennium. No other country, however, joined the Group.

6. Two meetings of the Group were held, the first in Athens in May 2002, attended by representatives of five (Croatia, Libya, Monaco, Spain and Turkey) of the seven countries participating in the exercise, and the second in Catania in December 2002, attended by representatives of four participating countries (Croatia, Spain, Tunisia and Turkey). The meetings were also attended by representatives of MED POL, REMPEC and SPA/RAC, and by members of the UNEP Coordinating Unit of the Mediterranean Action Plan. The first meeting again thoroughly reviewed the reporting formats, which were based on the amended versions of the Convention and Protocols, and agreed that the reporting should be on this basis, even though only one of such amended versions (the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean) was currently in force. During the same meeting, the Group also decided that to ensure cohesion between the reports submitted by the different countries, guidelines on how each questionnaire item should be completed would have to be incorporated into the formats themselves. This was done by the Secretariat, and the revised formats were distributed to participating countries.

7. During the second meeting, progress in the preparation of the various country reports was reviewed, and a number of problems cleared up. It was also agreed that the final reports on the exercise from participating countries should reach the Secretariat not later than the end of May 2003, in order to enable discussion of the technical points during the meetings of MED POL, REMPEC and SPA/RAC National Focal Points, and also make it possible for the Secretariat to submit the necessary information to the Bureau of the Contracting Parties at its next meeting scheduled for late June 2003.

## **II. RESULTS OF THE EXERCISE**

### **II.1. General remarks**

8. Six participating countries (Algeria, Croatia, Monaco, Spain, Tunisia and Turkey) submitted reports to the MAP Coordinating Unit. The amount of information provided varied between the countries, and the sections covered by each is given in Table 1. It should be stressed that the classification (+++, ++ or +) is based on the number of items in each section responded to, not on the number of positive activities described, or on the detail supplied with respect to each or any of them. In a number of cases, whenever any item in any particular questionnaire could not be answered, a response was provided to the effect that this particular item was not applicable, or that no action was taken. In most cases, however, no response whatever was provided, the questionnaire forms being returned wholly or partially in their original form as in the format document.

9. In general, countries kept to the same numerical order for each section as in the format document. There were cases, however, where a different system of numbering the various sections was adopted.

10. Before the start of the exercise, it had been agreed that the period to which reporting would apply would be the 2000-2001 biennium, *i.e.* the period 01 January 2000 to 31 December 2001. It was also agreed that wherever possible, information on action taken in earlier years, particularly in the case of adherence to international legal instruments and in national legislation enacted, would be very helpful, as it would enable the Secretariat to establish a baseline against which biennial progress could be measured. Most national reports received were in accordance with this. However, there was a variation between countries as to the period covered. In one particular case, three partial reports were received, the first covering the period January 2000 to December 2001, and the other two covering the period 2001 – 2003. In all three reports, however, legislation dating back to earlier years was included in the appropriate lists. In another case where a number of separate partial reports were submitted, the periods covered were also different. In one particular national report, the period covered (in every section) was put down as April 2003, while in yet another, the space provided for stating the period covered (again in every section) was left blank.

TABLE 1

## Questionnaire sections covered by participating country reports

Section	Subject-matter	ALG	CRO	MON	SPA	TUN	TUR
Biennial Report on Implementation of the Convention and Protocols							
3.1.1	Convention	-	+++	+++	+++	+++	+
3.1.2	Dumping Protocol	-	+++	+++	+++	+	-
3.1.3	Emergency Protocol	-	+++	+++	+++	+	+++
3.1.4	Land-based Sources Protocol	+++	-	+++	+++	++	+
3.1.5	Specially Protected Areas Protocol	+++	+++	+++	+++	+++	++
3.1.6	Offshore Protocol	-	-	+++	+++	+++	-
3.1.7	Hazardous Wastes Protocol	-	-	+++	+++	+++	+++
Reports on Technical Implementation of the Protocols							
3.2	Dumping Protocol	-	-	+++	+++	-	-
3.3	Emergency Protocol	+++	-	+++	+++	-	+++
3.5	Land-based Sources Protocol	-	-	+++	+++	-	++
3.6	Specially Protected Areas Protocol	-	-	+++	+++	+++	++
3.7	SPAMI Report	-	-	+++	+++	-	+++
3.8	Offshore Protocol	-	-	+	+++	-	+++
3.9	Hazardous Wastes Protocol	-	-	+++	+++	-	+++

Legend:      +++      Good to excellent coverage: most or practically all questions answered  
                  ++      Medium coverage: approximately 50% of questions answered  
                  +      Low coverage: only a few questions answered  
                  -      No coverage: no information provided

11. The information required from participating countries can be conveniently divided into two main categories: Information of a legal and/or administrative nature, concerning adherence to international legal instruments of an environmental nature, enactment of national or local legislation, and administrative action taken in terms of the provisions of the Barcelona Convention and Protocols, is required in terms of Article 26 of the Barcelona Convention, which specifies the submission of biennial reports to the Secretariat on the legal, administrative or other measures taken by each Contracting Party for the implementation of

the Convention, the Protocols, and of the recommendations adopted by their meetings. For the purpose of the present exercise, it was decided that such information should be limited to action taken in terms of the legal instruments (temporarily omitting action taken in terms of other resolutions and recommendations adopted by Contracting Parties at their meetings). Information based on, and including, technical data is required in terms of the relevant articles of the various Protocols, which specify the submissions of national reports on the technical implementation of each Protocol in question.

12. On the whole, the reports submitted by participating countries contained more information of the first category. Five out of the six countries, in fact, submitted information which was either comprehensive or at least medium, with the remaining one providing fairly comprehensive coverage of one or two sections of the questionnaires. As regards information of the latter category, three countries submitted mainly comprehensive or medium information, two countries submitted reports with comprehensive coverage of only one section in each case, and the remaining country no information on any of the sections.

## **II.2. Biennial Report on the Implementation of the Convention and Protocols (Section 3.1 of the Reporting Formats)**

13. Information regarding the Convention itself (Section 3.1.1), the Land-based Sources Protocol (Section 3.1.4) and the Specially Protected Areas Protocol (Section 3.1.5) was provided in five of the six national reports received; that regarding the Dumping Protocol (Section 3.1.2), Emergency Protocol (Section 3.1.3) and the Hazardous Wastes Protocol (Section 3.1.7) was provided in four of the national reports, and that regarding the Offshore Protocol (Section 3.1.6) in three of the national reports.

### **Biennial general report and report on the implementation of the Convention for the Protection of the Mediterranean Environment and the Coastal region of the Mediterranean (Section 3.1.1)**

14. Five countries (Croatia, Monaco, Spain, Tunisia and Turkey) completed this section of the biennial report. Information on the overall national environmental situation during the period under review was provided by three countries (Croatia, Spain and Tunisia). The information submitted by Spain was very detailed and comprehensive. Information on signature and ratification of international legal instruments, both within and outside the framework of the legal component of the Mediterranean Action Plan, was provided by all five countries (Croatia Monaco, Spain, Tunisia and Turkey) for periods prior to the period under review. Four countries (Croatia, Monaco, Spain and Tunisia) reported signature and/or ratification of all or most of the 26 international legal instruments mentioned in resolutions and recommendations of the Contracting Parties between 1985 and 2002, and listed in the appendix to section 3.1.1. of the reporting formats. Relevant activities arising from adherence to such legal instruments which occurred during the period under review were also reported by Spain.

15. Four countries (Croatia, Monaco, Spain and Tunisia) provided information on national legal and/or administrative measures taken for application of the Precautionary Principle and Polluter Pays Principle. The same four countries also provided information on measures taken or in preparation to ensure the undertaking of Environmental Impact Assessment Studies for relevant activities, and on measures for the promotion of the integrated management of the coastal zone. Three countries (Croatia, Monaco and Spain) provided information on measures for the establishment of marine pollution monitoring programmes, and on measures regarding access to information by the public and participation by the public in decision-making processes.

16. Two countries (Croatia and Spain) provided information on problems and constraints in the implementation of the terms of the Convention, and also made relevant remarks and comments regarding the implementation of the Convention. These are discussed in the appropriate section of this report.

**Biennial report on the implementation of the Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft and Incineration at Sea (Section 3.1.2)**

17. Four countries (Croatia, Monaco, Spain and Tunisia) completed this section of the biennial report. Information on legal and/or administrative measures taken under the terms of the Protocol regarding the prohibition of dumping of wastes and other matter was submitted by four countries (Croatia, Monaco, Spain and Tunisia). The same four countries also provided information regarding the issue of permits and the conditions governing such issues. Information regarding application of the measures required to implement the Protocol to ships and aircraft, and that regarding the obligation to report possible contraventions of the Protocol was provided by three countries (Croatia, Monaco and Spain).

18. Two countries (Croatia and Spain) reported on information provided to the International Maritime Organization (IMO) on legal and/or administrative measures taken under the terms of the 1972 London Dumping Convention. Response to this part of the questionnaire was optional, as the information required was not obligatory under the terms of the Mediterranean Dumping Protocol.

19. Two countries (Croatia and Spain) reported that no problems had been detected when applying the terms of the Protocol. The other two countries completing this section of the biennial report left the item unanswered. Remarks or comments relevant to the Protocol were made by two countries (Croatia and Spain). These remarks reported, are discussed in the appropriate section of this report.

**Biennial report on the implementation of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in cases of Emergency, Combating Pollution of the Mediterranean Sea (Section 3.1.3)**

20. Five countries (Croatia, Monaco, Spain, Tunisia and Turkey) completed this section of the biennial report. Information on legal and/or administrative measures taken under the terms of the Protocol regarding the implementation of international regulations to prevent, reduce and control pollution of the marine environment from ships was provided by four countries (Croatia, Spain, Tunisia and Turkey). Information on measures regarding the maintenance and promotion of contingency plans and other means of preventing and combating pollution incidents was provided by four countries (Croatia, Monaco, Spain and Turkey), and that on measures taken in conformity with International Law to prevent the pollution of the Mediterranean Sea Area from Ships was given by three countries (Croatia, Monaco and Spain).

21. Two countries (Croatia and Spain) provided information regarding monitoring activities in terms of Article 5 of the Protocol, three countries (Croatia, Monaco and Spain) regarding the designation of national authorities, and all five countries (Croatia, Monaco, Spain, Tunisia and Turkey) regarding the national organization or authorities responsible for implementation of international conventions, port reception facilities and monitoring of discharges illegal under MARPOL 73/78.

22. Responses were provided by two countries (Croatia and Spain) regarding information exchanged directly with other Parties and communicated to the Regional Centre, by three countries (Croatia, Monaco and Spain) regarding bilateral and multilateral agreements concluded within the framework of the Protocol, by three countries (Croatia, Monaco and Spain) regarding port reception facilities, by four Countries (Croatia, Monaco, Spain and Turkey) regarding the assessment of environmental risks of maritime traffic, and by four countries (Croatia, Monaco, Spain and Turkey) regarding national, subregional or regional strategies concerning reception in places of refuge of ships in distress.

23. One country (Spain) reported that no problems had been detected when applying the terms of the Protocol. One country (Turkey) reported the necessity for National Law to be updated to meet the Protocol's requirements. One country (Croatia) had no relevant remarks to make on this point, while The other country completing this section of the biennial report left the item unanswered. Remarks or comments relevant to the Protocol were made by one country (Spain). These remarks reported, are discussed in the appropriate section of this report.

#### **Biennial report on the implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities (Section 3.1.4)**

24. Five countries (Algeria, Monaco, Spain, Tunisia and Turkey) completed this section of the biennial report. In the case of one country (Turkey), however, the only parts of the questionnaire completed were those dealing with Organizations responsible for drawing up the report, and assistance received. In reporting on legal and/or administrative measures taken under the terms of the Protocol, one country (Spain) reported on national adherence to international legal instruments in compliance with the general obligations and aims of the protocol. Four countries (Algeria, Monaco, Spain and Tunisia) reported on measures taken to elaborate and/or implement national action plans and programmes, as well as joint measures adopted by the Contracting Parties. Three countries (Monaco, Spain and Tunisia) reported on measures taken to reduce the risks of pollution caused by accidents. Four countries (Algeria, Monaco, Spain and Tunisia) reported on measures taken to establish authorization or regulation systems for control of discharges.

25. Three countries (Algeria, Monaco and Spain) reported on measures taken to implement the interim environmental quality for bathing waters, adopted by the Contracting Parties in 1985, and the interim environmental quality criteria for shellfish waters, adopted by the Contracting Parties in 1987. The same three countries reported on measures taken to assess coastal pollution levels, as well as on measures taken to evaluate the effectiveness of national action plans, programmes and measures implemented under the terms of the Protocol.

26. Three countries (Algeria, Spain and Turkey) described their constraints in implementation of the Protocol. The other two countries completing this section of the biennial report either stated that they had no observations to make (Monaco), or left the item unanswered (Tunisia). Remarks or comments relevant to the Protocol were made by two countries (Algeria and Spain). These remarks reported, are discussed in the appropriate section of this report.

**Biennial report on the implementation of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Section 3.1.5)**

27. All six participating countries (Algeria, Croatia, Monaco, Spain, Tunisia and Turkey) completed this section of the biennial report. In reporting on legal and/or administrative measures taken under the terms of the Protocol, all six countries provided information on measures to protect, preserve and manage marine and coastal areas of particular natural or cultural value, and threatened or endangered species of marine and coastal flora and fauna. Five countries (Algeria, Croatia, Monaco, Spain and Tunisia) provided information on the establishment of Specially Protected marine and coastal areas.

28. All five countries (Algeria, Monaco, Spain, Tunisia and Turkey) reported on action taken to strengthen the application of other legal instruments. The remaining country (Croatia) reported that no special measure had been taken. Four countries (Algeria, Monaco, Spain and Tunisia) reported on measures for prohibition of dumping or discharge affecting protected areas, and all six countries (Algeria, Croatia, Monaco, Spain, Tunisia and Turkey) on measures for regulating the passage of ships. Four countries (Algeria, Croatia, Spain and Tunisia) reported on measures for regulating the introduction of species, and five countries (Algeria, Monaco, Spain, Tunisia and Turkey) on measures for regulation of activities within protected areas. One country (Croatia) reported that no special measures had been taken in this regard, as no protected area had its own management plan. Five countries (Algeria, Croatia, Monaco, Spain and Tunisia) reported on measures for regulation of scientific research activities, and all six countries (Algeria, Croatia, Monaco, Spain, Tunisia and Turkey) on measures for regulation of fishing, hunting, harvesting and trade.

29. All six countries (Algeria, Croatia, Monaco, Spain, Tunisia and Turkey) reported on whether or not countries provided information on legal and/or administrative measures regarding planning and management of specially protected areas, and on measures for the protection and conservation of species. Five countries (Algeria, Croatia, Spain, Tunisia and Turkey) reported on measures to regulate the introduction of non-indigenous or genetically-modified species. One country (Spain) reported on procedures for granting exemptions from protection measures. Three countries (Croatia, Monaco and Tunisia) reported that no exemptions were granted during the period under review.

30. Three countries (Algeria, Croatia and Spain) described their constraints in implementation of the Protocol. The other three countries completing this section of the biennial report either stated that they had no observations to make (Monaco, Tunisia), or left the item unanswered (Turkey). Remarks or comments relevant to the Protocol were made by one country (Spain). These remarks reported, are discussed in the appropriate section of this report.

**Biennial report on the implementation of the Protocol on Pollution resulting from Exploration and Exploitation of the Continental Shelf, the Seabed and its Subsoil (Section 3.1.6)**

31. Three countries (Monaco, Spain and Tunisia) completed this section of the biennial report. In reporting on legal and/or administrative measures taken under the terms of the Protocol, All three countries (Monaco, Spain and Tunisia) provided information on relevant measures taken regarding prior written authorization for seabed exploration and exploitation. Two countries (Spain and Tunisia) provided information on measures to control the use, storage and disposal of chemicals in authorised activities covered by the Protocol.

32. All three countries (Monaco, Spain and Tunisia) reported on legal measures enacted to control the discharge of sewage from installations, and on measures taken to control the



disposal of garbage from installations. Two countries (Spain and Tunisia) reported on measures taken regarding the disposal all wastes and harmful substances in designated offshore reception facilities. Reports were recorded from two countries (Spain and Tunisia) regarding measures adopted to ensure the adoption of safety measures, regarding operators' contingency plans, notification of events likely to cause pollution, regarding removal of installations, and from one country (Spain) regarding activities initiated before the entry into force of the Protocol.

33. Only one country (Spain) described problems and constraints regarding the implementation of the Protocol, and made remarks or comments relevant to the Protocol. The constraints and the remarks reported are discussed in the appropriate section of this report.

### **Biennial report on the implementation of the Protocol on the Transboundary Movement of Hazardous Wastes and their Disposal (Section 3.1.7)**

34. Four countries (Monaco, Spain, Tunisia and Turkey) completed this section of the biennial report. All four countries reported as to whether measures were taken to reduce or eliminate the generation of hazardous wastes, and if so, what measures. All four countries also provided information on measures taken to reduce the transboundary movement of hazardous wastes, and on measures taken to prohibit the export and transit of hazardous wastes to developing countries. Similarly, all four countries reported on measures taken to prevent and punish illegal traffic of hazardous wastes, and on measures taken to control transboundary movements of hazardous wastes. In a number of instances, countries explained the reasons for the absence of specific measures take, including statements on the relevance of such measures in relation to their national situation, or coverage of the problem by other means.

35. One countries (Monaco) reported no problems or constraints in the implementation of the Protocol. Another country (Spain) report problems of duplication of effort in compiling the report, as the material required was similar to that required for the Basle Convention, but in a different format. Another country (Turkey) reported that implementation of the Protocol has not yet commenced. One country (Spain) made relevant remarks regarding the implementation of the Protocol, again with regard to the need for harmonisation with the Report on the Basle Convention. The other three countries (Monaco Tunisia and Turkey) had no relevant remarks to make.

### **II.3. National reports on the technical implementation of the Protocols**

#### **National report on the technical implementation of the Dumping Protocol: Report on the Disposal of Wastes or other matter in terms of Articles 4,5,6,8 and 9. (Section 3.2)**

36. Two countries (Monaco and Spain) completed the report on the technical implementation of this Protocol. In replying to the question of permits issued for the dumping of wastes, One country (Spain) reported that authorisations during the period under review were only granted in the case of dredged materials. The required details regarding the volume and location of dredging material dumped was provided. The other country (Monaco) reported that requests for dumping were extremely few, and as such, the situation did not call for formal accountability. Both countries reported that no occurrences of dumping in cases of force majeure, or of dumping at sea in critical situations, took place.

**National report on the technical implementation of the Prevention and Emergency Protocol (Section 3.3)**

37. Four countries (Algeria, Monaco, Spain and Turkey) completed the report on the technical implementation of this Protocol. All four countries described the status of their national contingency plan, which was operational in Algeria and Spain. In the former case, however, it did not as yet include chemical products. Turkey reported that its national contingency plan was passing through approval procedures in Parliament, and its scope included both oil and other harmful substances. Monaco reported that its national contingency plan was in its final stages of preparation, and covered hydrocarbons, but not chemical products. No reply could therefore be provided to the subsequent items in the questionnaire format which depended on the national contingency plan's completion. The two countries in which the national contingency plan was operational (Algeria and Spain) described the operational responsibilities and command structure of their relevant national authorities. Three countries (Algeria, Spain and Turkey) described their response strategy.

38. Turkey reported that the use of dispersants was prohibited by law, except around refineries. Spain reported that regulations on the use of dispersants were under study, and that in the meantime, only selected products were recommended for use, while Algeria reported that so far there was no formal national policy on the use of dispersants.

39. Two countries (Spain and Turkey) reported adequate capability for airborne surveillance. Algeria reported no capability in this respect. Regarding sensitivity maps, one country (Algeria) reported that these were in course of preparation. Two countries (Spain and Turkey) reported that these were not yet available, while the remaining country (Monaco) stated that these did not apply in its case. One country (Algeria) provided lists and relevant details of pollution incidents considered as constituting local emergency. Two other countries (Spain and Turkey) reported that no spillages of this nature had been recorded. The remaining country (Monaco) questioned the lack of definition as to what constituted a local emergency. Three countries (Algeria, Spain and Turkey) reported that no reports of pollution incidents at sea likely to affect other Parties had been received during the period under review.

**National *ad hoc* report on Pollution at Sea (POLREP) (Section 3.4)**

40. This report is essentially of an *ad hoc* nature, and did not have to be completed as part of a periodic report. As expected, it was not completed by any participating country.

**National report on the technical implementation of the Land-based Sources Protocol (Section 3.5)**

41. Three countries (Monaco, Spain and Turkey) completed the report on the technical implementation of this Protocol. All three countries supplied statistical information on authorizations for discharge granted during the period under review through completion of the table in the appendix to the report. The information submitted, however, varied from the very comprehensive to the relatively sparse. Two countries (Monaco and Spain) described the types of sanctions applied in cases of non-compliance with the terms of authorizations granted. The same two countries (Monaco and Spain) described the institutional structure of their inspection systems.

**National report on the technical implementation of the Specially Protected Areas Protocol (Section 3.6) and Report on Specially Protected Areas of Mediterranean Importance (SPAMIS) under the jurisdiction of more than one country Section 3.7)**

42. Four countries (Monaco, Spain, Tunisia and Turkey) completed the report on the technical implementation of this Protocol, and three (Monaco, Spain and Turkey) completed the report on SWAMIS. Three countries (Monaco, Spain and Tunisia) provided a list of Specially Protected Areas established in terms of the Protocol, and one country (Turkey) provided a list of protected plant and animal species. Three countries (Monaco, Spain and Tunisia) submitted information on proposals for areas under national jurisdiction to be included in the SPAMI list, while two countries (Spain and Tunisia) reported on the status of areas under national jurisdiction already included in the SPAMI list, to which no changes had been made during the period under review. One country (Spain) reported on changes in the delimitation or legal status of protected species, while another (Tunisia) stated that a Law on the subject-matter was undergoing the process of approval. Two countries (Monaco, Spain and Turkey) provided information on new records of non-indigenous species likely to cause damage. Of these, the information from Monaco and Turkey referred to *Caulerpa* species. The remaining country (Tunisia) reported that an action plan was in course of elaboration. All four countries reported on inventories made of the components of biological diversity (Monaco, Spain and Tunisia) or of progress effected in the compilation of such inventories (and Turkey).

43. Two countries (Monaco and Tunisia) reported that no exemptions were granted from protection measures during the period under review. One country (Spain) reported that no information on exemptions was available. Three countries (Spain, Tunisia and Turkey) reported on progress in the implementation of action plans for protected species within the framework of MAP. One country (Monaco) stated that the action plans in question were not applicable to it.

44. Three countries (Monaco, Spain and Turkey) reported that no SPAMIS under the jurisdiction of more than one country currently applied to them. The remaining country (Tunisia) did not reply to this section of the questionnaires.

**National report on the technical implementation of the Offshore Protocol (Section 3.8)**

45. Material regarding this report was received from three countries (Monaco, Spain and Turkey). Of these, one country (Monaco) stated that the Protocol had not yet been ratified, and that no request for authorization had been made to the competent national authorities, also that no specific procedure as yet existed for dealing with this type of request.

46. The other two countries (Spain and Turkey) completed the report on the technical implementation of this Protocol. One country (Spain) listed the authorizations granted during the period under review, while another (Turkey) provided information on activities carried out. Both countries reported that no applications were refused during this period, and provided the activity details for each authorization granted, including the total amount of wastes involved. The two countries also stated that no disposals had occurred, and a contingency plan would have been applied if they had (Turkey) or that they had no knowledge of any disposals carried out as constituting exceptions, or of any kind of dumping or discharge of hazardous substances as established under the terms of the Protocol (Spain). One country (Spain) also submitted detailed information regarding radioactive wastes.

## **National report on the technical implementation of the Hazardous Wastes Protocol (Section 3.9)**

47. Three countries (Monaco, Spain and Turkey) completed the report on the technical implementation of this Protocol. Two countries (Monaco, Spain) provided details of hazardous wastes generated, the former from 1994 to 2001, the latter for 2000. The other country (Turkey) stated that there was currently no reliable hazardous waste inventory, but submitted material available from a number of national sources. Two countries (Monaco and Spain) provided information regarding transboundary movements of hazardous and other wastes in which they were involved, giving all the details required. Turkey described the national procedures for export of hazardous wastes, but provided no data on transboundary movements.

48. All three countries stated that no accident during the transboundary movement of hazardous and other wastes was reported during the period under review (2000 in the case of Spain). Or that no information on any accident was on record.. Two countries (Monaco and Spain) reported that no alternative options for the disposal of hazardous wastes were carried out within their area of national jurisdiction. Turkey provided statistical details on the one regulated national facility for hazardous waste.

### **III. CONCLUSIONS AND RECOMMENDATIONS**

#### **III.1. General analysis of results**

49. On the whole, the results of the exercise demonstrate that the reporting capability is not the same in the different countries, but it is nevertheless satisfactory for all despite this difference. Out of six participating countries, only two (Monaco and Spain) produced what can be considered satisfactory responses. Of the other four, two (Tunisia and Turkey) gave responses which can only be described as not complete, and two (Algeria and Croatia) gave not enough information. It should be kept in mind that the information required is expected of the countries in terms of the international legal instruments they themselves have adopted. The only aspect of the present exercise which can be described as voluntary is therefore its status as a pilot exercise designed to find out the capabilities of the countries to fulfil their reporting obligations, to identify existing constraints of whatever nature, and to develop the necessary means to overcome such constraints. There is no question, therefore, of amending the questionnaires in order to reduce the amount of information and data the countries have to produce. In fact, the present questionnaire formats represent only the first step towards the establishment of a system of reporting which would be in full conformity with the terms of Article 26 of the Barcelona Convention. In this context, as already stated, countries have also bound themselves to include, in their biennial reports, the measures taken by them in terms of the recommendations adopted by the Contracting Parties at their meetings, in addition to those taken in direct implementation of the various articles of the Convention and Protocols. The exercise which has just been completed was restricted to reporting obligations within the framework of the legal component of MAP, and represents only part of the information Contracting Parties have pledged to provide.

50. There are two major matters for concern. The first is lack of information as to why the majority of the countries participating in the exercise only responded to a limited number of questionnaires, and somehow ignored the rest. The second is the fact that, in several instances, countries returned partially completed sections, and gave no information whatever as to why no response was given to any particular item in the various questionnaires. In this context, the guidelines for completion of the reporting formats need to be expanded through the addition of material of a more general material, explaining to countries what is required of them should it not be possible to provide a positive response to any questionnaire item.

51. During the course of the exercise, a problem occurred in the case of one particular country regarding the way in which national organisations (other than the one responsible for coordination and submission of the national report) providing information and data used in completion any particular section should be mentioned. When the full-scale reporting exercise gets under way, it is expected that this problem will also apply to other countries. In general, there are two types of organisations involved in the reporting process. The first is the one responsible for co-ordinating the whole exercise and submitting the questionnaires to the MAP Secretariat or the appropriate Regional Centre. This organisation would normally be the one designated as National MAP Focal Point. The second type of organisation is that which is responsible for national activities relevant to any part of the Convention or any particular Protocol, and which is therefore the recognised national depository for the data or information in question. This problem was solved in the case of the country bringing it up, but in order to clarify matters and ensure that there are no further occurrences, some changes are required in the various reporting formats to distinguish between the national organization responsible for overall coordination and submission, and those responsible for providing the relevant information and data with respect to any particular activity.

52. The biennial report on the implementation of the Convention and Protocols deals practically entirely with legal and administrative measures at national level. More specifically, it deals with (a) adherence to international legal instruments on the environment, both within the framework of the Mediterranean Action Plan and otherwise, and (b) national laws enacted and relevant administrative measures taken in terms of the Convention and Protocols' requirements. This information is obviously readily available in every country, and the only possible constraint *vis-à-vis* its submission, *i.e.* the reason for any failure to provide it to the MAP Secretariat, could be poor coordination between the national organisation acting as national MAP focal point and other national bodies.

53. The national reports on technical implementation of the various protocols constitute a mixture of (a) administrative and related measures and activities, and (b) technical data, both statistical and analytical. The former type would be subject to the same constraints as described above for the biennial report on the Convention and Protocols, in the case of those countries where internal liaison required improvement. The latter type of information is subject to one main constraint: that of actual availability of the data in question. The only answer to this is obviously the enhancement of the national infrastructure to enable production of the data in question.

54. On the basis of the information and data submitted, it is obvious that, at least in some countries, a very large amount of progress has been effected towards full conformity with the terms and requirements of the Convention and Protocols. In fact, in certain instances, measures taken have been well beyond the Convention and Protocols' requirements. Similarly, adherence to other international legal instruments relevant to the objectives of the Mediterranean Action Plan can be considered satisfactory. The problem lies in the fact that in the case of those participating countries submitting only partial information, it is not known whether the lack of response to any item in the various questionnaires can be attributed to the absence of any measures taken or, as may be the case, to the inability of the national organisation responsible for submitting the reports to acquire the necessary information from those other national bodies involved in the activities in question and sometimes within Ministries of Environment themselves.

55. This being the first effort at obtaining a periodic report from Contracting Parties, one of the main problems was to obtain a set of baseline data on the situation prevailing in the various countries at the start of the period under review. To a large extent, this problem has been overcome, at least in the case of those countries providing substantial or, in some cases, even partial reports, as the information submitted included measures taken prior to

the start of the period under review (01 January 2000 to 31 December 2002). This has meant, of course, that in the case of these countries, the reports have included more material than would have been the case had they been restricted to activities and measures taken during the two-year period proper. When the reporting exercise goes into its full operational phase, *i.e.* when all countries will be submitting reports, it would be necessary to ensure that the necessary background information on the situation at the start of the reporting period is also included in the first reports.

### III.2. Problems and constraints

56. A number of problems and constraints were identified by participating countries, mainly by Spain and, to a lesser extent, Croatia and Monaco. One of the main problems raised was that of geographical scope, *i.e.* whether information from non-coastal Mediterranean regions should be included in the various reports. The main problem has been described as affecting mainly the report on the Land-based Sources Protocol which, in its amended form, includes the hydrological basin of the Mediterranean Sea Area. In this context, it is considered that information from non-coastal regions should only be included if the regions in question fall within the definition of such areas. The guidelines for completing the reporting formats could therefore be amended accordingly.

57. Another problem concerns the possible duplication of effort involved in two separate formats for reporting (a) material to the MAP Secretariat regarding any particular Mediterranean Protocol and (b) what would *prima facie* appear to be essentially the same material to the Secretariats of other international legal instruments of the same nature. This problem affects mainly the reports regarding (a) the Mediterranean Dumping Protocol and the London Dumping Convention, and (b) The Mediterranean Hazardous Wastes Protocol and the Basle Convention. There is also the question of a number of EU Directives with reporting obligations similar to those in the Barcelona Convention and Protocols. Currently, these affect four Mediterranean States members of the EU (France, Greece, Italy and Spain), and will also affect three other Mediterranean States (Cyprus, Malta and Slovenia) when they become member states of the EU in 2004.

58. The question of harmonisation between the reporting formats for the Barcelona Convention and Protocols on the one hand and other international legal instruments on the other, has been thoroughly discussed in the documentation describing the MAP reporting requirements. While every effort has been made to align the MAP reporting formats as far as possible with the requirements of other international legal instruments (including EU Directives), the requirements in question have to be modelled on the terms of the Barcelona Convention and the particular Protocol concerned. It would therefore be a matter for the MAP Secretariat to take up with the EU, and with the Secretariats of the other international conventions concerned, with the aim of achieving the highest possible degree of harmonisation between the reports to be submitted to the relative organisations. This process would of necessity be lengthy, and until any concrete agreement is reached, the MAP reporting formats have to be based essentially on the terms and requirements of the Barcelona Convention and the specific Protocol to which they refer.

59. Another problem reported regards the length of the material to be submitted. This can be remedied to a certain extent by requesting countries to restrict information on measures adopted, including legal measures, to official titles of laws, regulations or administrative decisions, dates of entering into force, and brief scope and purport. Beyond this, and the fact that countries can be requested to be as concise as possible, it is not considered that anything can be done to make countries reduce the amount of information they provide, particularly when the main scope of the exercise is to get them to provide as much information as possible. It has also been remarked in one country's report that "the

reporting formats have a national character, whereas the information requested is of a regional scope". The Contracting Parties have signed and ratified the Barcelona Convention and Protocols as countries, and the information they submit in terms of their requirements must therefore be of a national character, with the proviso that such information would only be expected to include those regions falling within the terms of the Convention and Protocols.

60. One country (Monaco) raised queries about the guidelines for responding to a number of items in the various sections of the reporting formats. In the main, the suggestion was that some of the sentences explaining what sort of response was required should be totally or partially deleted, on the grounds that they constituted a virtual repetition of material already stated in describing the item in question. In a number of cases, the "guideline" paragraph did repeat the item description, mainly because the latter was clear enough. However, it was obvious from the responses received from most of the participating countries that the guideline material, rather than the item descriptor, was mainly used in formulating responses. It is therefore considered that the "guideline" sections of the reporting formats should remain as self-sufficient as possible, even if information is repeated.

61. Some of the remarks from the same country concerned amplification of the guideline paragraphs, including the insertion of a table for providing information on adherence to international legal instruments. These constitute valid suggestions which should be incorporated into a revised version of the guidelines.

62. One country (Algeria) listed a number of constraints regarding implementation of the measures to be taken in terms of the Land-based Sources Protocol. These include assistance and expertise, collection of information, training, financial problems, and insufficiency of the means necessary to put measures into effect. Similar constraints were listed by Croatia with regard to implementation of the Specially Protected Areas and Biodiversity Protocol. No other participating country raised the same problem, but with the exception of Monaco and Spain, the relative questions were left unanswered. The problem of collecting data, particularly in the case of the Land-based Protocol, is expected to apply to many of the countries, especially those in the southern and eastern Mediterranean littoral.

### **III.3. Recommendations**

#### **Reporting formats and guidelines**

63. No major modifications can be made to the reporting formats themselves, as they reflect the terms of the Convention and the various Protocols. Some minor modifications can however be made. In a few cases, the requirements of certain Articles in one or two Protocols appear to have been inadvertently missed, and (following the reference to such in at least one national report), these should be added. In one particular case, that of the biennial report on legal/administrative measures taken in the implementation of the Emergency Protocol, the reporting requirements of one Article (again as suggested by one of the reporting countries, should be appropriately expanded. Again as recommended by one reporting country, the formats for reporting on adherence to international legal instruments in the biennial reports dealing with (a) the Convention and (b) the Emergency Protocol would be more appropriately put in tabular form.

64. It would be similarly appropriate if the overall enumeration of sections in the reporting formats be altered, so that each report will be a separate issue. One country (Monaco) suggested that instead of the dichotomy into (a) biennial reports as per paragraph 26 of the Convention and (b) national reports on individual protocols, an alternative split would be to group reports according to which components of the Mediterranean Action Plan they should

be sent to, *i.e.*, the MAP Secretariat, MED POL, REMPEC or SPA/RAC. In this regard, it should be remembered that the reports fall into two categories. Firstly, the biennial report on the legal and administrative measures on the implementation of the Convention and protocols in terms of Article 26 of the Convention, is really one single report, and its division into separate sections respectively covering the Convention and each protocol is only justified by the decision that different sections would be submitted to different components of the Mediterranean Action Plan. Secondly, there is the set of reports on the technical implementation of the Protocols (as per the corresponding articles of the relative Protocol), each of which is a separate entity. Retention of this main division is therefore much more logical. Removal of the current sectional enumeration, and the treating of each report as a separate entity in its own right (including the various sections of the biennial report) would perhaps help to avoid any misunderstandings. One other way would be to submit all reports to the MAP Secretariat. In this case, a decision would have to be taken as to whether it would then be the responsibility of the Secretariat to transmit relevant reports to the appropriate MAP component or Regional Centre (MED POL, REMPEC or SPA/RAC), or whether countries should be asked to send copies to these Centres direct.

65. The format for the national *ad hoc* report on pollution at sea (POLREP) is not a periodic report, and its current insertion as a sort of appendix to the national report on the technical implementation of the Prevention and Emergency Protocol is not justified. It should therefore either be retained on its own at the end of the document containing the reporting formats and the guidelines for their completion, with a note explaining that it is there only for information purposes, or omitted from the document and circulated separately by REMPEC to its national focal points along with other *ad hoc* material. As suggested by one country (Monaco), REMPEC could distribute a "model" completed questionnaire for reference by countries if and when they are eventually in a situation where such a report has to be submitted.

66. A number of modifications should be made to the guidelines incorporated in the formats for the various reports. The main modification should be the addition of a set of general guidelines on overall requirements for completing the questions, including instructions on what to write if and/or when the required information or data for any particular item cannot be submitted. These general guidelines would of course be placed at the beginning of the set of formats. As stated in paragraph 60 above, as regards the guideline content of individual report items, it is considered that, apart from instances where extra material or additional clarity is considered necessary, the present material should remain, even though in a number of instances it is (necessarily) a virtual repetition of the textual description of the item in question.

## **Future developments**

### ***Commencement of the mandatory phase of implementation of the reporting system***

67. It is considered that the current exercise has served its purpose as the natural precursor to commencement by the Contracting Parties to observe the terms of (a) Article 26 of the Barcelona Convention, at least insofar as legal/administrative measures for the implementation of the Convention and Protocols are concerned, and (b) the relevant articles in the various protocols relating to reporting on the technical implementation of each.

68. The results of the exercise has however indicated that while some countries would be expected to find no problems in this regard, the situation would not be the same in others. As already indicated earlier in this report, there are two main types of problems involved – those with regard to the lack of internal communication and liaison, which affect the flow of information between the national organisation responsible for co-ordinating and submitting



reports on the one hand, and other national bodies responsible for the implementation of certain activities relevant to MAP on the other hand. This type of problem can only be solved internally in the countries affected by it. The second type of problem affects mainly the reports on the technical implementation of individual protocols, and (apart from including the lack of communication and liaison mentioned for the former type), is mainly characterised by the lack of personnel and material resources necessary for implementation of a variable number of activities laid down in one or more of the protocols. This in itself will not hinder a country from fulfilling its reporting obligations proper – it can fulfil these by stating that no action has been taken on any specific item in the questionnaires. The lack of resources, however, is preventing some countries from fulfilling their material (as distinct from their reporting) obligations with regard to protocol implementation, which does not amount to exactly the same thing.

69. It is considered that the two matters (material obligations and reporting obligations) referred to in the preceding paragraph should be treated as two separate issues, and the matter of enhancement of national infrastructures to enable them to fulfil the technical requirements of the various protocols should not be considered as part of any reporting exercise, but within the framework of their more appropriate components of the Mediterranean Action Plan. The natural development of the current exercise should be to further enhance the reporting capacity of those countries which do require such improvement (some obviously do not), and until such time as they are in a position to report positive developments through implementation of various activities covered by the terms of the Convention and Protocols, they can be considered as having fulfilled their reporting obligations by indicating, under the appropriate items in the reporting formats, which of the items in question were not fulfilled and, if possible, the reason for such lack of fulfilment).

70. With this in mind, therefore, it is recommended that the Contracting Parties agree to commencement on regular reporting on the parts of the biennial report in terms of Article 26 of the Convention relating to the legal component of the Mediterranean Action Plan, and the technical reports on the various protocols (i.e. the material covered in the current voluntary reporting exercise) as from the next biennium. This would mean that the first reports would start during the coming biennium (2004-2005) and mainly cover activities performed during the biennium 01 January 2002 to 31 December 2003, A tentative schedule would be for reports to be submitted to the Secretariat by the end of 2004 or the of 2005, giving the MAP Secretariat sufficient time to process the reports for discussion by the meetings of national co-ordinators or focal points for the various MAP components, and then by the 2005 meeting of MAP national focal points and, finally, the 2005 Contracting Parties' Ordinary meeting.

71. To ensure as much effectiveness as possible in the compilation of information and data in the different countries, it would be advisable for the Contracting Parties to approve an appropriate budget to cover (a) an acceptable degree of technical assistance to those countries requiring it, (b) the organisation by the MAP Secretariat of a workshop for those persons entrusted by their national authorities for collecting and compiling the relevant information and data for eventual submission and (c) any related expenses by the Secretariat in (a) ensuring that throughout the period during which the reports are being prepared in individual countries, national personnel responsible can obtain practical and technical advice from the Secretariat on a continuing basis, and (b) processing of the reports prior to submission to countries in an integrated form, unless such processing expenses are already covered in more general budget lines. The workshop, which should preferably take place during the first quarter of 2004, would have the aim of ensuring that the persons attending it are made thoroughly familiar with what they will later be expected to do with regard to the completion of the various questionnaires. Bringing all these people together for a few days will avoid having to deal with more or less common problems on an individual basis at different times in different places. Travel by experts to individual countries should only be made in what are considered to be exceptional circumstances.

72. One problem might be the fact that not all the new protocols, or the amended versions of the Convention and older protocols, are currently in force, and a number of these still have to be ratified by individual Mediterranean countries. The reporting formats are necessarily based on the amended or replacement versions of the Convention and older protocols, and the requirements of these (including reporting requirements) cannot be considered as binding on those countries which are not yet Contracting Parties to them. It is important, therefore that such countries agree voluntarily to submit reports which in the case of legal instruments they are not yet Parties to, would include, under each item, any data or information on activities carried out in the country concerned in keeping with the terms of the Convention or the Protocol in question. Such information would be submitted on a voluntary basis and not as in fulfilment of any obligation.

### ***Harmonisation of the reporting formats***

73. The matter of harmonisation of reporting formats with comparable ones within the framework of (a) other, non-MAP, international legal instruments and (b) EU Directives is a matter which the MAP Secretariat will have to take up with the bodies concerned, in an effort to reach satisfactory mutual agreement. This process will be expected to take some time, and it is therefore recommended that the Contracting Parties be requested to authorise the Secretariat to commence action, and following submission of progress to consecutive meetings of the Bureau, submit a report to the 2005 Contracting Parties' meeting. In the meantime, there is no option but to report on the basis of the current formats, which are based on the terms of the various articles of the Convention and protocols and, as such, exactly in line with the obligations of countries in their capacity of Contracting Parties to the legal instruments in question.

### ***Reporting formats for the non-legal components of MAP***

74. Apart from reporting on measures taken for the implementation of the Convention and Protocols, Article 26 of the Barcelona Convention also specifies that the biennial reports of Contracting Parties must include the legal, administrative or other measures taken by them for the implementation of the recommendations adopted at their meetings. These recommendations include a large number of items which do not form part of the legal component of the Mediterranean Action Plan. One of the main resolutions in this category is the 1995 Barcelona Resolution on the Environment and Sustainable Development in the Mediterranean Basin, with its two appendices: the Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP Phase II) and the Priority Fields of Activities for the Environment and Development of the Mediterranean Basin. Apart from these, the various meetings of the Contracting Parties have all produced a large number of resolutions and recommendations regarding the non-legal component of the Mediterranean Action Plan.

75. This aspect of reporting will be expected to form the logical follow-up to the aspect covered by the contents of the present voluntary exercise. Its scope is somewhat wider in terms of areas of activity, and reporting on it will present a number of problems to those countries where internal liaison is not currently very effective. The first item of initial work involved will be the preparation of a document similar to the one prepared for the current exercise, *i.e.* a document on national reporting obligations on measures and activities within the framework of the non-legal components of the Mediterranean Action Plan. The first draft of such a document could perhaps be prepared in time for consideration by the 2003 Contracting Parties' meeting, but not in time for it to be reviewed at the proper level by an appropriate technical meeting before this. In addition, the addition of this aspect of reporting to that involved in the legal component of MAP at this particular stage of the latter's

development could place a burden on a number of countries. It is therefore recommended that, at their coming meeting later this year, the Contracting Parties be requested to authorise the preparation of such a document during the next (2004-2005) biennium, including the organisation of a working group meeting to evaluate and finalise it, with a view to consideration of appropriate action on it at their 2005 ordinary meeting.

***Mechanism for the review of implementation of and compliance with the obligations set out by the Barcelona Convention***

76. The analysis of the behaviour of the Parties *vis-à-vis* a Multilateral Environmental Agreement (MEA) is carried out through the establishment of mechanisms for the reviewing, controlling and promoting of the implementation and compliance with the obligations set out by the MEA. Such systems are made up mainly of the following elements:

- MEA reporting
- Review of MEA implementation
- Review of Compliance with MEA provisions
- Review of effectiveness of the implementation

77. Those steps are consecutive. The reporting and review mechanisms have been established generally by all MEA whereas the compliance control mechanism is still limited and under development by the majority of the MEAs.

78. Article 27 of the Barcelona Convention provides that the CPs shall, on the basis of periodical reports referred to in Article 26 and any other report submitted by the Contracting Parties, assess the compliance with the Convention and the protocols as well as the measures and recommendations. They shall recommend, when appropriate, the necessary steps to bring about full compliance with the Convention and protocols and promote the implementation of the decisions and recommendations.

79. Once the implementation of the reporting system under the Barcelona Convention enters into a binding phase, a body/mechanism is needed to review the national reports and prepare an implementation and compliance report. Such a tool would assist the Contracting Parties to comply with articles 26 and 27, in other words to review and assess the status of implementation and propose the due recommendations for submission to the CP meeting.

80. On this basis and to comply with article 27 of the Convention, at its 12<sup>th</sup> meeting in Monaco, the Contracting Parties requested the Secretariat to consider the necessity of establishing mechanisms for implementation and compliance with the Barcelona Convention.

81. Further to that decision, the Bureau of the Contracting Parties, at its meetings in Damascus, March 2002, Monaco, October 2002, and particularly in Sarajevo, May 2003, after reviewing the options prepared by the Secretariat recommended to consider the implementation and compliance mechanism in close interaction with the reporting system in place.

82. Among the possible options, establishing an institutional implementation review and compliance control body made up of the CP themselves, would be the best option because it would better guarantee the ownership of the Contracting Parties over this very important process, contribute to the increase of the transparency and commitment and would be in line with the development trend of other MEA in this sector.

83. It is therefore objective and reasonable to recommend to the next Ordinary Meeting of the Contracting Parties in Catania to establish a Working Group on Implementation and

Compliance under the guidance of the Bureau that could focus its work on the following activities:

1. Review of national reports.
2. Assessment of the general status of the implementation of the Barcelona Convention for the biennium 2002-2003 and submission of the report on such assessment to the 14<sup>th</sup> meeting of the Contracting Parties in 2005.
3. Updating of the reporting formats on the basis of the lessons learnt and with the objective of harmonising them to the extent possible with reporting under the terms of other international legal instruments, including EC Directives, and other MEA.
4. Elaboration of a platform for the establishment of a mechanism for promoting and monitoring the implementation of, and compliance with, the terms of the Barcelona Convention and Protocols, for submission to the 14<sup>th</sup> meeting of the Contracting Parties in 2005.
5. Supervision of the process of elaboration of the reporting formats for the non-legal components of MAP.

84. The working group could meet twice a year slightly before the Bureau meetings and would report to the Bureau and to the Contracting Parties' meeting. The working group could be made up of 6-8 experts (legal and technical experts) proposed by the Contracting Parties on the basis of clear Terms of Reference prepared by the Secretariat. A mandate could be given to the Bureau to establish the Working Group at its first meeting following the meeting of the Contracting Parties in Catania in November 2003. The Secretariat could nominate 1-2 legal independent experts to support the working group. NGOs would be invited to nominate one or two representatives as members (observers) of the Working Group.

**ANNEX IV**

**FORMATS FOR NATIONAL REPORTS TO BE SUBMITTED WITHIN THE FRAMEWORK  
OF THE LEGAL COMPONENT OF THE MEDITERRANEAN ACTION PLAN**

## CONTENTS

### I. GENERAL GUIDELINES FOR COMPLETING REPORTS

### II. FORMAT FOR BIENNIAL NATIONAL REPORT ON THE IMPLEMENTATION OF THE CONVENTION AND PROTOCOLS IN TERMS OF ARTICLE 26 OF THE CONVENTION

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- Part 2. Implementation of the Convention for the Protection of the Mediterranean Environment and the Coastal Region of the Mediterranean
- Part 3. Implementation of the Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft and Incineration at Sea:
- Part 4. Implementation of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea.
- Part 5. Implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities.
- Part 6. Implementation of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean:
- Part 7. Implementation of the Protocol on Pollution resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil:
- Part 8. Implementation of the Protocol on the Transboundary Movement of Hazardous Wastes and their Disposal:

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- National Report on the technical implementation of the Dumping Protocol: Report on the disposal of wastes or other matter in terms of Articles 4, 5, 6, 8 and 9.
- National Report on the technical implementation of the Prevention and Emergency Protocol.
- National Report on the technical implementation of the Land-based Sources Protocol
- National Report on the technical implementation of the Specially Protected Areas Protocol
- Report on Specially Protected Areas of Mediterranean Importance (SPAMIS) under the jurisdiction of more than one country

- National Report on the technical implementation of the Offshore Protocol
- National Report on the technical implementation of the Hazardous Wastes Protocol

#### IV. *AD HOC* REPORTS

Format for National *ad hoc* Report on pollution at sea (POLREP).

**(in accordance with Recommendation II A (a) (b) 4 approved by the XIth Ordinary Meeting of the Contracting Parties in 1999)**

## GENERAL GUIDELINES FOR COMPLETING REPORTS

1. The reporting formats contained in this document are designed for the submission of the following:
  - (a) The biennial report to the MAP Secretariat on the legal, administrative or other measures taken by them for the implementation of the Convention and Protocols, in terms of Article 26 of the Convention for the Protection of the Marine Environment and the Coastal region of the Mediterranean, including reports on the effectiveness of the measures referred to, and problems encountered in implementation. The formats do not include the reporting of measures for the implementation of resolutions or recommendations adopted by the Contracting Parties at their meetings, unless such resolution or recommendation has been made specifically with regard to the implementation of any article of the Convention or any Protocol.
  - (b) Periodic (generally, also biennial) reports to the MAP Secretariat on the technical implementation of the various protocols, in terms of the reporting requirements contained in that Protocol.
2. All the above reports are to be submitted to the MAP Secretariat in Athens, which will then be responsible for the transmission of any such report or part thereof to the relevant MAP Regional Centre as and when appropriate.
3. The National *ad hoc* Report on pollution at sea (POLREP), which is part of Recommendation II A (a) (b) 4 approved by the XIth Ordinary Meeting of the Contracting Parties in 1999, is included in the present document for information purposes only. It should only be completed when rendered necessary by circumstances (*i.e.* a pollution event at sea) and submitted to REMPEC)
- 4.. The reports should cover measures taken and activities carried out over a specific period, normally a biennium, which should be entered under the appropriate item in each case. However, in the case of countries which are submitting their first reports, such reports should also, as far as possible, include material on all relevant measures taken up to the end of the reporting period concerned. This will enable the MAP Secretariat to establish a baseline on which periodical progress can be gauged.
5. The national organisation responsible for compiling each report will normally be the one co-ordinating the reporting activity, and submitting the report in question to the MAP Secretariat or Regional Centre. Other national organisations who assist in the preparation of each report should be listed under the item "National Organizations providing data towards the compilation of report"
6. The information submitted should be as concise as possible. In the case of adherence to international legal instruments (including the legal component of MAP), the dates of signature, ratification, accession, and/or approval should be entered. In the case of national or local legislation, the name of the legal instrument in question and its date of enactment should be entered, and its main purport briefly described. Administrative action on any item should similarly be briefly described.
7. The formats for the various reports are based on the requirements in the Convention and protocols as amended. Those Contracting Parties which have not yet ratified any particular legal instrument are not, of course, legally bound to report on it. Nevertheless, it would considerably assist in the assessment of the general Mediterranean situation if such countries could voluntarily submit information on any measures taken by them which



coincide with, or are similar to, the ones covered by the articles of the Convention or by the Protocol in question.

8. A response should be given to ALL the items in each of the questionnaires. In the case of items in any questionnaire which cannot be responded to, the reason or reasons for such lack of response should be indicated, *i.e.* absence of a any measure taken or activity carried out, lack of information, or difficulty in obtaining the information in question from other national organisations, no data available, etc. It is important that no response to any item should be left completely blank

9. The questionnaire formats should be seen not only as a means of providing the Secretariat of the Mediterranean Action Plan with the necessary information on national activities in fulfilment of the obligations of Contracting Parties in terms of the Barcelona Convention and Protocols. More important, they can be used by individual countries as a tool to review and analyse their ability to comply with the material (as distinct from the reporting) obligations of the Convention and Protocols, and to assess their requirements to enable these obligations to be met. It is therefore important to identify the reasons why any item in any of the questionnaire formats cannot be responded to, and the possible solutions to the problems in question.

**FORMAT FOR BIENNIAL NATIONAL REPORT ON THE  
IMPLEMENTATION OF THE CONVENTION AND PROTOCOLS  
IN TERMS OF ARTICLE 26 OF THE CONVENTION**

**PART 1****GENERAL INFORMATION**

## 1. Country.

*Write down the name of the country with regard to which the report is being submitted*

## 2. Period covered by the Report.

*Write down the biennium covered by the report, e.g. 01 January 2002 to 31 December 2003. In the case of initial reports, indicate whether or not, activities undertaken prior to this period are included.*

## 3. National Organization responsible for compiling report

*Give the name and address of the national Organization compiling this report, including name and title of person actually responsible for its compilation.*

## 4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data. In the case of each such national Organization mentioned, indicate which part of the report it has contributed to.*

## 5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

## 6. Ratification of amended or new versions of the Convention and Protocols.

*List the amended or new versions of the Barcelona Convention and Protocols signed and/or ratified by your country during the period under review, in each case giving the date of such signature and/or ratification. In the case of initial reports, give a complete list of signatures and ratifications up to the end of the period under review.*

## 7. General remarks on overall national environmental situation during period under review (optional).

*Very briefly, outline any major changes in the various aspects of the national environment in general occurring during the period under review, such as changes in environmental quality and the factors responsible for, or contributing to, such changes. In the case of initial reports, this outline should be preceded by a brief description of the status of the national environment at the beginning of the period under review.*

## 8. Brief description of any problems or constraints in implementation of the Convention and Protocols. (optional)

*Briefly describe any general problems or constraints, if any, which impeded the implementation of any measure relevant to the terms of the Convention and Protocols during the period under review. If applicable, state what action was taken to solve such problems or constraints. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Convention and Protocols.*

## **PART 2**

### **Implementation of the Convention for the Protection of the Mediterranean Environment and the Coastal Region of the Mediterranean:**

#### **1. Signature, ratification of International legal instruments:**

##### **1.1. Bilateral or multilateral Agreements relevant to the terms of the Convention and Protocols entered into (Article 3.2. of the Convention)**

*List any bilateral or multilateral agreements your country has entered into during the period under review with other countries, whether Contracting Parties to the Barcelona Convention and Protocols or not, which are considered relevant to the Terms of the Convention and/or any of its related Protocols. In each case, state briefly the title and scope of the agreement in question, and the country or countries entering into such Agreement. In the case of initial reports, give a complete list of signatures and ratifications up to the end of the period under review.*

##### **1.2. Signature, ratification or accession to any international or regional environmental legal instrument relevant to the objectives of the Mediterranean Action Plan, in particular, those listed in the attached appendix**

*State which of those international legal instruments listed in the appendix to this section your country has signed, ratified or acceded to during the period under review, by completing Table 1 in the appendix to this part of the biennial report.*

*State also whether, during the same period, your country has signed, ratified or acceded to any other international legal instrument which, although not listed in the annex to this section, you consider also relevant to the objectives of the Mediterranean Action Plan, by completing Table 2 in the same appendix. In each case, give the exact title of the international legal instrument concerned, and the dates of signature, ratification or accession.*

*In the case of initial reports, please complete both tables by including information on signature, ratification or accession of any instrument effected prior to the period under review.*

#### **2. Legal and/or administrative measures taken under the terms of the Convention:**

##### **2.1. For the application of the Precautionary Principle and the Polluter Pays Principle (Articles 4.3 (a) and 4.3 (b)).**

*State briefly what legal and/or administrative measures were taken during the period under review for the application of (a) the Precautionary Principle, which places emphasis on the prevention of environmental damage, rather than on remedial action after damage has already been done, and (b) the Polluter Pays Principle, under the*

*terms of which, whoever causes harm to the environment must pay for it. Indicate whether any such measures represented the implementation of new policies or updated relevant measures already existing prior to the commencement of the period under review. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment.*

- 2.2. To ensure the undertaking of Environmental Impact Assessment studies for relevant activities (Article 4.3 (c)).

*State briefly what legal and/or administrative measures were taken during the period under review to ensure the undertaking of Environmental Impact Assessment studies prior to approval of developmental and related activities having an actual or potential impact on any facet of the Environment. Indicate whether any such measures represented the implementation of new policies or updated measures already existing prior to the commencement of the period under review. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment.*

- 2.3. For the promotion of the integrated management of the coastal zones (Article 4.3 (e)).

*State briefly what legal and/or administrative measures were taken during the period under review to promote the integrated management of coastal zones, including the establishment of co-ordinating and other bodies to ensure such integrated management. Indicate whether any such measures represented the implementation of new policies or update measures already existing prior to the commencement of the period under review. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment.*

- 2.4. To establish or improve marine pollution monitoring programmes (Article 12.1).

*State briefly what legal and/or administrative measures were taken during the period under review to establish or improve marine pollution monitoring programmes on a national or local basis. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment.*

- 2.5. Regarding access to information by the public, and participation of the Public in decision-making processes (Article 15).

*State briefly what legal and/or administrative measures were taken during the period under review to introduce or improve (a) the right of access by the public to information regarding the environment, and (b) participation of the public in decision-making processes regarding the environment. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment.*

3. Brief description of any problems or constraints in implementation of the Convention (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Convention during the period under review. If applicable, state what action was taken to solve such a problem or constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Convention.*

**Appendix to report on the implementation of the Convention for the Protection of the Mediterranean Environment and the Coastal Region of the Mediterranean.**

**TABLE 1**

**List of international legal instruments on which information regarding signature, ratification or accession is required as per paragraph 7.3 in terms of Resolutions and Recommendations of the Contracting Parties between 1985 and 2002.**

Note: The international legal instruments below are listed in chronological order of adoption, and NOT in order of their relative importance to Contracting Parties to the Barcelona Convention and Protocols.

<b>International Legal Instrument</b>	<b>Dates of signature, ratification and/or accession</b>
1966 International Convention on Load Lines (LL 1966)	
1969 International Convention on Tonnage Measurement of Ships (TONNAGE 1969)	
International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION 1969) and its 1973 Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil (INTERVENTION PROTOCOL 1973)	
1971 UNESCO Convention on Wetlands of international Importance especially as Waterfowl Habitat, as amended by the 1982 Paris Protocol and the 1987 Amendments (The Ramsar Convention)	
1972 IMO Convention on the prevention of Marine Pollution by Dumping of Wastes and other Matter, and the 1996 Protocol thereto (The London Dumping Convention)	
1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (The World heritage Convention)	
1972 Convention on the International Regulations for Preventing Collisions at Sea (COLREG 1972)	
1973 IMO International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (The MARPOL 73/78 Convention)	
1973 UNEP Convention on International Trade in Endangered Species of Wild Fauna and Flora, as amended in 1979	
1974 International Convention for the Safety of Life at Sea (SOLAS 1974)	
1976 ILO Merchant Shipping (Minimum Standards) Convention (No. 147), and the 1996 Protocol thereto.	
1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW 1978)	
1979 Council of Europe Convention on the Conservation of European wildlife and natural habitats (The Bern Convention)	
1979 UNEP Convention on the Conservation of Migratory Species of Wild Animals (The Bonn Convention)	

**TABLE 1 (continued)**

International Legal Instrument	Dates of signature, ratification and/or accession
1982 United Nations Convention on the Law of the Sea.	
1989 UNEP Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (The Basle Convention)	
1989 International Convention on Salvage (SALVAGE 1989)	
1990 International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC), and the 2000 Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol)	
1992 International Convention on Civil Liability for Oil Pollution Damage (CLC 1992)	
1992 International Convention on the establishment of an International Fund for Compensation for Oil Pollution Damage (FUND 1992).	
1992 UNEP Convention on Biological Diversity	
1992 United Nations Framework Convention on Climate Change	
1994 United Nations Convention to Combat Desertification	
1996 International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances at Sea (1996 HNS Convention).	
2001 International Convention on the Control of Harmful Antifouling Systems on Ships.	
2001 International Convention on Civil Liability for Bunker Oil Pollution Damage.	

**TABLE 2**

**Signature, ratification or accession of other international legal instruments relevant to the Mediterranean Action Plan other than those listed in Table 1.**

International Legal Instrument	Dates of signature, ratification and/or accession

### PART 3

#### Implementation of the Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft and Incineration at Sea:

1. Legal and/or administrative measures taken under the terms of the Protocol :

1.1. Regarding the prohibition of dumping of wastes and other matter (Article 4).

*State briefly what legal and/or administrative measures were taken during the period under review for prohibition of the dumping of wastes or other matter other than those listed in Article 4.2. Indicate whether any such measures represented the implementation of new policies or updated relevant measures already existing prior to the commencement of the period under review. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment. In the case of administrative measures, describe the machinery established for ensuring that dumping of the wastes in question does not occur.*

1.2. Regarding the issue of permits and the conditions governing such issue (Articles 5 and 6).

*State briefly what legal and/or administrative measures were taken during the period under review for the issue of permits prior to dumping of any wastes listed in Article 4.2 of the Protocol. State whether any criteria, guidelines or procedures were developed or adopted at national level to ensure that the dumping of such wastes did not result in pollution. Indicate whether any such measures represented the implementation of new policies or updated relevant measures already existing prior to the commencement of the period under review. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment. Briefly describe the procedures established for the issue of permits.*

1.3. Regarding application of the measures required to implement the Protocol to ships and aircraft:

- registered in the territory of the reporting country or flying its flag (Article 11 (a)).
- loading in the territory of the reporting country wastes or other matter intended for dumping (Article 11 (b)).
- believed to be engaged in dumping in areas under national jurisdiction (Article 11 (c)).

*State briefly what legal and/or administrative measures were taken during the period under review to ensure that ships and aircraft (a) registered in the of the reporting country's territory or flying its flag, (b) loading wastes or other matter intended for dumping in the territory of the reporting country and (c) believed to be engaged in dumping in areas under national jurisdiction comply with the terms of the Protocol. In the case of legal measures, state the title and objectives of laws or regulations, and the date of enactment. Briefly describe the machinery and procedures established for ensuring compliance.*



- 1.4. Regarding the obligation to report possible contraventions of the Protocol (Article 12).

*State what legal and/or administrative measures were taken during the period under review to issue instructions to maritime inspection ships and aircraft and to other appropriate services to report to the relevant national authorities any incidents or conditions in the Mediterranean Sea Area giving rise to suspicions that dumping in contravention of the Protocol had occurred or was about to occur. State whether such instructions had already been issued prior to the beginning of the period under review.*

2. (Optionally) Information submitted to the International Maritime Organization on legal and/or administrative measures taken under the terms of the 1972 London Dumping Convention (not obligatory under the terms of the Mediterranean Dumping Protocol), including:

- 2.1. The organisation of monitoring, individually or in collaboration with other Parties and competent international Organizations, the condition of the sea for the purposes of the Convention;

- 2.2. The criteria, measures and requirements adopted for issuing permits.

*In the case of countries Parties to the 1972 London Dumping Convention, state whether any information was supplied to the International Maritime Organization (IMO) in terms of Article VI of the Convention in question regarding (a) the establishment of appropriate monitoring programmes and (b) the criteria, measures and requirements adopted at national level for issuing permits. Attach a copy of any such information provided.*

3. Brief description of any problems or constraints in implementation of the Protocol (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Protocol during the period under review. If applicable, state what action was taken to solve such a problem or constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Protocol.*

## **PART 4**

### **Implementation of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea.**

1. Legal and/or administrative measures taken under the terms of the Protocol :

- 1.1. Regarding the implementation of international regulations to prevent, reduce and control pollution of the marine environment from ships (Article 3.1.(a)).

*State which of the international legal instruments listed in the Annex to the Final Act and Resolutions of the Conference of Plenipotentiaries on the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea were signed, ratified, accepted, approved or acceded to during the period under review by completing Table I in the*

*appendix to this report. In the case of initial reports, give a complete list of signatures and ratifications up to the end of the period under review.*

- 1.2. Regarding the maintenance and promotion of contingency plans and other means of preventing and combating pollution incidents (Article 4.1).

*Briefly describe any legal or administrative measure taken during the period under review to promote or maintain national or local contingency plans and/or any other means to prevent and combat pollution incidents at sea. This information should include the acquisition of any equipment, and the preparation of human and material resources for operations in cases of emergency.*

- 1.3. Regarding measures taken in conformity with international law to prevent the pollution of the Mediterranean Sea Area from ships (Article 4.2).

*Briefly describe any measures taken during the period under review to prevent the pollution of the Mediterranean Sea from Ships within the framework of international legislation to which the reporting country is a Party*

- 1.4. Regarding the development and application of monitoring activities (Article 5)

*Briefly describe what monitoring programmes aimed at detecting pollution in high-risk marine areas due to maritime traffic were developed and applied during the period under review in order to facilitate compliance with the terms of the Protocol and similar international legal instruments.*

- 1.5. Regarding the dissemination and exchange of information concerning:

- 1.5.1. The competent national authorities responsible for combating pollution of the sea (Article 7.1.(a)).

*Indicate whether information was disseminated to other Parties concerning the competent national authorities responsible for combating pollution of the sea by oil and other hazardous substances.*

2. The competent national authorities responsible for receiving reports on pollution of the sea and dealing with matters concerning assistance (Article 7.1.(b)).

*Indicate whether information was disseminated to other Parties concerning the competent national authorities responsible for receiving reports of pollution of the sea by oil and hazardous and noxious substances, and for dealing with matters concerning measures of assistance between Parties.*

- 1.5.3. The national authorities entitled to act on behalf of the State in regard to measures of mutual assistance and cooperation (Article 7.1.(c)).

*Indicate whether information was disseminated to other Parties concerning the national authorities entitled to act on behalf of the State in regard to measures of mutual assistance and cooperation between Parties.*

- 1.5.4. Regarding the national organization or authorities responsible for the implementation of paragraph 2 of Article 4 of the Protocol (Article 7.1.(d)).

*Indicate whether information was disseminated to other Parties concerning the new or revised designation of the national authorities responsible for the implementation of the above paragraph of the Protocol, in particular those responsible for the implementation of the international conventions concerned and other relevant applicable regulations, those responsible for port reception facilities and those responsible for the monitoring of discharges illegal under MARPOL 73/78.*

1.5.5. Regarding regulations and other matters regarding pollution of the sea by oil and hazardous and noxious substances (Article 7.1.(e)).

*Indicate whether information was disseminated to other Parties concerning national regulations and other matters having a direct bearing on preparedness for, and response to pollution of the sea by oil and hazardous and noxious substances.*

1.5.6. Regarding new developments in avoiding and combating pollution of the sea by oil and hazardous and noxious substances (Article 7.1.(f)).

*State whether information was disseminated to other Parties concerning new ways of avoiding pollution of the sea by oil and hazardous and noxious substances, new measures for combating pollution, and new developments in the technology of conducting monitoring and the development of research programmes.*

1.6. Regarding information exchanged directly with other Parties and communicated to the Regional Centre (Article 7.2).

*State whether any relevant information with regard to the items listed in Article 7.1 (a) to (f) of the Protocol (paragraphs 6.5.1. to 6.5.6. above) was also communicated to the Regional Centre.*

1.7. Regarding bilateral and/or multilateral agreements concluded within the framework of the Protocol (Article 7.3).

*State whether any bilateral and/or multilateral agreements were concluded within the framework of the Protocol during the period under review and, if so, whether the Regional Centre was informed of such agreements.*

1.8. Regarding port reception facilities (Article 14).

*State what steps were taken during the period under review to (a) ensure the availability of reception facilities, and the efficient operation of such facilities, and (b) provide ships using the ports of the reporting country with updated information relevant to the obligations arising from MARPOL 73/78 and from applicable national legislation.*

1.9. Regarding the assessment of environmental risks of maritime traffic (Article 15).

*State whether any steps were taken at individual country level during the period under review to assess the environmental risks of any recognised route used in maritime traffic and, if applicable, what measures were taken to reduce accident risks and environmental consequences. State also whether any steps were similarly taken at bilateral or multilateral level and, if so, with what other countries.*

1.10. Regarding national, subregional or regional strategies concerning reception in places of refuge of ships in distress (Article 16).

*State whether any national strategies concerning reception in places of refuge, including ports, of ships in distress presenting a threat to the marine environment, were developed and/or implemented during the period under review. State also whether the reporting country co-operated with any other country or countries in the definition of subregional and/or regional strategies.*

2. Brief description of any problems or constraints in implementation of the Protocol (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Protocol during the period under review. If applicable, state what action was taken to solve such a problem or constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Protocol.*

**TABLE 1**

**List of international legal instruments on which information regarding signature, ratification or accession is required as per paragraph 6.1 in terms of Resolution I of the Conference of Plenipotentiaries on the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea**

**Note:** The international legal instruments below are classified and listed exactly as they appear in the Annex to the Resolution.

**International Conventions dealing with maritime safety and prevention from pollution from ships.**

<b>International Legal Instrument</b>	<b>Dates of signature, ratification and/or accession</b>
The International Convention on Load Lines, 1966 (LL 1966)	
The International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974)	
The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 Protocol relating thereto (MARPOL 73/78)	
The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 1978)	
The Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG 1972)	
The International Convention on Tonnage measurements of Ships, 1969 (TONNAGE, 1969)	
The ILO Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), and the Protocol of 1996 thereto.	
The International Convention on the Control of Harmful Antifouling Systems on Ships, 2001.	

### International Conventions dealing with combating pollution

International Legal Instrument	Dates of signature, ratification and/or accession
The International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (OPRC), and the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)	
The International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (INTERVENTION 1969) and its Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973 (INTERVENTION PROTOCOL 1973)	
The International Convention on Salvage, 1989 (SALVAGE 1989)	

### International Conventions dealing with liability and compensation for pollution damage

International Legal Instrument	Dates of signature, ratification and/or accession
The International Convention on Civil Liability for Oil Pollution Damage, 1992 (CLC 1992)	
The International Convention on the establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (FUND 1992).	
The International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances at Sea, 1996 (1996 HNS Convention).	
The International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001.	

## PART 5

### Implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities.

1. Legal and/or administrative measures taken under the terms of the Protocol :
  - 1.1. To elaborate and/or implement national action plans and programmes and joint measures adopted by the Contracting Parties (Articles 5.2, 5.3 and 5.4).

*State whether any national action plans, programmes and measures to eliminate or reduce pollution from land-based sources and activities, particularly regarding the phasing out of inputs of the substances listed in Annex I to the Protocol, were developed and/or implemented during the period under review. If in the affirmative, briefly describe the action plan, programme or measure. Also state whether, during*

*the same period, any action plan, programme and/or measure adopted jointly by the Parties was implemented in the reporting country.*

- 1.2. To reduce to the minimum the risk of pollution caused by accidents (Article 5.5).

*State whether any preventive measures were taken at national level during the period under review to reduce to the minimum the risk of pollution caused by accidents. If in the affirmative, briefly describe the measures in question..*

- 1.3. To establish authorization or regulation systems for control of discharges, including systems of inspection and sanctions (Article 6).

*State what steps were taken during the period under review to establish authorization and/or regulation systems for the control of discharges, and to provide for systems of inspection by the national competent authorities to assess compliance with such authorizations and regulations. State whether any request for assistance was made to, and received from, the Organization (UNEP)*

- 1.4. To implement resolutions adopted by Contracting Parties regarding standards and criteria for the quality of seawater used for specific purposes (Article 7.1).

- (a) Interim environmental quality criteria for bathing waters (1985);
- (b) Interim environmental quality criteria for shellfish waters (1987).

*State whether any legal and/or administrative measures were taken or updated to implement the Resolutions adopted by the Contracting Parties referring to the above Interim Environmental Quality Criteria during the period under review.*

- 1.5. To assess levels of pollution along the coast, in particular with regard to the sectors of activity and categories of substances listed in Annex 1 to the protocol (Article 8 (a)).

*State whether any monitoring activities designed to assess levels of pollution along the coast, in particular with regard to the sectors of activity and categories of substances listed in Annex 1 to the protocol were undertaken during the period under review. State also whether the results of such monitoring were communicated to the Organization (UNEP)*

- 1.6. To evaluate the effectiveness of national action plans, programmes and measures implemented under the Protocol (Article 8 (b)).

*State whether any evaluation of the effectiveness of national action plans, programmes and measures implemented under the terms of the Protocol to eliminate to the fullest extent pollution of the marine environment was carried out during the period under review. If in the affirmative, briefly describe the results of such evaluation.*

2. Brief description of any problems or constraints in implementation of the Protocol (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Protocol during the period under review. If applicable, state what action was taken to solve such a problem or*

*constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Protocol.*

## PART 6

### **Biennial report on the implementation of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean:**

#### 1. Legal and/or administrative measures taken under the terms of the Protocol :

- 1.1. To protect, preserve and manage marine and coastal areas of particular natural or cultural value, and to protect, preserve and manage threatened and endangered species of marine and coastal flora and fauna (Article 3).

*State what legislation was enacted or administrative measures implemented during the period under review for the protection, preservation and management of national marine and coastal areas considered to be of particular natural or cultural value, and for the protection, preservation and management of threatened or endangered species of marine and coastal fauna and flora.*

- 1.2. To establish Specially Protected marine and coastal areas (Article 5).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review for the establishment of Specially Protected marine and coastal areas.*

- 1.3. To ensure protection in conformity with Article 6, in particular:

- (a) Strengthening of application of the other Protocols and other treaties (Article 6(a));

*State what legislative and/or administrative measures, if any, were taken during the period under review in order to strengthen the application of other Protocols and other (non-MAP) international legal instruments, insofar as the protection of specially protected areas is concerned.*

- (b) Prohibition of dumping or discharge affecting protected areas (Article 6(b));

*State what legislative and/or administrative measures, if any, were taken during the period under review regarding the prohibition of dumping or discharge in localities where specially protected areas could be affected.*

- (d) Regulation of the passage of ships (Article 6(c));

*State what legislative and/or administrative measures, if any, were taken during the period under review to regulate the passage of ships through specially protected areas.*

- (e) Regulation of introduction of species (Article 6(d));

*State what legislative and/or administrative measures, if any, were taken during the period under review in order to regulate the introduction of any species not indigenous to specially protected areas.*

- (f) Regulation of activities (Article 6(e), 6(h));

*State what legislative and/or administrative measures, if any, were taken during the period under review in order to regulate or prohibit within specially protected areas any activity involving the exploration or modification of the soil or of the exploitation of the subsoil of the land part, the seabed or its subsoil. Similarly, state what measures have been taken to regulate and, if necessary to prohibit, any other activity or act likely to harm or disturb the species or that might endanger the state of conservation of the ecosystems or species, or might impair the natural or cultural characteristics of specially protected areas.*

- (g) Regulation of scientific research activities (Article 6(f));

*State what legislative and/or administrative measures were taken during the period under review to regulate scientific research activity within specially protected areas.*

- (h) Regulation of fishing, hunting, taking of animals, harvesting of plants, and trade in plants and animals and parts thereof originating from protected areas (Article 6 (g));

*State what legislative and/or administrative measures were taken during the period under review to regulate fishing, hunting, taking of animals, harvesting of plants, and trade in plants and animals and parts thereof originating from protected areas*

- 1.4. Regarding planning and management of specially protected areas (Article 7);

*State and briefly describe what legislative and/or administrative measures have been taken during the period under review for the planning, management and supervision of specially protected areas.*

- 1.5. For the protection and conservation of species (Article 11);

*State what legislative and/or administrative measures were taken during the period under review to comply with the provisions of Article 11 of the Protocol, in particular those measures related to regulation or prohibition of (a) taking, possessing, killing, transporting and commercial exhibition of protected species of fauna, their eggs, parts or products, (b) the disturbance of wild fauna during sensitive periods, and (c) the destruction or disturbance of protected species of flora.*

- 1.6. To regulate introduction of non-indigenous or genetically modified species (Article 13);

*State what legislative and/or administrative measures were taken during the period under review to regulate the intentional or accidental introduction of non-indigenous or genetically-modified species to the wild, and to prohibit those that may have harmful impacts on the ecosystems, habitats or species in the Protocol area. State also what legislative and/or administrative measures have been taken during the period under review to ensure the eradication of harmful species that had already been introduced.*

- 1.7. To grant exemptions from protection measures (Article 12,18).



*State the procedures developed for the granting of exemptions from the prohibitions prescribed in the annexes to the Protocol, and how many exemptions, if any, were granted during the period under review.*

2. Brief description of any problems or constraints in implementation of the Protocol (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Protocol during the period under review. If applicable, state what action was taken to solve such a problem or constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Protocol.*

## **PART 7**

### **Implementation of the Protocol on Pollution resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil:**

1. Legal and/or administrative measures taken under the terms of the Protocol :

- 1.1. Regarding prior written authorization for seabed exploration and/or exploitation (Article 4.1) and the requirements for such authorization (Article 5 and Annex 4).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review regarding the requirement for prior written authorization for seabed exploration and/or exploitation. State also what legislative and/or administrative measures were enacted and/or implemented during the period under review regarding the requirements for such authorization in terms of Article 5 and Annex 4 of the Protocol.*

- 1.2. For the control of use, storage and disposal of chemicals in authorised activities covered by the Protocol (Article 9).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to control the use, storage and disposal of chemicals in accordance with the terms of Article 9 of the Protocol.*

- 1.3. Regarding the discharge of sewage from installations (Article 11).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to control the discharge of sewage from installations, in accordance with the provisions of Article 11 of the Protocol.*

- 1.4. Regarding the disposal of garbage from installations (Article 12).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to control the disposal of garbage by prohibiting the disposal into the Protocol area of the materials listed in Article 12.1 (a) and (b) of the Protocol, and ensuring that disposal into the Protocol area of food wastes is effected as far away as possible from land in accordance with international rules and standards.*

1.5. Regarding the disposal of wastes and harmful or noxious substances and materials in designated onshore reception facilities (Article 13).

*State what legislative and/or administrative measures were enacted and/or implemented (a) to ensure satisfactory disposal of all wastes and harmful or noxious substances and materials in designated onshore reception facilities, (b) to ensure the provision of instructions to personnel concerning proper means of disposal, and (c) to provide for the imposition of sanctions in respect of illegal disposal.*

1.6. Regarding safety measures (Article 15).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to ensure the taking of safety measures with regard to the design, construction, placement, equipment, marking, operation and maintenance of installations, as required by Article 15 of the Protocol.*

1.7. Regarding contingency planning (Article 16)

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to (a) ensure that operators in charge of installations under national jurisdiction have contingency plans to combat accidental pollution in terms of Article 16.2, and (b) establish coordination for the development and implementation of contingency plans in terms of Article 16.3.*

1.8. Regarding notification of events on the installation or at sea likely to cause pollution (Article 17).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to ensure that operators in charge of installations under national jurisdiction report without delay to the competent authority any event on their installation or observed at sea causing or likely to cause pollution in the Protocol area.*

1.9. Regarding removal of installations (Article 20).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review for the removal of abandoned installations in terms of Article 20 of the Protocol.*

1.10. Regarding activities initiated before the entry into force of the protocol (Article 29).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review regarding activities initiated before the entry into force of the Protocol.*

2. Brief description of any problems or constraints in implementation of the Protocol (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Protocol during the period under review. If applicable, state what action was taken to solve such a problem or constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Protocol.*

**PART 8****Implementation of the Protocol on the Transboundary Movement of Hazardous Wastes and their Disposal:**

## 1. Legal and/or administrative measures taken under the terms of the Protocol :

## 1.1. To reduce or eliminate the generation of hazardous wastes (Article 5.2).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review with a view to reducing to a minimum or, where possible, eliminate the generation of hazardous waste.*

## 1.2. To reduce the transboundary movement of hazardous wastes or contribute to the elimination of such movement in the Mediterranean (Article 5.3).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to reduce and possibly eliminate the transboundary movement of hazardous waste in the Mediterranean, such as bans on the import of hazardous waste, and refusal of permits for export of hazardous waste to States which have prohibited their import.*

## 1.3. To prohibit the export and transit of hazardous wastes to developing countries, or to prohibit all imports and transit of hazardous wastes (Article 5.4).

*State what legislative and/or administrative measures were enacted during the period under review to prohibit the export and transit of hazardous wastes to developing countries, or to prohibit all imports and transit of hazardous wastes, in accordance with the terms of Article 5.4 of the protocol.*

## 1.4. To prevent and punish illegal traffic of hazardous wastes (Article 5.5, Article 9).

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to prevent and punish illegal traffic in hazardous wastes, including criminal penalties on all persons involved in such illegal activities, in accordance with the terms of Article 5.5 and Article 9 of the Protocol.*

## 1.5. To control transboundary movements of hazardous wastes (Article 6), in particular regarding prior notification of transboundary movements of hazardous wastes through territorial seas, as provided by Article 6.4 and Annex IV.

*State what legislative and/or administrative measures were enacted and/or implemented during the period under review to control transboundary movements of hazardous wastes, and to ensure notification procedures as specified in Article 6 and Annex IV of the Protocol.*

## 2. Brief description of any problems or constraints in implementation of the Protocol (optional)

*Briefly describe any specific problem or constraint, if any, which impeded the implementation of any measure relevant to the terms of the Protocol during the period*

*under review. If applicable, state what action was taken to solve such a problem or constraint. Briefly give any other relevant remarks or comments of a general nature regarding action taken towards the implementation of the Protocol.*

**FORMATS FOR NATIONAL REPORTS ON TECHNICAL  
IMPLEMENTATION OF PROTOCOLS**

**National Report on the technical implementation of the Dumping Protocol: Report on the disposal of wastes or other matter in terms of Articles 4, 5, 6, 8 and 9.**

1. Country.

*Write down name of country with regard to which report is being submitted*

2. Period covered by the Report.

*Write down biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give name and address of the national Organization compiling this report, including name and title of person actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

6. Number of permits issued in terms of Articles 5 and 6 of the Protocol

*State the number of approval permits issued during the period under review for the dumping of wastes or other matter listed in Article 4.2 of the Protocol.*

*State also the number of approval permits issued during the period under review for the dumping of wastes under the terms of Articles 5 and 6 of the 1976 Dumping Protocol, i.e. special permits for the dumping of Annex IB substances and Annex II substances, and general permits for the dumping of other substances.*

7. For each permit issued:

- (a) Issuing authority
- (b) Permit start date / Permit expiry date
- (c) Country of origin of wastes or other matter, and port of loading
- (d) Detailed specification of wastes or other matter, and description of the process or source from which the waste or other matter is derived
- (e) Form in which waste or other matter is presented for disposal, i.e. solid, liquid or sludge (in case of liquids or sludges, include weight per cent of insoluble compounds)
- (f) Total quantity (in metric tonnes) of waste or other matter covered
- (g) Expected frequency of dumping
- (h) Chemical composition of waste or other matter (this should be sufficiently

detailed to provide adequate information, in particular with regard to concentrations of prohibited substances)

- (i) Properties of waste or other matter (solubility, relative density, pH)
- (j) Method of packaging, if applicable
- (k) Method of release
- (l) Procedure and site for adequate tank washing, if applicable
- (m) Approved dumping site (geographical position – latitude and longitude, depth of water, distance from nearest coast).
- (n) Any relevant additional information on the basis of the Annex to the Protocol.

*List the permits issued during the period under review and, for each, provide the information in (a) to (n) above. Use a separate sheet or sheets for each permit.*

8. Number of occurrences of dumping in cases of *force majeure* in terms of Article 8 of the Protocol, if any.

*List the number of occurrences during the period under review, if any, where dumping of wastes occurred because of force majeure.*

9. For each such occurrence:

- (a) Date of dumping
- (b) Reference number and date of report to Organization
- (c) Reference number and date of report to any other Contracting Parties (if applicable)

*In the case of each of the occurrences referred to in 6 above, if any, provide the information detailed in 9 above. Use a separate sheet or sheets for each occurrence described.*

10. Number of occurrences of dumping at sea in critical situations in terms of Article 9 of the Protocol, if any.

*List the number of occurrences during the period under review, if any, where dumping of wastes at sea occurred because of their disposal on land would result in unacceptable danger and damage.*

11. For each such occurrence:

- (a) Reference number and date of referral to Organization
- (b) Date of reply from Organization
- (c) Date of dumping, if applicable.
- (d) Storage or disposal of the material, if not dumped at sea.

*For each occurrence specified in 10 above, if any, state the reference number allotted to such occurrence, and the date on which the matter was referred to the Organization (UNEP) in terms of Article of the Protocol, together with the date of the Organization's reply, and the date of dumping of the material, if applicable. If the material was not dumped at sea, specify the type of storage or disposal. There is no need to attach copies of the actual correspondence with the Organization.*

12. Total quantities of each material or substance dumped during the period under review.

*Give the total quantities of each material or substance dumped at sea during the period under review.*

**National Report on the technical implementation of the Prevention and Emergency Protocol.**

1. Country

*Name of country with regard to which report is being submitted*

2. Period covered by the Report.

*Write down biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give name and address of the national Organization compiling this report, including name and title of person actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

6. Status of National Contingency Plan, including geographical coverage and application to oil, other harmful substances or both

*Briefly describe developments in the status of the National Contingency Plan during the period under review. Provide details of the Plan's coverage, including geographical areas involved and scope of application (oil, harmful substances or both), at the end of the period under review (i.e. in the first periodic report, as at 31 December 2003). If details have already been provided to REMPEC, make a statement to this effect, with a reference to the date of submission of the material in question.*

7. Operational responsibilities and command structure of authorities at different hierarchical levels of Government.

*Briefly describe developments occurring during the period under review in the operational responsibilities and command structure of national authorities for dealing with pollution from ships and pollution emergencies at sea. Provide details of such structure in tabular form as at the end of the period under review (i.e. in the first periodic report, as at 31 December 2003). If details have already been provided to REMPEC, make a statement to this effect, with a reference to the date of submission of the material in question.*

8. Response strategy



*Briefly describe the strategy employed in the reporting country for (a) prevention of pollution from ships and (b) responding to pollution incidents at sea. Describe any developments occurring in the development and evolution of such strategy during the period under review. If updated details on such strategy have already been provided to REMPEC, make a statement to this effect, with a reference to the date of submission of the material in question.*

9. Policy on the use of dispersants

*Briefly describe the official policy in the reporting country regarding the use of dispersants for controlling oil pollution at sea. Describe any developments occurring in the development of such policy during the period under review. If updated details on such policy have already been provided to REMPEC, make a statement to this effect, with a reference to the date of submission of the material in question.*

10. Status of capacity for airborne surveillance with/without remote sensing equipment

*State what improvements were made in the national capacity of the reporting country for airborne surveillance of pollution from ships and pollution incidents at sea, during the period under review. Specify the role of remote sensing equipment, if available, in such capacity.*

11. Status of availability of sensitivity maps

*Briefly describe developments in the availability status of sensitivity maps relating to marine and coastal areas during the period under review. Provide a statement, showing the status availability of such maps at the end of the period under review (i.e. in the first periodic report, as at 31 December 2003).*

12. Number of reports of pollution incidents or spillages observed at sea likely to constitute a local emergency

*State the number of reports of pollution incidents or spillages observed at sea during the period under review which were considered likely to constitute a local emergency*

13. For each such report:

- (a) Date and source of report
- (b) Type of incident or spill, and nature and amounts of pollutants involved.
- (c) Request for assistance from other Parties and/or Regional Centre, if any.
- (d) Assistance provided, and by whom
- (e) Results of action taken

*For each report under 12 above, provide brief information in accordance with (a) to (e) of 13 above.*

14. Number of reports of pollution incidents or spillages observed at sea likely to affect other Parties

*State the number of reports of pollution incidents or spillages observed at sea during the period under review which were considered likely to affect other Parties*

15. For each such report:

- (a) Date and source of report
- (b) Date of transmission of information to other Parties and/or Regional Centre
- (c) To whom information was transmitted

*For each report under 14 above, provide brief information in accordance with (a) to (e) of 15 above.*

### **National Report on the technical implementation of the Land-based Sources Protocol**

1. Country

*Write down the name of the country with regard to which the report is being submitted*

2. Period covered by the Report.

*Write down biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give name and address of the national Organization compiling this report, including name and title of person actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

6. Statistical information on authorizations for discharge granted, as per attached appendix.

*Insert the required statistical information on authorizations for discharge granted during the period under review in the tables in the appendix to this section.*

7. Number and type of sanctions applied in cases of non-compliance with authorizations and regulations.

*State the number and type of sanctions applied in cases of non-compliance with the terms of authorizations granted, or of relevant regulations during the period under review.*

8. Information on the institutional structure of inspection systems

*Briefly describe developments in the institutional structure of inspection systems established in accordance with the terms of Article 6.2 of the Protocol during the period under review. Give details of the institutional structure as it stands at the end of the period under review (i.e. in the first periodic report, as at 31 December 2003).*

### **Appendix to National Report on the technical implementation of the Land-based Sources Protocol**

Statistical information on authorizations for discharge granted.

#### Section 1

<b>Sector of activity (1)</b>	<b>Number of ongoing authorizations</b>	<b>Number of new authorizations</b>	<b>%age of total authorizations (3)</b>	<b>Load of substances released (2) Tons/year</b>
Energy production				
Fertilizer production				
Production and formulation of biocides				
Pharmaceutical industry				
Petroleum refining				
Paper and paper-pulp industry				
Cement production				
Tanning industry				
Metal industry				
Mining				
Shipbuilding and ship repairing industry				
Harbour operations				
Textile industry				
Electronics industry				
Recycling industry				

<b>Sector of activity (1)</b>	<b>Number of ongoing authorizations</b>	<b>Number of new authorizations</b>	<b>%age of total authorizations (3)</b>	<b>Load of substances released (2) Tons/year</b>
Other sections of the inorganic chemical industry				
Tourism				
Agriculture				
Animal husbandry				
Food processing				
Aquaculture				
Treatment and disposal of hazardous wastes				
Treatment and disposal of domestic wastewater				
Management of municipal solid waste				
Disposal of sewage sludge				
Waste management industry				
Works which cause physical alteration of the natural state of the coastline				
Transport				

## Section 2

<b>Total load of substances released from all sectors of activities</b>	<b>Quantities Tons/year</b>
Organohalogen compounds	
Organophosphorus compounds	
Organotin compounds	
Polycyclic aromatic hydrocarbons	
Heavy metals and their compounds	

<b>Total load of substances released from all sectors of activities</b>	<b>Quantities Tons/year</b>
Used lubricating oils	
Radioactive substances, including their wastes	
Biocides and their derivatives	
Crude oils and hydrocarbons of petroleum origin	
Cyanides and fluorides	
Non-biodegradable detergents and surface-active substances	
Compounds of nitrogen and phosphorus	
Litter, persistent or processed solid material	
Acid or alkaline compounds	
Non-toxic substances that have an adverse effect on the oxygen balance (specify)	
Non-toxic substances that have adverse effects on the physical or chemical characteristics of seawater (specify)	

- (1) According to LBS Protocol, Annex 1, Section A
- (2) According to LBS Protocol, Annex 1, Section C. This section represents the national baseline budget of emissions/releases  
(Please note that one sector could release more than one substance)
- (3) The percentage of authorizations of each sector of activity from the total authorizations granted during the reporting period.

### **National Report on the technical implementation of the Specially Protected Areas Protocol**

1. Country

*write down the name of the country with regard to which the report is being submitted*

2. Period covered by the Report.

*Write down the biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give the name and address of the national Organization compiling this report, including the name and title of the person actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

6. List of Specially Protected Areas established in terms of Article 5 (unless already covered by national biennial report on implementation of Convention and protocols).

*Give a list of Specially Protected Area established in terms of Article 5 of the Protocol as at the end of the period under review. Within this list, indicate by appropriate annotations which Areas had already been established at the beginning of such period, and which were established during the period under review itself. If such a list has already been included in the part of the biennial report dealing with the Protocol, indicate that this has been effected.*

7. Proposals made for inclusion of areas under national jurisdiction in SPAMI list (Article 9 (a))

- (a) Date of proposal/s  
(b) Areas proposed (attach list)

*Give a list of areas under national jurisdiction proposed for inclusion in the SPAMI list during the period under review, and the date of each such proposal/s.*

8. SPAMI list:

- (a) The status and state of the areas under national jurisdiction included in the SPAMI list (Article 23(a))  
(b) Any changes in the delimitation or legal status of such SPAMIs (Article 23 (b)).

*Give an updated list showing the status and state of areas under national jurisdiction included in the SPAMI list during the period under review, and briefly describe any changes occurring in the delimitation or legal status of SPAMIS, whether established prior to, or during, the period under review.*

9. Any changes in the delimitation or legal status of protected species.

*State whether any changes in the delimitation or legal status of protected species were made during the period under review. If in the affirmative, briefly describe such changes*

10. New records of non-indigenous or genetically modified species likely to cause damage (Article 13.2).

*Provide information on any new records available on the presence of non-indigenous or genetically modified species likely to cause damage*

11. Inventories of the components of biological diversity (Article 15).

- (a) Date of compilation or updating of inventory of areas containing rare or fragile ecosystems;

- (b) Date of compilation or updating of inventory of threatened or endangered flora and or fauna.
- (c) Attach inventory/inventories, unless already previously submitted in *ad hoc* report.

*Provide information on the dates of compilation or updating of the inventories listed in 9 (a) to (c) above which occurred during the period under review. Attach copies of the relative inventories, unless these have already been submitted to SPA/RAC as part of ad hoc reports.*

12. Exemptions granted from protection measures (Articles 12, 18, 23(c)).

*Give a list of exemptions granted from protection measures in terms of Articles 12, 18 and/or 23(c) during the period under review. In each case, briefly state the reasons for such exemption.*

13. Implementation of the action plans for threatened species adopted within the framework of MAP.

*Describe developments in national implementation of the action plans for threatened species adopted within the framework of MAP which occurred during the period under review.*

14. Implementation of other relevant recommendations of Contracting Parties not already included in national biennial report on implementation of Convention and Protocols.

*Briefly describe national implementation of other recommendations of the Contracting Parties relevant to the Protocol. If such information has already been provided in the part of the biennial report dealing with the Protocol, indicate that this has been effected.*

### **Appendix to the Report on the technical implementation of the Specially Protected Areas Protocol**

#### **Report on Specially Protected Areas of Mediterranean Importance (SPAMIS) under the jurisdiction of more than one country**

1. Countries submitting joint Report

*Names of countries with regard to which joint report is being submitted*

2. Period covered by the Report.

*Write down biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give name and address of the national Organization/s compiling this report, including name and title of person/s actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Proposals made for inclusion in SPAMI list of areas situated partly or wholly on the high sea (Article 9 (b))
  - (a) Date of proposal/s
  - (b) Areas proposed (attach list)
  - (c) Countries concerned in each area.

*Give a list of any areas proposed for inclusion in the SPAMI list of areas situated partly or wholly on the high sea, as per Article 9 (b) of the Protocol, during the period under review, in each case providing the date of the respective proposal, and the countries concerned in the area in question*

6. Proposals made for inclusion in SPAMI list of areas where the limits of national sovereignty or jurisdiction have not yet been defined (Article 9 (c))
  - (a) Date of proposal/s
  - (b) Areas proposed (attach list)
  - (c) Countries concerned in each area.

*Give a list of any areas proposed for inclusion in the SPAMI list of areas where the limits of national jurisdiction have not yet been defined, as per Article 9 (c) of the Protocol, during the period under review, in each case providing the date of the respective proposal, and the countries concerned in the area in question*

7. SPAMI list:
  - (a) The status and state of the areas listed in paragraphs 4 and 5 above included in the SPAMI list (Article 23(a))
  - (b) Any changes in the delimitation or legal status of such SPAMIs.

*Briefly describe the status and state of each of the areas listed in 4 and 5 above included in the SPAMI list as at the end of the period under review, and any changes made in the delimitation or legal status of such SPAMIs during the period under review.*

## **National Report on the technical implementation of the Offshore Protocol**

1. Country

*Write down the name of the country with regard to which the report is being submitted*

2. Period covered by the Report.

*Write down biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give name and address of the national Organization compiling this report, including name and title of person actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report



*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

6. Number of authorizations granted for seabed exploration and/or exploitation (Article 4.1).

*State the number of authorizations granted for seabed exploration and/or exploitation during the period under review.*

7. Number of applications for authorization refused (Article 4.2).

*State the number of applications for authorization for seabed exploration and/or exploitation which were refused during the period under review.*

8. For each authorization granted (Articles, 4, 9, 21):

- (a) Date of authorization
- (b) Period covered by authorization
- (c) Brief description of activity authorised
- (d) Geographical site of activity
- (e) Substances covered by special disposal permit
- (f) Site of discharge of substances in (e) above
- (g) Substances covered by general disposal permit
- (h) Site of discharge of substances in (g) above
- (i) Any special restrictions or provisions for safeguarding specially protected areas

*For each authorization granted as per 6 above, provide the information listed in (a) to (i) of 8 above. Use a separate page for each authorization.*

9. Number of disposals carried out in terms of Article 14 (Exceptions), and dates of reports to Organization in terms of Article 14.3.

*State the number of disposals of waste carried out in terms of Article 14 of the Protocol during the period under review, and in each case, the date on which the relative report to the Organization was effected.*

10. Nature and total quantities of wastes involved in 8 above.

*State the nature and the total quantities of wastes involved in the authorizations granted as per 8 above.*

## National Report on the technical implementation of the Hazardous Wastes Protocol

1. Country

*Write down the name of the country with regard to which the report is being submitted*

2. Period covered by the Report.

*Write down the biennium covered by the report, e.g. 01 January 2002 to 31 December 2003.*

3. National Organization responsible for compiling report

*Give name and address of the national Organization compiling this report, including name and title of person actually responsible for its compilation.*

4. National Organizations providing data towards the compilation of report

*List the names and addresses of those national Organizations other than that mentioned in 3 above which have contributed to this report by the provision of information and data.*

5. Assistance received from UNEP/MAP towards the compilation of the present report.

*Give details of any assistance received from UNEP/MAP in the form of funds, expert advice, etc. specifically towards the compilation of the present report, including name(s) of expert(s) and amount and purpose of funds received, if any, as applicable.*

6. Information regarding hazardous wastes generated, including the amount of hazardous wastes and other wastes imported, their category, characteristics, origin, and disposal methods (Article 8.2).

*State the amount of hazardous waste generated and imported during the period under review. List the categories of such waste, the characteristics of each, their origin, and the methods of disposal used.*

7. Information regarding transboundary movements of hazardous wastes or other wastes in which they have been involved (Article 6, Article 8.2), including:

- (a) The amount of hazardous wastes and other wastes exported, their category, characteristics, destination, any transit country and disposal method as stated on the response to notification;
- (b) The amount of hazardous wastes and other wastes imported, their category, characteristics, origin, and disposal methods;
- (c) Disposals which did not proceed as intended;

*State the amount of hazardous wastes (and other wastes containing or including hazardous wastes) exported during the period under review. State the categories and characteristics of such wastes, their destination (including transit countries), and the disposal methods employed. State the amount of similar wastes imported during the period under review, together with the categories and characteristics of the*

*wastes in question, their origin, and methods of disposal employed. Briefly describe any disposals which did not proceed as intend, providing reasons if available.*

8. Information on accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes and on the measures undertaken to deal with them (Article 8.2);

*State whether any accidents occurred during the transboundary movement and disposal of any hazardous wastes during the period under review, and if so, what measures were undertaken to deal with such accidents. If in the affirmative, state the effectiveness of the measures undertaken.*

9. Information on disposal options operated within the area of their national jurisdiction (Article 8.3)

*Provide any information available on alternative options for the disposal of hazardous wastes carried out within the area of national jurisdiction of the reporting country.*

**Format for National *ad hoc* Report on pollution at sea (POLREP).  
(in accordance with Recommendation II A (a) (b) 4 approved by the XIth Ordinary Meeting of the Contracting Parties in 1999)**

## **POLLUTION REPORTING SYSTEM (POLREP)**

1. The pollution reporting system is for use between Contracting Parties to the Emergency Protocol of the Barcelona Convention themselves and between the Contracting Parties and the Regional Centre, for exchanging information when pollution of the sea has occurred or when a threat of such is present.

2. POLREP is divided into three parts:

1	Part I or POLWARN (figures 1-5)	POLLution WARNIng	gives first information or warning of the pollution or the threat
2	Part II or POLINF (figures 40-60)	POLLution INFormation	gives detailed supplementary INFormation, as well as situation reports
3	Part III or POLFAC (figures 80-99)	POLLution FACilities	is used for requesting assistance from other Contracting Parties and for defining operational matters related to the assistance

3. A summarised list of POLREP is given below.

	Address	from ....	to ....	
INTRODUCTORY PART	Date Time Group Identification Serial number			
<hr/>				
PART I (POLWARN)	1	Date and time		
	2	Position		
	3	Incident		
	4	Outflow		
	5	Acknowledge		
<hr/>				
PART II (POLINF)	40	Date and time		
	41	Position		
	42	Characteristics of pollution		
	43	Source and cause of pollution		
	44.	Wind direction and speed		
PART II (POLINF) (continued)	45.	Current or tide		
	46	Sea state and visibility		
	47	Drift of pollution		
	48	Forecast		
	49	Identity of observer and ships on scene		
	50	Action taken		
	51	Photographs or samples		
	52	Names of other States informed		
	53-59	Spare		
	60	Acknowledge		
	<hr/>			
	PART III (POLFAC)	80	Date and time	
81		Request for assistance		
82		Cost		
83		Pre-arrangements for the delivery		
84		Assistance to where and how		
85		Other States requested		
86		Change of command		
87		Exchange of information		
88-98		Spare		
99	Acknowledge			
<hr/>				

## EXPLANATION OF A POLREP MESSAGE

### INTRODUCTORY PART

Contents

Remarks

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ADDRESS	<p>Each report should start with an indication of the country Whose competent national authority is sending it and of addressee, e.g.:</p> <p>FROM:ITA (indicates the country which sends the report)  TO: GRC (indicates the country to which it is sent) or  REMPEC (indicates that the message is sent to the Regional Centre).</p>
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DTG (Day Time Group)	<p>The day of the month followed by the time (hour and minute) of Drafting the message. Always a 6-figure group which may be followed by month indication. Time should be stated either as GMT, e.g. 092015Z june (i.e. the 9th of the relevant month at 20.15 GMT) or as local time e.g. 092115LT June.</p>
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IDENTIFICATION	<p>"POL..." indicates that the report might deal with all aspects of pollution (such as oil as well as other harmful substances).</p> <p>".....REP" indicates that this is a report on a pollution incident. It can contain up to 3 main parts:</p> <p>Part I (POLWARN) - is an initial notice (a first information or a warning) of a casualty or the presence of oil slicks or harmful substances. This part of the report is numbered from 1 to 5.</p> <p>Part II (POLINF) - is a detailed supplementary report to Part I. This part of the report is numbered from 40 to 60.</p> <p>Part III (POLFAC) - is for a requests for assistance from other Contracting Parties, as well as for defining operational matters related to the assistance. This part of the report is numbered from 80 to 99.</p> <p>BARCELONA CONVENTION indicates that the message is sent within the framework of the Emergency Protocol of the Barcelona Convention.</p> <p>Parts I, II and III can be transmitted all together in one report or separately. Furthermore, single figures from each part can be transmitted separately or combined with figures from the two other parts.</p> <p>Figures without additional text <u>shall not</u> appear in the POLREP.</p> <p>When Part I is used as warning of a serious threat, the telex should be headed with the traffic priority word "URGENT".</p> <p>All POLREPs containing ACKNOWLEDGE figures (5, 60 or 99) should be acknowledged as soon as possible by the competent national authority of the country receiving the message.</p>
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POLREPs should always be terminated by a telex from the reporting State, which indicates that no more operational communication on that particular incident can be expected.

Contents	Remarks																																												
SERIAL NUMBER	<p>Each single report should be possible to identify and the receiving agency should be in a position to check whether all reports of the incident in question have been received. This is done by using a nation-identifier:</p> <table border="0"> <tr> <td>Albania</td> <td>ALB</td> <td>Lebanon</td> <td>LBN</td> </tr> <tr> <td>Algeria</td> <td>DZA</td> <td>Libya</td> <td>LBY</td> </tr> <tr> <td>Bosnia &amp; Herzegovina</td> <td>BIH</td> <td>Malta</td> <td>MLT</td> </tr> <tr> <td>Croatia</td> <td>CRT</td> <td>Monaco</td> <td>MCO</td> </tr> <tr> <td>Cyprus</td> <td>CYP</td> <td>Morocco</td> <td>MAR</td> </tr> <tr> <td>EU</td> <td>EU</td> <td>Slovenia</td> <td>SLO</td> </tr> <tr> <td>Egypt</td> <td>EGY</td> <td>Spain</td> <td>ESP</td> </tr> <tr> <td>France</td> <td>FRA</td> <td>Syria</td> <td>SYR</td> </tr> <tr> <td>Greece</td> <td>GRC</td> <td>Tunisia</td> <td>TUN</td> </tr> <tr> <td>Israel</td> <td>ISR</td> <td>Turkey</td> <td>TUR</td> </tr> <tr> <td>Italy</td> <td>ITA</td> <td></td> <td></td> </tr> </table> <p>Regional Marine Pollution  Emergency Response Centre  for the Mediterranean Sea</p> <p>REMPEC</p> <p>The nation-identifier should be followed by a stroke and the name of the ship or other installation involved in the accident and another stroke followed by the number of the actual report concerning this particular accident.</p> <p>ITA/POLLUX/1 indicates that this is the first report from Italy concerning the accident of MT "POLLUX".</p> <p>ITA/POLLUX/2, in accordance with the described system, indicates the second report on the same incident.</p>	Albania	ALB	Lebanon	LBN	Algeria	DZA	Libya	LBY	Bosnia & Herzegovina	BIH	Malta	MLT	Croatia	CRT	Monaco	MCO	Cyprus	CYP	Morocco	MAR	EU	EU	Slovenia	SLO	Egypt	EGY	Spain	ESP	France	FRA	Syria	SYR	Greece	GRC	Tunisia	TUN	Israel	ISR	Turkey	TUR	Italy	ITA		
Albania	ALB	Lebanon	LBN																																										
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Cyprus	CYP	Morocco	MAR																																										
EU	EU	Slovenia	SLO																																										
Egypt	EGY	Spain	ESP																																										
France	FRA	Syria	SYR																																										
Greece	GRC	Tunisia	TUN																																										
Israel	ISR	Turkey	TUR																																										
Italy	ITA																																												

Part I (POLWARN)

Contents	Remarks
1 DATE AND TIME	<p>The day of the month as well as the time of the day when the incident took place or, if the cause of the pollution is not known, the time of the observation should be stated with 6 figures. Time should be stated as GMT for example, 091900z (i.e. the 9th of the relevant month at 1900 GMT) or as local</p>

time for example, 091900lt (i.e. 9th of the relevant month at 1900 local time)

Contents	Remarks
2 POSITION	Indicates the main position of the incident in latitude and longitude in degrees and minutes and may, in addition, give the bearing of and the distance from a location known by the receiver.
3 INCIDENT	The nature of the incident should be stated here, such as BLOWOUT, TANKER GROUNDING, TANKER COLLISION, OIL SLICK, etc.
4 OUTFLOW	The nature of the pollution, such as CRUDE OIL, CHLORINE, DINITROL, PHENOL, etc. as well as the total quantity in tonnes of the outflow and/or the flow rate, as well as the risk of the further outflow. If there is no pollution but a pollution threat, the words NOT YET followed by the substance, for example, NOT YET FUEL OIL, should be stated.
5 ACKNOWLEDGE	When this figure is used the telex should be acknowledged as soon as possible by the competent national authority.

## Part II (POLINF)

Contents	Remarks
40 DATE AND TIME	No. 40 relates to the situation described in figures 41 to 60 if it varies from figure 1.
41 POSITION AND/OR EXTENT OF POLLUTION ON/ ABOVE/IN THE SEA	Indicates the main position of the pollution in latitude and longitude in degrees and minutes and may in addition give the distance and bearing of some prominent landmark known to the receiver if other than indicated in figure 2. Estimate amount of pollution (e.g. size of polluted areas, number of tonnes of oil spilled if other than indicated in figure 4, or number of containers, drums etc. lost). Indicates length and width of slick given in nautical miles if not indicated in Fig. 2.

Contents	Remarks
42 CHARACTERISTICS OF POLLUTION	Give type of pollution, e.g. type of oil with viscosity and pour point, packaged or bulk chemicals, sewage. For chemicals give proper name or United Nations number if known. For all, give also appearance, e.g. liquid, floating solid, liquid oil, semi-liquid sludge, tarry lumps, weathered oil, discoloration of sea, visible vapour. Any markings on drums, containers, etc. should be given.
43 SOURCES AND CAUSE OF POLLUTION	For example, from vessel or other undertaking. If from vessel, say whether as a result of a deliberate discharge or casualty. If the latter, give brief description. Where possible, give name, type, size, call sign, nationality and port of registration of polluting vessel. If vessel is proceeding on its way, give course, speed and destination.
44 WIND DIRECTION AND SPEED	Indicates wind direction and speed in degrees and m/s. The direction always indicates from where the wind is blowing.
45 CURRENT DIRECTION AND SPEED AND/OR TIDE	Indicates currents direction and speed in degrees and m/s. The direction always indicates the direction in which the current is flowing.
46 SEA STATE AND VISIBILITY	Sea state indicated as wave height in metres. Visibility in nautical miles.
47 DRIFT OF POLLUTION	Indicates drift course and speed of pollution in degrees and knots and tenths of knots. In case of air pollution (gas cloud) drift speed is indicated in m/s.
48 FORECAST OF LIKELY EFFECT OF POLLUTION AND ZONES AFFECTED	For example, arrival on beach with estimated timing. Results of mathematical models.
49 IDENTITY OF OBSERVER/REPORTER IDENTITY OF SHIPS ON SCENE	Indicates who has reported the incident. If a ship, name, home port, flag and call sign must be given. Ships on scene can also be indicated under this item by name, home port, flag and call sign, especially if the polluter cannot be identified and the spill is considered to be of recent origin.

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Contents	Remarks
50 ACTION TAKEN	Any action taken in response to the pollution.
51 PHOTOGRAPHS OR SAMPLES	Indicates if photographs or samples from the pollution have been taken. Telex number of the sampling authority should be given.
52 NAMES OF OTHER STATES AND ORGANIZATIONS INFORMED	
53 - 59	SPARE FOR ANY OTHER RELEVANT INFORMATION (e.g. results of sample or photographic analysis, results of inspection of surveyors, statements of ship's personnel, etc.)
60 ACKNOWLEDGE	When this figure is used the telex should be acknowledged as soon as possible by the competent national authority.

Part III (POLFAC)

Contents	Remarks
80 DATE AND TIME	No. 80 is related to the situation described below, if it varies from figures 1 and/or 40.
81 REQUEST FOR ASSISTANCE	Type and amount of assistance required in form of: <ul style="list-style-type: none"> <li>- specified equipment</li> <li>- specified equipment with trained personnel</li> <li>- complete strike teams</li> <li>- personnel with special expertise</li> </ul> with indication of country requested.
82 COST	Requirements for cost information to requesting country of delivered assistance.



Contents	Remarks
83 PRE-ARRANGEMENTS FOR DELIVERY OF ASSISTANCE	Information concerning customs clearance, access to territorial waters, etc. in the requesting country.
84 TO WHERE ASSISTANCE SHOULD BE RENDERED	Information concerning the delivery of the assistance, e.g. rendez-vous at sea with information on AND HOW frequencies to be used, call sign and name of supreme on-scene commander of the requesting country, or land-based authorities with telephone, telex and fax numbers and contact persons.
85 NAMES OF OTHER STATES AND ORGANIZATIONS	Only to be filled in if not covered by figure 81, e.g. if further assistance is later needed by other States.
86 CHANGE OF COMMAND	When a substantial part of an oil pollution or serious threat of oil pollution moves or has moved into the zone of another Contracting Party, the country which has exercised the supreme command of the operation may request the other country to take over the supreme command.
87 EXCHANGE OF INFORMATION	When a mutual agreement has been reached between two parties on a change of supreme command, the country transferring the supreme command should give a report on all relevant information pertaining to the operation to the country taking over the command.
88 - 98	SPARE FOR ANY OTHER RELEVANT REQUIREMENTS OR INSTRUCTIONS
99 ACKNOWLEDGE	When this figure is used the telex should be acknowledged as soon as possible by the competent national authority.

## ANNEX V

### **Proposal for the establishment of a mechanism for monitoring the implementation of, and compliance with the terms of the Barcelona Convention and Protocols**

#### ***Rationale for the proposal***

Under the terms of Article 26 of the Barcelona Convention, Contracting Parties have bound themselves to transmit to the UNEP/MAP Secretariat, reports on (a) the legal, administrative or other measures taken by them for the implementation of the Convention, the Protocols and the recommendations adopted by their meetings, and (b) the effectiveness of the measures referred to at (a) above and problems encountered in the implementation of the instruments as mentioned above.

The reporting exercise in which six countries participated on a voluntary basis has proceeded satisfactorily, and the main conclusion is that the Contracting Parties are generally capable of provide the necessary information in line with reporting requirements. However, assistance should be provided from the Secretariat to some of the Contracting Parties to strengthen and improve their reporting capabilities. Such an important finding could lead easily to the recommendation for initiating the implementation of Article 26 on a compulsory basis starting with coverage of measures and activities undertaken during the 2002-2003 biennium. On this basis, the Secretariat would prepare a regional report on the status of the implementation of and compliance with the Barcelona Convention (by reviewing and synthesizing the national country reports).

Article 27 of the Convention prescribes that the Contracting Parties shall, on the basis of periodical reports referred to in Article 26 and any other report submitted by the Contracting parties, assess the compliance with the Convention and the Protocols as well as the measures and recommendations. They shall recommend, when appropriate, the necessary steps to bring about full compliance with the Convention and protocols and promote the implementation of the decisions and recommendations.

On this basis and to comply with article 27 to the Convention, at their 12<sup>th</sup> Ordinary Meeting in Monaco, the Contracting Parties requested the Secretariat to consider the necessity of establishing mechanisms for the implementation of and compliance with the Barcelona Convention

The Bureau to the Contracting Parties, at its meetings in Damascus (April 2002), Monaco (November 2002), and Sarajevo (May 2003), after reviewing the proposals prepared by the Secretariat, approved and further recommended to consider the implementation and compliance mechanism in close interaction with the reporting system in place.

The proposal of the secretariat, examined by the Bureau, consists on the need to establish a Working Group on Implementation and Compliance with the terms of the Barcelona Convention ( hereinafter be referred as the Working Group) with a clear mandate to prepare during the next biennium and submit to the 14<sup>th</sup> CP meeting in 2005:

- a platform for the establishment of mechanisms for promoting implementation and compliance with the terms of the Barcelona Convention and Protocols;
- updated reporting formats with a view to harmonising with the reporting systems under other multilateral environmental agreements and in the context of the EU.

In preparing the present proposal, the Secretariat consulted other organisations with similar experiences in the field of Multilateral Environmental Agreements, which are either implementing relevant well-developed reporting mechanisms, or are currently developing such mechanisms.

The proposal of the Secretariat is to recommend to the Contracting Parties:

- 1. To approve the establishment of a Working Group of legal and technical experts on Implementation and Compliance under the Barcelona Convention, which would work under the guidance of the Bureau of the Contracting Parties;*
- 2. To authorise the Bureau of the Contracting parties to establish the Working group of legal and technical experts on Implementation and Compliance under the Barcelona Convention, on the basis of equitable geographic distribution and high level of expertise to be offered.*

### **Mechanism for Monitoring and Promoting the Implementation of and Compliance with the obligations set out by the Barcelona Convention.**

#### **Elements for its elaboration**

To assure the Contracting Parties that a high level of transparency and participation will be achieved, the Working Group with the following composition, tenure and tasks shall be convened to carry out the elaboration of such a mechanism:

#### **Composition and the tenure of the Working Group**

1. Membership of the Working Group would be open-ended. A core of 6-8 appointed members would be an ideal number.
2. The Working Group would be composed of independent experts and/or state representatives on the basis of their personal legal and/or technical expertise and skills (ensuring diversity of experience, representation from both developing and developed countries and from different geographic sub-regions). Two independent legal and technical experts might be nominated by the Secretariat and 1-2 experts to be nominated by the NGOs.
3. The body would not normally include more than one national of the same state (including the independent experts and NGOs representatives).
4. The core members of the Working Group could be elected by the Bureau of the Contracting Parties on the basis of the Terms of Reference and requirements as detailed in this proposal.
5. The body should meet as necessary
6. The meetings of the body could be open to other Contracting Parties that could attend the meetings at their own expense.

#### **Draft elements for the formulation of the mechanism**

The Working Group on Implementation and Compliance shall elaborate a mechanism that should be transparent, cost effective, and preventive in nature, simple, flexible, non-binding and oriented in the direction of helping parties to implement the provisions of the Barcelona convention. It will pay particular attention to the developing countries.

The mechanism for Monitoring and Promoting the Implementation of and Compliance with the obligations set out by the Barcelona Convention has to be administered by an existing body or new body that should monitor and promote implementation of and compliance with the Barcelona convention with a view to recommend the best way to promote full implementation of the provisions of the Convention and protocols.

The mechanism could mainly address the following issues:

- Structural need in view of administering such a mechanism (use of the existing or establishment of a new body); membership and election rules
- Meetings of the body
- Functions of the body
- Submission by Parties
- Referrals by the secretariat (communication with Contracting Parties)
- Communication with the Public
- Information gathering
- Confidentiality
- Entitlement to participate
- Body reports to the meeting of CP
- Consideration by the Body
- Consideration by the Meeting of the CP
- Relationship between settlement of disputes and compliance procedure
- Enhancement of synergies.