



United Nations Environment Programme



UNEP(DEPI)/MED Compliance Committee.5/5
28 September 2011
English
Original: French



MEDITERRANEAN ACTION PLAN

Fifth meeting of the Compliance Committee
Athens, Greece, 10 and 11 November 2011

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**BROCHURE FOR THE PUBLIC ON THE COMPLIANCE COMMITTEE ESTABLISHED
UNDER THE BARCELONA CONVENTION.**

The Barcelona Convention:

The Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean has given rise to a number of Protocols.

As at present, Seven Protocols addressing specific aspects of Mediterranean environmental conservation complete the legal framework:

- Dumping Protocol (from ships and aircraft)
- Prevention and Emergency Protocol (pollution from ships and emergency situations)
- Land-based Sources and Activities Protocol
- Specially Protected Areas and Biological Diversity Protocol
- Offshore Protocol (pollution from exploration and exploitation)
- Hazardous Wastes Protocol
- Protocol on Integrated Coastal Zone Management (ICZM)

The Convention and the respective Protocols give rise to a number of legally binding obligations.

The Barcelona Convention provides that “the meetings of the Contracting Parties shall, on the basis of periodical reports referred to in Article 26 of the Barcelona Convention 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.* The Contracting Parties shall recommend, when appropriate, the necessary steps to bring about full compliance with the Convention and the Protocols and promote the implementation of the decisions and recommendations”.

During the 15th Meeting of the Contracting Parties held at Almeria in January 2008, the Parties elected a Compliance Committee, with the aim of setting up a formal compliance monitoring mechanism and procedure intended to promote implementation and to assist the Contracting Parties in complying with their obligations under the Convention and its Protocols.

The Parties gave the Committee three major objectives:

- 1 to submit draft rules of procedure for the Committee to the 16th Meeting of the Contracting Parties for adoption;
- 2 secondly, to consider general compliance issues; and,
- 3 lastly, to transmit a report on its activities to the Meeting of the Parties, including findings, conclusions and difficulties encountered and any recommendations for amending the Procedures and Mechanisms.

The Compliance Committee is composed of seven members and seven alternate members, elected by the Meeting of the Parties on the basis of balanced geographical distribution. They act in their individual capacities and objectively in the interests of the Convention and its Protocols.

The present Committee is composed of:

List of regular and alternate members with respective term of office.

The Compliance Committee is empowered to act in three particular cases:

- a case of non-compliance may be referred to it by a Party which, despite its best efforts, considers that it is not in a position fully to meet its obligations under the Convention and its Protocols;
- it may also intervene if requested by a Party affected by the non-compliance of another Party; and lastly
- the Committee may intervene if requested by the Secretariat after it has identified potential problems encountered by a Contracting Party in complying with its obligations under the Convention and its Protocols.

The Committee may also be called upon to rule on general issues of compliance and implementation of the Convention and its Protocols, or on any other question referred to it by the Meeting of the Parties.

Pursuant to the Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols, the Committee has to draw up a report on its activities to be transmitted to the Conference of the Parties for review and adoption. All the conclusions, measures and recommendations presented to the Conference of the Parties need to be preferably adopted by consensus. Six members present and voting are however needed for decisions by the Committee if consensus could not be reached.

The Meeting of the Parties now has all the legal instruments needed to conduct proper verification of compliance with the obligations they have committed to.

Links to:

decision IG17/2
IG.19/1
CC public documents
etc