



United Nations Environment Programme



UNEP(DEPI)/MED CC.7/3
18 June 2013
ENGLISH
ORIGINAL: FRENCH



MEDITERRANEAN ACTION PLAN

Seventh meeting of the Compliance Committee

Athens (Greece), 26 – 28 June 2013

Criteria for the evaluation of reports by the Secretariat and the Compliance Committee to identify actual or potential cases of non-compliance

1. INTRODUCTION

I. Context

At its sixth meeting, the Compliance Committee has expressed the necessity to define Criteria for the evaluation of Reports for the Biennium 2010-2011. In that regard, it has mandated Mme Daniela Addis to chair a working Group to propose such criteria in view of its next meeting. The members of the Compliance Committee will find here above the proposal of Ms Daniela Addis:

II. Guidelines for the evaluation of Reports to identify actual or potential situation of non-compliance

The CC adopt the following guidelines for the evaluation of Reports to identify actual or potential situation of non-compliance in the implementation of the Convention and its related Protocols [as well as the decisions, measures and recommendations] to be submitted by its Chairman to the Meeting of the Contracting Parties

(i) Criteria for the evaluation by the Secretariat of Reports submitted by MS

1. Types/common characteristics of formal cases of non-compliance to be considered in the implementation of the Convention (**formal obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance
2. Types/common characteristics of formal cases of non-compliance to be considered in the implementation of the Protocols (**formal obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance
 - b. Non submission of the Report in due time (it is defined "in due time" the submission of the report in a date not later than (4) months after the formal date)
 - c. Partial information on procedural issues (it is defined as "partial information" an information that)
 - d. Consideration of issues raised by the MAP components on the implementation of the protocols for which each regional activity centre is responsible
3. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of the Convention (**substantial obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance
 - b. Partial information on technical issues (it is defined as "partial information" an information that)
 - c. Problems of interpretation concerning implementation of the provisions of the Convention

4. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of Protocols (**substantial obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance
 - b. Partial information on technical issues (it is defined as "partial information" an information that)
 - c. Problems of interpretation concerning implementation of the provisions of Protocols
 - d. Take into account the date of ratification of the relevant Protocol by the concerned Party [6 month - 1 year?]

(ii) Criteria for the evaluation by the CC of Reports submitted by MS

1. Types/common characteristics of formal cases of non-compliance to be considerate in the implementation of the Convention (**formal obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance
2. Types/common characteristics of formal cases of non-compliance to be considerate in the implementation of the Protocols (**formal obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance
 - b. Non submission of the Report in due time (it is defined "in due time" the submission of the report in a date not later than (4) months after the formal date)
 - c. Partial information on procedural issues (it is defined as "partial information" an information that)
 - d. Consideration of issues raised by the MAP components on the implementation of the protocols for which each regional activity centre is responsible
3. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of the Convention (**substantial obligation**)
 - a. The legal basis and the relevant provisions of the Barcelona Convention that form the basis for raising the question of non-compliance
 - b. Partial information on technical issues (it is defined as "partial information" an information that)
 - c. Problems of interpretation concerning implementation of the provisions of the Convention
4. Types/common characteristics of difficulties faced by the Contracting Parties in procedural or substantive areas in the implementation of Protocols (**substantial obligation**)

- a. The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols that form the basis for raising the question of non-compliance
- b. Partial information on technical issues (it is defined as "partial information" an information that)
- c. Problems of interpretation concerning implementation of the provisions of Protocols
- d. Take into account the date of ratification of the relevant Protocol by the concerned Party [6 month - 1 year?]

(iii) Assessment of the report format to propose amendments and/or how to implemented it

1. Consideration of issues raised by the MAP components on the implementation of the protocols.