





## **ANNOTATED PROVISIONAL AGENDA**

### **Introduction**

The fourth meeting of the Compliance Committee will be held in the premises of the Coordinating Unit (48 Vassileos Konstantinou, Athens, Greece) on 5 and 6 July 2011. The following items will be on the agenda for the meeting:

- (a) Election of the Chair and two Vice-Chairs of the Committee (Article 6 of the Rules of Procedure);
- (b) Preparation of a leaflet for the Contracting Parties on compliance procedures and mechanisms within the framework of the Barcelona Convention and its Protocols;
- (c) Exchange of views on implementation of the Barcelona Convention and its Protocols during the 2008-2009 biennium;
- (d) Review of general non-compliance issues related to implementation of Article 26 of the Convention on reporting during the 2008/2009 biennium;
- (e) Preparation of the Committee's programme of work for the 2012-2013 biennium.

### **Agenda item 1:           Opening of the meeting**

1. The fourth meeting of the Compliance Committee will be opened on 5 July 2011 by the Vice-Chair of the Committee and Ms. Maria Luisa Silva Meijas, MAP Coordinator.

### **Agenda item 2:           Election of the Chair and Vice-Chairs**

2. Pursuant to Article 6 of its Rules of Procedure, the Committee will elect its Chair and two Vice-Chairs.

### **Agenda item 3:           Adoption of the provisional agenda and organization of work**

3. Decision IG 19/1 on the Rules of Procedure for the Compliance Committee within the framework of the Barcelona Convention and its Protocols applies to the meeting's work.
4. The Compliance Committee may wish to adopt its agenda on the basis of the provisional agenda proposed by the Secretariat (UNEP (DEPI)/MED Compliance Committee 4/1), together with the annotated agenda contained in the present document.
5. The working languages for the meeting will be French and English.

### **Agenda item 4:           Preparation of a draft leaflet on compliance procedures and mechanisms within the framework of the Barcelona Convention and its Protocols**

6. At the Committee's second meeting, the Secretariat submitted a draft leaflet whose objective was to set out clearly and concisely the main provisions in Decision 17/2 on compliance procedures and mechanisms adopted by the 15<sup>th</sup> Meeting of the Contracting Parties, held in Almeria in January 2008.

7. As the leaflet would be used not only by authorities in the Contracting Parties but also by the general public, at the meeting the Committee decided to publish two separate leaflets, with that for the authorities in the Contracting Parties being prepared first.leaflet.

8. At the second meeting, without going into details regarding the draft leaflet, the members of the Committee unanimously welcomed this initiative, whose purpose is to make the Contracting Parties and the public aware of the compliance procedures and mechanisms so as to facilitate and ensure effective implementation of the Convention and its Protocols. They underlined the need, however, to make the leaflet simpler, more user-friendly and more attractive and recommended that the original draft be shortened in order to give it greater force.

9. The new draft leaflet before the members of the Committee takes this recommendation into account. The Secretariat recommends that the Committee set up a small group to consider this new draft during the meeting and to pursue its work during the intersessional period before its next meeting in order to agree on a final draft that could be submitted to the 17<sup>th</sup> Meeting of the Contracting Parties.

*Working document: UNEP (DEPI)/MED Compliance Committee.4/3 – Revised draft of the leaflet on compliance procedures and mechanisms within the framework of the Barcelona Convention and its Protocols.*

**Agenda item 5: Proposed minimum measures to achieve compliance with the Barcelona Convention and its Protocols**

10. At its third meeting, the legal consultant, Mr. Gerhard Loibl, introduced document UNEP (DEPI)/MED Compliance Committee 3/3 entitled “Minimum measures to achieve compliance with the Barcelona Convention and its Protocols”, which had been prepared in response to a request by the second meeting of the Compliance Committee.

11. The Committee’s members unanimously endorsed the consultant’s conclusions and in this connection considered highly pertinent the distinction drawn between the provisions in the Convention and the Protocols, which were of general scope and therefore called for formal monitoring, on the one hand, and certain other more specific provisions, notably in the Protocols, which implied strict observance by the Contracting Parties in conjunction with substantive monitoring on the part of the Committee, on the other. The Committee is also invited to exchange views on ways of ensuring compliance with obligations under the regional action plans adopted by the 16<sup>th</sup> Meeting of the Contracting Parties in 2009 in order to implement Article 15 of the Land-Based Sources Protocol, which came into force in February 2011.

12. The Committee is invited to examine the document and to give the Secretariat its views on the steps to be taken in the future to enable the Committee to deal with any possible individual or general situation of non-compliance. The Committee is asked to give the Secretariat its opinion on what needs to be done to bring such issues to the attention of the Parties concerned and, if necessary, to the meeting of the Contracting Parties.

13. The Committee will have before it a comparative note prepared by the Secretariat, based on an analysis of the reports for the 2008-2009 biennium, highlighting general problems encountered by Contracting Parties in implementing some of the provisions in the Protocols. Furthermore, the recent entry into force of the “Offshore” and the “ICZM” Protocols gives the Committee an opportunity to make Contracting Parties aware of the best way of developing and promoting observance of the commitments defined in these two important Protocols.

*Working document: UNEP (DEPI)/MED Compliance Committee 4/4 - Minimum measures to achieve compliance with the Barcelona Convention and its Protocols.*

**Agenda item 6:**            **Status of implementation of Article 26 of the Barcelona Convention during the 2008-2009 biennium**

14. At the Committee's third meeting, the Secretariat stressed that the Contracting Parties had not fully complied with their reporting obligations, but that the number of reports submitted varied depending on the legal instrument. The new biennium has seen an increase in on-line reporting, which is encouraging as it underlines its operational nature.

15. The meeting is invited to hold a discussion to examine the implementation of Article 26 of the Barcelona Convention and to take any decisions, if appropriate.

*Working document: UNEP (DEPI)/MED Compliance Committee 4/5 - Status of implementation of Article 26 of the Barcelona Convention.*

**Agenda item 7:**            **Preparation of the programme of work of the Compliance Committee for the 2012-2013 biennium**

16. In 2009, the 16<sup>th</sup> Meeting of the Contracting Parties approved a programme of work for the Compliance Committee, which was adopted by the Committee at its second meeting. The two meetings of the Committee planned for 2011 will not allow it to conclude all the work in its programme by the end of the present biennium.

17. The Committee will have before it for discussion an updated work programme for the 2011-2012 biennium with a view to its adoption by the next meeting of the Contracting Parties.

*Working document: UNEP (DEPI)/MED Compliance Committee 4/6 - Programme of work for the Compliance Committee for the 2012-2013 biennium*

**Agenda item 8:**            **Any other business**

18. Under this agenda item, members of the Compliance Committee may perhaps wish to raise and discuss other relevant issues.

**Agenda item 9:**            **Adoption of conclusions and decisions**

19. The Committee will have before it the meeting's draft conclusions and recommendations for consideration. The report of the fourth meeting of the Compliance Committee will be adopted in final form at a later stage, after having been circulated to members of the Committee electronically.

**Agenda item 10:**        **Closure of the meeting**

20. It is expected that the meeting will be closed at 5.30 p.m. on Wednesday, 6 July 2011.

**PROPOSED TIMETABLE**

<b>Tuesday, 5 July 2011</b>	
0900-1000	Opening of the meeting
1000-1100	Agenda items 1,2,3
1100-1130	<i>Coffee break</i>
1130-1300	Agenda items 3 (continued) and 4
1300-1430	<i>Lunch</i>
1430-1600	Agenda item 4 (continued)
1600-1630	<i>Coffee break</i>
1630-1800	Agenda item 4 (continued)
<b>Wednesday, 6 July 2011</b>	
0900-1100	Agenda item 5
1100-1130	<i>Coffee break</i>
1130-1300	Agenda item 5 (continued)
1300-1430	<i>Lunch</i>
1430-1530	Agenda items 6 and 7
1530-1600	<i>Coffee break</i>
1600-1730	Agenda items 8, 9 and 10