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MEDITERRANEAN ACTION PLAN

15th Ordinary Meeting of the Contracting Parties to
the Convention for the Protection of the Marine Environment
and the Coastal Region of the Mediterranean
and its Protocols

Almeria (Spain), 15-18 January 2008

Draft Decisions for the 15th Meeting of the Contracting Parties

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15th Meeting of the Contracting Parties

Decision IG 17/1: Procedures and mechanisms on compliance under the Barcelona Convention and its Protocols

The 15th Meeting of the Contracting Parties,

Recalling Articles 18 and 27 of the Barcelona Convention for the Protection of the Marine Environment and the Coastal region of the Mediterranean as amended in Barcelona in 1995, hereinafter referred to as the Barcelona Convention,

Recalling also its decisions adopted at its 13th Meeting held in Catania, Italy, and its 14th Meeting held in Portoroz, Slovenia, on the need to develop a mechanism to promote implementation and compliance with the Barcelona Convention,

Noting with appreciation the work undertaken by the Working Group on Implementation and Compliance on the development of the mechanism relating to compliance during their four meetings held between 2004 and 2007,

Decides to approve and adopt the Procedures and mechanisms on compliance with the obligations under the Barcelona Convention and its Protocols, hereinafter referred to as Procedures and Mechanisms, as contained in the Annex to this Decision;

Agrees to the setting up of the Compliance Committee in accordance with the Procedures and Mechanisms;

Decides also that the composition of the Compliance Committee be as follows:

- two members and two alternates to be nominated by the following southern and eastern Mediterranean countries: Algeria, Egypt, Lebanon, Libya, Morocco, Syria, Tunisia;
- two members and two alternates to be nominated by the seven EU Member States which are Party to the Barcelona Convention: Cyprus, Greece, France, Italy, Malta, Slovenia, Spain and the EC;
- two members and two alternates to be nominated by the other Parties: Albania, Bosnia and Herzegovina, Croatia, Israel, Monaco, Turkey and Montenegro once it becomes Party to the Barcelona Convention;
- one additional member and one alternate to be nominated from each group on a rotation basis every four years. The additional member and the additional alternate are nominated for the first compliance Committee, by the group of southern and eastern Mediterranean countries;

Requests the Compliance Committee to consider during the next biennium 2008-2009, *inter alia*, general compliance issues such as compliance problems with reporting requirements under the Barcelona Convention and its Protocols;

Requests the Compliance Committee to submit to the 16th Meeting of the Contracting Parties draft rules of procedure for the Committee for adoption;

Requests the Compliance Committee to submit, in accordance with paragraph 31 of the Procedures and Mechanisms, a report on its activities to the 16th Meeting of the Contracting Parties, including findings, conclusions and difficulties encountered and any recommendations for amending the Procedures and Mechanisms.

Procedures and mechanisms on compliance under the Barcelona Convention and its Protocols

I Objective

1. The objective of the compliance mechanism is to facilitate and promote compliance with the obligations under the Barcelona Convention and its Protocols, taking into account the specific situation of each Contracting Party, in particular those, which are developing countries.

II Compliance Committee

2. A compliance committee, hereinafter referred to as “the Committee”, is hereby established.

3. The Committee shall consist of seven members elected by the Meeting of the Contracting Parties from a list of candidates nominated by the Contracting Parties. For each member of the Committee, the Meeting of the Contracting Parties shall also elect an alternate member from the above-mentioned list.

4. A full term of office commences at the end of an Ordinary Meeting of the Contracting Parties and runs until the end of the second Ordinary Meeting of the Contracting Parties thereafter.

5. At the Meeting of the Contracting Parties at which the decision establishing the mechanism is adopted, the Meeting shall elect three members and their alternates for half a term and four members and their alternates for a full term. At each ordinary meeting thereafter, the Contracting Parties shall elect for a full term new members and alternates to replace those whose period of office is about to expire.

6. Members and alternates shall not serve for two consecutive terms.

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

8. Nominated candidates shall be persons of recognized competence in the matters dealt with by the Barcelona Convention and its Protocols and in relevant scientific, technical, socio-economic, legal or other fields. Each nomination shall be accompanied by the curriculum vitae of the candidate. Contracting Parties may consider the nominations of candidates from civil society and academia.

9. In electing members of the Committee and their alternates, the Meeting of the Contracting Parties shall take into consideration equitable geographical representation, shall ensure rotation in order to secure the participation of nominated individuals from all Contracting Parties as members of the Committee within a reasonable period of time. To the extent possible, they shall also take into consideration a balance of scientific, legal and technical expertise.

10. The Committee shall elect its officers – a Chairperson and two Vice-Chairpersons – on the basis of equitable geographic representation and rotation.

11. Members of the Committee and their alternates shall serve in their individual capacities and shall act objectively in the interests of the Barcelona Convention and its Protocols for the protection of the Mediterranean Sea and its coastal area.

III Meetings of the Committee

12. The Committee shall meet at least once a year. The Committee may decide to hold additional meetings, in particular in conjunction with those of other Convention bodies.

13. The Secretariat shall inform all Contracting Parties of the date and venue of the meetings of the Committee. Unless the Committee or the Party whose compliance is in question (hereinafter "the Party concerned") decides otherwise, the meetings of the Committee will be open to:

- (a) Parties to the Convention, which shall be treated as observers in accordance with the Rules of Procedure for meetings and conferences of the Contracting Parties for the purpose of their participation in the Committee; and
- (b) observers, in accordance with Article 20 of the Convention and the Rules of Procedure for the meetings and conferences of the Contracting Parties.

14. In the absence of a member from a meeting, the respective alternate shall serve as the member.

15. For each meeting, a quorum of seven members is required.

16. The Committee shall make every effort to reach agreement by consensus on its findings, measures and recommendations. If all efforts to reach consensus have been exhausted, the Committee shall as a last resort adopt its findings, measures and recommendations by at least a three-fourths majority of the members present and voting. "Members present and voting" means members present and casting an affirmative or a negative vote.

IV Role of the Compliance Committee

17. The role of the Committee shall be to consider:

- (a) specific situations of actual or potential non-compliance by individual Parties with the provisions of the Convention and its Protocols;
- (b) at the request of the Meeting of the Contracting Parties, general compliance issues, such as recurrent non-compliance problems, including in relation to reporting, taking into account the reports referred to in Article 26 of the Convention and any other report submitted by the Parties; and
- (c) any other issues as requested by the Meeting of the Contracting Parties.

V Procedure

1. Submissions by Parties

18. The Committee shall consider submissions by:

- (a) a Party in respect of its own actual or potential situation of non-compliance, despite its best endeavours; and

- (b) a Party in respect of another Party's situation of non-compliance, after it has undertaken consultations through the Secretariat with the Party concerned and the matter has not been resolved within three months at the latest, or a longer period as the circumstances of a particular case may require, but not later than six months.
19. Submissions as referred to in paragraph 18 concerning the alleged non-compliance of a Party shall be addressed in writing to the Committee through the Secretariat, supported by substantiating information setting out the matter of concern and the relevant provisions of the Barcelona Convention and its Protocols.
20. The Secretariat shall, within two weeks of receiving a submission in accordance with paragraph 18 (b), send a copy of that submission to the Party concerned.
21. The Committee may decide not to proceed with a submission that it considers to be
- anonymous,
 - de minimis or
 - manifestly ill founded.
22. The Secretariat shall inform both the Party concerned and the Party indicated in paragraph 18(b) about the Committee's findings under paragraph 21 within two weeks of the date of the findings.
2. Referrals by the Secretariat
23. If the Secretariat becomes aware from the periodic reports referred to in Article 26 of the Convention and any other reports submitted by the Parties that a Party is facing difficulties in complying with its obligations under the Convention and its Protocols, the Secretariat shall notify the Party concerned and discuss with it ways of overcoming the difficulties. If the difficulties cannot be overcome within a maximum period of three months, the Party concerned shall make a submission on the matter to the Compliance Committee in accordance with paragraph 18 (a). In the absence of such a submission within six months of the date of the above mentioned notification, the Secretariat shall refer the matter to the Committee
3. Proceedings
24. The Party concerned may present information on the issue in question and present responses and/or comments at every stage of the proceedings. At the invitation of the Party concerned, the Committee may undertake on-site appraisals.
25. The Committee may:
- (a) ask the Party concerned to provide further information, including an assessment of the reasons why the Party may be unable to fulfill its obligations; and
 - (b) with the consent of the Party concerned, gather information in the territory of that Party, including on-site appraisals.
26. In its deliberations, the Committee shall take into account all the available information concerning the issue in question, which shall also be made equally available to the Party concerned.
27. The Party concerned shall be entitled to participate in the discussions of the Committee and present its observations. The Committee may, if it considers it necessary in a

particular case of non-compliance, ask the Party concerned to participate in the preparation of its findings, measures and recommendations.

28. The Committee shall be guided by the principle of "due process" in order to ensure fairness and transparency.

29. The Committee shall, through the Secretariat, notify the Party concerned of its draft findings, measures and recommendations in writing within two weeks from the date of their completion. The Party concerned may comment in writing on the draft findings, measures and recommendations of the Committee within a period of time determined by the Committee.

30. The Committee, any Party or others involved in its deliberations shall protect the confidentiality of information transmitted in confidence by the Party concerned.

VI Committee reports to the Meetings of the Contracting Parties

31. The Committee shall prepare a report on its activities.

- (a) The report shall be adopted in accordance with paragraph 16. Where it is not possible to reach agreement on findings, measures and recommendations by consensus, the report shall reflect the views of all Committee members.
- (b) As soon as it is adopted, the Committee shall submit the report through the Secretariat, including such recommendations on individual and general issues of non-compliance as it considers appropriate to the Parties for consideration at their next meeting.

VII Measures

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

- (a) provide advice and, as appropriate, facilitate assistance;
- (b) request or assist, as appropriate, the Party concerned to develop an action plan to achieve compliance within a time frame to be agreed upon between the Committee and the Party concerned;
- (c) invite the Party concerned to submit progress reports to the Committee within the time frame referred to in subparagraph (b) above on the efforts it is making to comply with its obligations under the Barcelona Convention and its Protocols; and
- (d) make recommendations to the Meeting of the Contracting Parties on cases of non-compliance, if it finds that such cases should be handled by the Meeting of the Contracting Parties.

33. The Meeting of the Contracting Parties may decide, upon consideration of the report and any recommendations of the Committee, taking into account the capacity of the Party concerned, in particular if it is a developing country, and also factors such as the cause, type and degree of non-compliance, appropriate measures to bring about full compliance with the Convention and its Protocols, such as:

- (a) facilitate implementation of the advice from the Committee and facilitate assistance, including, where appropriate, capacity-building, to an individual Party;

- (b) make recommendations to the Party concerned;
- (c) request the Party concerned to submit progress reports on achievement of compliance with the obligations under the Convention and its Protocols; and
- (d) publish cases of non-compliance.

34. In the event of a serious, ongoing or repeated situation of non-compliance by a Party, the Meeting of the Contracting Parties, where appropriate, may:

- (a) issue a caution;
- (b) issue a report of non-compliance regarding that Party; or
- (c) consider and undertake any additional action that may be required for achievement of the purposes of the Convention and the Protocols.

VIII Review of procedures and mechanisms

35. The Meeting of the Contracting Parties shall regularly review the implementation and effectiveness of the compliance mechanism and take appropriate action.

IX Relationship with Article 28 of the Convention (Settlement of Disputes)

36. These procedures and mechanisms shall operate without prejudice to the settlement of disputes provisions of Article 28 of the Convention.

X Sharing of information with other relevant multilateral environmental agreements

37. Where relevant, the Committee may solicit specific information, upon request by the Meeting of the Contracting Parties, or directly, from compliance committees dealing with comparable matters, and shall report on its consultations to the Meeting of the Contracting Parties.

XI Secretariat

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

15th Meeting of the Contracting Parties

Decision IG 17/2: New Reporting format for the Implementation of the Barcelona Convention and its Protocols

The 15th Meeting of the Contracting Parties,

Recalling Article 26 of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona in 1995, hereinafter referred to as the Barcelona Convention,

Recalling also the Decision adopted at the 14th Meeting of the Contracting Parties held in Portoroz, Slovenia, on the need to develop a new integrated indicator-based reporting format for the Barcelona Convention and its Protocols,

Noting the work undertaken by the Working Group on Reporting for the development of the new MAP Reporting format during the period 2006-2007,

Decides to adopt the Reporting format for the implementation of the Barcelona Convention and its Protocols, as contained in Annex I to this Decision;

Agrees also to establish a Working Group on Effectiveness that will work through electronic tools in order to develop during the next biennium a list of indicators on the effectiveness of measures taken to implement the Convention and its Protocols and the decisions adopted by the Meetings of the Contracting Parties, and to guide the work for the preparation of the Regional Assessment Report on Implementation for the years 2006-2007, for submission to and consideration by the 16th Meeting of the Contracting Parties in 2009;

Calls upon the Contracting Parties to submit to the Secretariat their report on the implementation of the Barcelona Convention and its Protocols for the period 2006-2007 by the end of November 2008 at the latest;

Requests the Secretariat through INFO/RAC and all other MAP components, to accelerate the work for the establishment of the online reporting system in the framework of the MAP information system;

Requests the Secretariat and the Contracting Parties to provide the necessary data into the MAP electronic system database, where available;

Requests the Secretariat, with the involvement of all relevant MAP components, to promote the regional assessment reports on the implementation of the Barcelona Convention and its Protocols (2002-2003, 2004-2005), and MAP achievements through electronic means or other tools to raise the profile and the visibility of MAP in the region;

Invites the Contracting Parties to publish, in conformity with the provisions of Article 15 of the Barcelona Convention, their reports on the implementation of the Barcelona Convention and its Protocols on their websites or through other means.

**New reporting format for the implementation of the
Barcelona Convention and its Protocols**

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New reporting format

1. Barcelona Convention
2. Dumping Protocol
3. Prevention and Emergency Protocol
4. LBS and Activities Protocol
5. SPA and Biodiversity Protocol
6. Offshore Protocol
7. Hazardous Waste Protocol
 - 7.1 Implementation of the Regional Plan on the Reduction of Hazardous Waste Generation by 20% in 2011

1. Implementation of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols (Barcelona Convention)

I - INFORMATION ON THE REPORTING PARTY

Please provide information on the reporting Party by completing the following table.

<i>Contracting Party</i>	
<i>Reporting period (from D/M/Y to D/M/Y)</i>	
Full name of the institution responsible for the implementation of the Convention	
Name of the officer who is the MAP focal point	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the MAP Focal Point	
Date of submission of the report	

Organizations/bodies/agencies providing information for the compilation of the report

Please provide information on the preparation of this report, including, where appropriate, stakeholders involved and material used, by completing the following table.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II – REPORTING FORMAT TO BE COMPLETED

1. Status of ratification
2. Bilateral, subregional, and regional agreements
3. Multilateral instruments
4. Legal measures
5. Policy measures: Integrating the protection and conservation of the marine and coastal environment into development policies
 - a. *Domestic strategy for sustainable development*
 - b. *Regional strategies adopted in the framework of MAP*
 - c. *ICZM and physical planning*
 - d. *Economic instruments*
6. Allocation of resources for:
 - a. *Establishment of institutions*
 - b. *Establishment of monitoring Programme*
 - c. *Public access to information*
7. *Other measures*

Implementation of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols (Barcelona Convention)

Part I Status of ratification of the Barcelona Convention and its Protocols

Question 1: Has the Party ratified or accepted the amendments to the MAP legal instruments listed in Table I ?

Table I- Status of ratification

Related Article	No.	Title of the legal instrument	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer(s)					
			Yes	No	Undergoing ratification process	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
	1	Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, as amended in 1995											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
	Remarks/Comments												
	2	Protocol for the Protection and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea, as amended in 1995											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
	Remarks/Comments												
	3	Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, 2002											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
Remarks/Comments													

	4	Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities, as amended in 1996												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
	Remarks/Comments													
	5	Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, 1995												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
	Remarks/Comments													
	6	Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil, 1994												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
	Remarks/Comments													
	7	Protocol on the Prevention of Pollution of the Mediterranean Sea by Trans-boundary Movements of Hazardous Wastes and their Disposal, 1996												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
	Remarks/Comments													

Part II Bilateral, subregional and regional agreement(s)

If the Party has signed, as *per* Article 3 para. 2 of the Convention, any bilateral, subregional and/or regional agreement(s) with another Party or with other States, falling under the scope of application of the Convention and its Protocols, please complete the following Table II and attach a copy of such agreement(s) to this report.

Table II - Bilateral, subregional and/or regional agreement(s)

<u>Reference</u>	Title of the agreement	Parties to the agreement	Date of enactment	Main subject of cooperation
1				
2				
3				
4				

Part III Ratification of international or regional legal instruments which are relevant to MAP and to the Barcelona Convention and its Protocols

Please confirm by ticking the last box of Table III if the answer inserted by the Secretariat corresponds to the situation of the Party with respect to each international or regional instrument included in this Table. When the answer inserted by the Secretariat does not correspond to an updated situation, please provide your comments and/or insert the correct data.

Table III - Ratification of international or regional legal instruments

<u>Reference</u>	Title of the instrument	Date of ratification	Comments	Ticking box
1	To be pre-filled in by the Secretariat	To be pre-filled in by the Secretariat	To be completed by CPs, if any	To be completed by CPs
2				
3				
4				
5				
6				
7				
8				

Part IV **Legal measures**

Question 2: **Has the Party, in accordance with Article 14 of the Barcelona Convention, adopted legislation implementing the provisions of the Convention as listed in Table IV below?**

Table IV - Legal measures

<i>Related Article</i>	No.	<i>Description of the obligations</i>	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 4 para.3(e)	1	Application of the precautionary principle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 4 para. 3(b) Polluter Pays Principle	2	Application of the Polluter Pays Principle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 4 para.3.(c) and (d) Environmental Impact Assessment (EIA)	3	Undertaking EIA for proposed activities that are likely to cause a significant adverse effect and/or are subject to an authorization by competent authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										

	4	Application of notification, exchange of information and consultation among parties concerned, when an EIA is undertaken in a transboundary context																				
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments														
			Remarks/Comments																			
Art. 4 para. 3(e) Promotion of integrated planning and management of coastal areas	5	Promotion of integrated planning and management of coastal areas, including areas of ecological and landscape interest and rational use of natural resources																				
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments														
			Remarks/Comments																			
Art. 12 Monitoring	6	Establishment of a system to monitor the pollution of the marine environment and its coastal areas																				
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments														
				Remarks/Comments																		
	7	Designation of competent authorities responsible for pollution monitoring within areas under national jurisdiction																				
<i>Title, reference, date of enacting legal act</i>					Remarks/Comments																	
			Remarks/Comments																			
Art. 15, para. 1 Public participation	8	Access to information on the state of the marine environment and its coastal areas																				
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments														
			Remarks/Comments																			

	9	Public access to information related to the activities adversely affecting or likely to affect the marine environment and its coastal areas										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
	Remarks/Comments											
	10	Public access to information related to activities carried out and/or measures taken to implement the Barcelona Convention and its Protocols										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
	Remarks/Comments											
Art. 15.2_ Public participation	11	Public participation and consultation in decision-making processes related to the development of policies and legislation for the protection of the marine environment and its coastal area										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
	Remarks/Comments											
	12	Public participation and consultation in the EIA process for proposed activities that are likely to cause damage to the marine environment and its coastal areas										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
	Remarks/Comments											
	13	Public participation in the process of authorization of proposed activities likely to cause damage to the marine environment and its coastal areas										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
	Remarks/Comments											

Part V **Policy measures**

Question 3: **Has the Party undertaken any of the measures listed in Table V hereunder for the promotion of sustainable development and the integration of environmental protection when formulating and adopting development policies?**

Table V - Policy measures

Article	No.	Description of the measure(s)	Status					Difficulties/Challenges						
			Please tick the most appropriate answer					Please tick the most appropriate answer						
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation	
Article 4 (General obligations)	1	Protection of the marine environment and its coastal areas is part of the domestic strategy for sustainable development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Remarks/Comments					Remarks/Comments						
	2	Protection of the marine environment and its coastal areas from land-based sources of pollution and activities and pollution from ships is part of the Party's NSSD and other relevant sectoral development policies such as industry, energy, agriculture, transport, etc. by giving due regard to priority objectives, actions and targets of the SAP MED and the respective NAPs and the regional strategy to combat pollution from ships	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments					Remarks/Comments						

3	Protection and conservation of marine and coastal biodiversity is part of the Party's NSSD and other relevant sectoral development policies such as fisheries, industry, energy, agriculture, etc. by giving due regard to priority objectives, actions targets of the SAP BIO and the respective NAPs											
		Remarks/Comments					Remarks/Comments					
4	Physical plan of the Party's coastal zone(s) has given due regard to the protection of the marine environment and its coastal zone through the use of ICZM or ICAM methodology and necessary environmental assessment											
		<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
		Remarks/Comments										
5	Economic instruments such as taxes, fees, funds, charges, earmarked taxes, etc. have been established to promote protection of the marine environment and its coastal areas and conserve their biodiversity.											
		<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
		Remarks/Comments										

Part VI **Allocation of resources for the establishment of institutions**

Question 4: **Has the Party established appropriate institutional structures in order to comply with the provisions of the Convention listed in Table VI below?**

Table VI - Establishment of institutions

Reference of Article	No.	Description of the measure(s)	Status					Difficulties/Challenges					
			Please tick the most appropriate answers					Please tick the most appropriate answers					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	F financial resources	Administrative management	Technical capabilities	Public participation
Art. 4 para. 3(b)	1	The Polluter Pays Principle and use of economic instruments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments					Remarks/Comments					
Art. 4 para.3.(c) and (d)	2	Undertaking EIA and implementing the procedure of notification, exchange of information and consultation in case of EIA in a transboundary context	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments					Remarks/Comments					
Art. 4 para.3(e)	3	Applying ICZM when preparing coastal zone management plans at the national, regional or local level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments					Remarks/Comments					

Art. 12	4	Monitoring marine pollution											
			Remarks/Comments					Remarks/Comments					
Art. 15 para. 1	5	Public access to information											
			Remarks/Comments					Remarks/Comments					
Article 15 para.2	6	Public participation in the decision-making process											
			Remarks/Comments					Remarks/Comments					

Part VII **Other measures**

Question 5 : **Has the Party undertaken the measures and actions listed in Table VII below, in order to implement the following provisions on monitoring and public access to information ?**

Table VII - Monitoring and public access to information

Reference of Article	No.	Description of the measure(s)	Status					Difficulties/Challenges					
			Please tick the most appropriate answers					Please tick the most appropriate answers					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 12	1	Establishment of monitoring programmes to assess the state of the marine environment and its coastal areas and compliance with domestic standards on releases and/or quality marine environment criteria for the effective implementation of the Barcelona Convention and its Protocols											
			Remarks/Comments					Remarks/Comments					
Art. 15 para. 1,	2	Publication of periodical assessment reports on the state of the marine environment and its coastal areas, including description of measures taken and related technical data or indicators, and their effectiveness for the implementation of the Barcelona Convention and its Protocols											
			Remarks/Comments					Remarks/Comments					
	3	The environmental data on the state of the marine environment and its coastal areas are made available to the public											
			Remarks/Comments					Remarks/Comments					

2. Implementation of the Protocol for the Prevention and elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircrafts or Incineration at Sea (Dumping Protocol)

I - INFORMATION ON THE REPORTING PARTY

Please provide information on the reporting Party by completing the following table.

Contracting Party	
Reporting period (from D/M/Y to D/M/Y)	
Name of the institution/s responsible for the Dumping Protocol	
Name of the officer who is the focal point for the Dumping Protocol	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the Protocol's Focal Point	
Date of submission of the report	

Organizations/bodies/agencies providing information for the compilation of the report

Please provide information on the preparation of this report, including, where appropriate, stakeholders involved and material used, by completing the following table.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II – REPORTING FORMAT TO BE COMPLETED

1. Legal measures
2. Allocation of resources for the establishment of institutions and monitoring programmes
3. Administrative measures and related technical data
4. Enforcement measures
5. Implementation of Guidelines
6. Effectiveness

Part I **Legal measures**

Question 1: **Has the Party, in accordance with Article 14 of the Barcelona Convention, adopted legislation implementing the provisions of the Dumping Protocol, as listed in Table I below?**

Table I - Legal measures

Related Article	No.	Description of the obligations	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 4 para.1	1	Prohibition of dumping of wastes and other materials with the exception of those listed in Article 4.2											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 4 para. 2	2	Dumping of wastes and materials listed in Article 4.2 is subject to a prior special permit by competent authorities in conformity with the requirements spelled out in the Annexes to the Protocol and the related Guidelines adopted by the Meetings of the CPs											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 7	3	Prohibition of incineration at sea											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										

Art. 11 (a)	4	Application of measures to implement this Protocol to ships and aircrafts registered in the territory of the reporting Party or flying its flag												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
Art. 11 (b)	5	Application of measures to implement this Protocol to ships and aircrafts loading in the territory of the Party wastes or other materials intended for dumping												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
Art. 11 (c)	6	Application of measures to implement this Protocol to ships and aircrafts believed to be engaged in dumping in areas under national jurisdiction												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
Art. 12	7	Issuing of instructions to maritime inspection ships and aircraft and other appropriate services to report to the relevant national authorities any incidents or conditions giving rise to suspicions that dumping in contravention to the Protocol had occurred or was about to occur												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
Art. 4	8	Notification procedures as provided for in the Guidelines on the dumping of uncontaminated inert materials and on the dumping of platforms and other man-made structures, adopted by the Meetings of the CPs in 2003 and 2005												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											

Part II **Allocation of resources**

Question 2: **Has the Party established appropriate institutional structures and monitoring programmes in order to comply with the requirements of the provisions of the Dumping Protocol listed in the table below (Table II) and of the respective Guidelines adopted by the Meeting of the CPs, as also listed in Table II below?**

Table II - Allocation of resources for the establishment of institutions and monitoring programmes

No.	Main requirements	<i>Status of implementation</i>					<i>Difficulties/Challenges</i>					
		Please tick the most appropriate answers					Please tick the most appropriate answers					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Issue the permits provided for in Art. 5 of the Protocol, Annexes and the respective Guidelines, and keep records of the nature and quantities of the waste or other matter, dumping location and method											
		Remarks/Comments					Remarks/Comments					
2	Establishment of an appropriate programme to monitor the conditions of the sea for the purpose of the Protocol as per the requirements of the respective Guidelines											
		Remarks/Comments					Remarks/Comments					

Part III. Administrative measures

III.1 Authorization(s) and permit(s) issued and related technical data (Art. 5)¹

(State the number of permits issued during the period under review for the dumping of wastes or other matter listed in Article 4.2 of the Protocol and provide the related technical data in Table III below. State also the number of 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). For each permit issued, provide concise information on their content as specified in the headings of Table III below.

Table III

Granted Permits	Date of Issue	Validity	Country of origin	Port of loading	Expected frequency of dumping	Vessel speed and loading rate		Dumping site				Form of waste ²				
								Length	Distance from the nearest coast	Longitude	Depth	Solid	Liquid	Mixed		

Table III continued

Total waste quantity	Properties			Waste chemical composition ³						Method of package	Method of release	Procedure and site for adequate cleansing
	Solubility	pH	Relative density	X	Y	Z	YY	ZZ	Other			

III.2 Occurrences of dumping in cases of *force majeure* under the terms of Article 8 of the Protocol, if any⁴

List in Table IV below, the number of occurrences during the period under review, if any, where dumping of wastes occurred because of *force majeure*. For each such occurrence: State date of dumping; reference number and date of report to Organization; reference number and date of report to any other Contracting Parties (if applicable), circumstances under which the dumping occurred.

¹ If copies of the permits issued by the competent authorities have duly been submitted to the Organization (in English or French) immediately after they are issued, the above table will be pre-filled in by the MED POL Secretariat

² in case of liquids or sludges, include weight per cent of insoluble compounds

³ this should be sufficiently detailed to provide adequate information, in particular with regard to concentrations of prohibited substances

⁴ when cases of *force majeure* dumping have been notified immediately to the Organization, Table IV will be pre-filled in by the MED POL Secretariat

Part IV Enforcement measures

Please insert the data in Table VI below

Table VI - Enforcement measures

Enforcement measures relating to non-compliance with:	Number of inspections	Number of non-compliance cases	Number of fines issued and total amount	Number of suspensions of permits	Number of other enforcement measures	Number of clean measures implemented	Remarks/ Comments
National legislation and regulations implementing the Protocol							
Specific conditions attached to permits							
Provisions regarding dumping in contravention to the Protocol							

Part V Implementation of the Guidelines⁵ : “On dredged material”, “On fish waste or organic material”; “On platforms and other man-made structures at sea”; “On inert uncontaminated geological materials”

For each permit issued (according to Table III) tick the relevant if the actions described in the respective headings of Tables VII (1 and 2) have been carried out.

Table VII.1- Decision-making procedure for issuing a permit

Permit number	Waste prevention audit	Waste management options	Assessment of waste composition	Assessment of the dumping site	Assessment of potential impacts	Requirement for permit application	Evaluation criteria for permit applications	Conditions for issuing a permit	Consultation procedure

⁵ In the event that Parties have carried out the notification procedure as provided for in the Guidelines related to the “dumping of platforms and “other man-made structures at sea and “dumping of inert uncontaminated geological materials”, Table VI will be pre-filled in by the MED POL Secretariat.

Table VII.2 - Establishment of the monitoring programmes

Permit number	Objective	Impact hypothesis	Reference baseline	Establishment of a monitoring programme	Frequency of reporting of monitoring data	Quality control	Quality assurance

Part VI Effectiveness

1. Total number of permits
2. Total waste quantity dumped for each category
3. Number of inspection
4. Number of non-compliances cases
5. Number of non-compliance cases in which sanctions were applied

3. Implementation of the Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol)

I - INFORMATION ON THE REPORTING PARTY

Please provide information on the reporting Party by completing the following table.

<i>Contracting Party</i>	
<i>Reporting period (from D/M/Y to D/M/Y)</i>	
Full name of the institution/s responsible for the implementation of the Prevention and Emergency Protocol	
Name of the officer who is the REMPEC focal point	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the Institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the REMPEC Focal Point	
Date of submission of the report	

Organizations/bodies/agencies providing information for the compilation of the report

Please provide information on the preparation of this report, including, where appropriate, stakeholders involved and material used, by completing the following table.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II – REPORTING FORMAT TO BE COMPLETED

NB: Please note that the present reporting format includes questions requesting information on the following issues, presented in tabular form:

1. Status of ratification of the international legal instruments related to the Prevention and Emergency Protocol
2. Legal and administrative measures taken to implement the provisions of the Prevention and Emergency Protocol
3. Technical and operational measures taken to prevent and combat marine pollution incidents
4. Spill incidents
5. Effectiveness

Part I **Status of ratification of the international legal instruments related to the Prevention and Emergency Protocol**

Question 1: During the period under review, has the Party signed, ratified, accepted, approved or acceded to any of the international legal instruments listed in Tables I, II and III below?

Table I - Status of ratification of international conventions dealing with maritime safety and prevention of pollution from ships.

<i>Prevention and Emergency Protocol related Article</i>		Title of the international legal instrument	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer(s)					
			Yes	No	Under ratification/ process	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Article 3.1 (a)	1	International Convention on Load Lines, 1966 (LL 1966)											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
	2	International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974)											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										

Article 3.1 (a)	3	International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL)													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
	Remarks/Comments														
	4	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 1978)													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
	Remarks/Comments														
	5	Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG 1972)													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
	Remarks/Comments														
	6	International Convention on Tonnage Measurements of Ships, 1969 (TONNAGE, 1969)													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
	Remarks/Comments														
	7	ILO Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), and the Protocol of 1996 thereto.													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
	Remarks/Comments														
	8	International Convention on the Control of Harmful Antifouling Systems on Ships, 2001.													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
	Remarks/Comments														

Table II - Status of ratification of international conventions dealing with combating pollution

Prevention and Emergency Protocol related Article	Title of the international legal instrument	Status					Difficulties/Challenges						
		Please tick the most appropriate answer					Please tick the most appropriate answer(s)						
		Yes	No	Under ratification process	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation	
Article 3.1 (a)	1 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
		Remarks/Comments											
	2 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
		Remarks/Comments											
	3 International Convention on Salvage, 1989 (SALVAGE 1989)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
		Remarks/Comments											

Table III - Status of ratification of international conventions dealing with liability and compensation for pollution damage

Prevention and Emergency Protocol related Article		Title of the international legal instrument	Status					Difficulties/Challenges						
			Please tick the most appropriate answer					Please tick the most appropriate answer(s)						
			Yes	No	Under ratification process	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation	
Article 3.1 (a)	1	International Convention on Civil Liability for Oil Pollution Damage, 1992 (CLC 1992)												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
	2	International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (FUND 1992).												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
	3	International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances at Sea, 1996 (1996 HNS Convention).												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
	4	International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001.												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											

Part II. Legal and administrative measures taken to implement the provisions of the Prevention and Emergency Protocol

Question 2: Has the Party taken the legal and/or administrative measures listed in Table IV hereunder for the implementation of the Convention?

Table IV - Legal and/or administrative measures taken

<i>Prevention and Emergency Protocol related Article</i>		Relevant measures	Status					Difficulties/Challenges						
			Please tick the most appropriate answer					Please tick the most appropriate answer						
			Yes	No	Under development process	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation	
Article 4.1	1	Maintenance and promotion of contingency plans for marine pollution incidents, involving oil and/or other hazardous and noxious substances												
			Remarks/Comments					Remarks/Comments						
	2	Making available sufficient and appropriate equipment for combating pollution, including naval and aerial means												
			Remarks/Comments					Remarks/Comments						
	3	Proper and regular training of personnel of national authorities involved in operations in cases of emergency												
			Remarks/Comments					Remarks/Comments						

Article 4.1	4	Designation of a national authority or national authorities responsible for the implementation of the Prevention and Emergency Protocol											
			Remarks/Comments					Remarks/Comments					
Article 4.2	5	Designation of national authorities to act as flag State, port State and coastal State for the implementation of international conventions dealing with prevention of pollution from ships and applicable legislation											
			Remarks/Comments					Remarks/Comments					
Article 4.3	6	Informing the Regional Centre (REMPEC) every two years of the measures taken for the implementation of the Protocol.											
			Remarks/Comments					Remarks/Comments					
Article 5	7	Development of programmes and activities aimed at monitoring and detecting pollution, whether accidental or operational											
			Remarks/Comments					Remarks/Comments					
Article 7	8	Dissemination of information on competent national organization and authorities responsible for combating pollution of the sea by oil or other hazardous and noxious substances											
			Remarks/Comments					Remarks/Comments					
	9	Dissemination of information on competent national authorities responsible for receiving reports on pollution of the sea by oil or other hazardous and noxious substances and for dealing with matters concerning assistance between Parties											
Remarks/Comments					Remarks/Comments								

Article 7	10	Dissemination of information on competent national authorities responsible for acting on behalf of the State in regard to measures of mutual assistance and cooperation between Parties												
			Remarks/Comments					Remarks/Comments						
	11	Dissemination of information on national authorities to act as flag State, port State and coastal State for the implementation of international conventions dealing with prevention of pollution from ships and applicable legislation, authorities responsible for port reception facilities and those responsible for monitoring of illicit discharges with respect to the MARPOL Convention.												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
	12	Dissemination of information on national regulations and other matters directly related to preparedness for and response to pollution of the sea by oil or other hazardous and noxious substances												
Remarks/Comments					Remarks/Comments									

Article 7	13	Dissemination of information on new ways in which pollution of the sea by oil or other hazardous and noxious substances may be avoided, new measures for combating pollution, new developments in the technology of conducting monitoring and the development of research programmes.												
			Remarks/Comments					Remarks/Comments						
	14	Communication of information on the above to the Regional Centre (REMPEC)												
Remarks/Comments					Remarks/Comments									
15	Communication of information on bilateral or multilateral agreements within the framework of the Prevention and Emergency Protocol to the Regional Centre (REMPEC)													
		Remarks/Comments					Remarks/Comments							
Article 14	16	Ensuring that port reception facilities meeting the needs of ships (including pleasure craft) are available in their ports and terminals												
			Remarks/Comments					Remarks/Comments						
Article 14	17	Ensuring that port reception facilities are used efficiently, without causing any undue delay to ships and limiting discharges to the marine environment												
			Remarks/Comments					Remarks/Comments						
Article 14	18	Ensuring that ships using the ports of the Parties are provided with updated information with respect to obligations under the MARPOL Convention and applicable national legislation												
			Remarks/Comments					Remarks/Comments						

Article 15	19	Assessing the environmental risks of the recognized routes used in maritime traffic											
			Remarks/Comments					Remarks/Comments					
Article 15	20	Taking appropriate measures aimed at reducing the risks of accidents or their environmental consequences.											
			Remarks/Comments					Remarks/Comments					
Article 16	21	Defining national, subregional or regional strategies concerning reception in ports and places of refuge, of ships in distress presenting a threat to the marine environment.											
			Remarks/Comments					Remarks/Comments					

Part III Technical and operational measures taken to prevent and combat marine pollution incidents

Question 3: Has the Party taken the technical measures listed in Table V hereunder for the implementation of the Prevention and Emergency Protocol?

Table V - Technical measures taken

<i>Prevention and Emergency Protocol related Article</i>		Contingency planning	Please tick the appropriate answer and specify as necessary					
Article 4	1	Has your country adopted a response strategy for marine pollution incidents, including a policy for the use of dispersant?	Yes (please briefly describe the strategy)	No	Under preparation	In process of adoption	In process of revision	
	2	If any, what substances does the national contingency plan (NCP) cover?	Oil	HNS (Hazardous and Noxious Substances)			Both oil and HNS	
	3	Is any stockpile of anti-pollution equipment and means, including naval and aerial means, available?	Yes (please describe means available)					
			No (Please indicate the reasons)					
	4	Are exercises regularly organized to test the NCP?	Yes (please specify type and frequency of exercises)	No				Planned / under preparation

Prevention and Emergency Protocol related Article		Contingency planning	Please tick the appropriate answer and specify as necessary		
Article 11	5	Has your country adopted local/port contingency plans?	Yes (please specify what localities and/or ports are covered)	No	Under preparation
	6	Is (are) the local plan(s) integrated with the national contingency plan?	Yes	No	In process of integration
	7	Is (are) the local plan(s) integrated with the industry emergency procedures?	Yes	No	In process of integration
	8	Is your country ensuring that ships flying its flag have on board a pollution emergency plan?	Yes	No	If not, please specify the reason why
	9	Has your country requested authorities or operators in charge of sea ports handling facilities to have pollution emergency plans or other similar arrangements coordinated with the national system?	Yes	No	If not, please specify the reason why
	10	Has your country requested operators in charge of offshore installations under its jurisdiction to have a contingency plan, coordinated with the national system?	Yes	No	If not, please specify the reason why

Prevention and Emergency Protocol related Article		Contingency planning	Please tick the appropriate answer and specify as necessary					
Article 4	11	Is your country participating in bilateral and /or subregional agreements regarding emergency situations?	Yes (please specify other Contracting Parties involved in the agreement)	No	Under preparation	In process of adoption	In process of revision	
			Reference and date of NCP adoption act					
			Remarks/Comments					
	12	If yes, what is the geographical coverage of such bilateral and /or subregional agreements regarding emergency situations?	Please indicate the geographical coverage of bilateral agreement(s)					
			Please indicate the geographical coverage of subregional agreement(s)					
	13	Are exercises organized within the framework of such bilateral and /or subregional agreements regarding emergency situations?	Yes (please specify dates)	Type of exercise (full-scale exercise involving equipment or communication exercise)	No	Planned/under preparation		
			Remarks/Comments					

Question 4: Has the Party taken the operational measures listed in Table VI hereunder for the implementation of the Prevention and Emergency Protocol?

Table VI - Operational measures taken

<i>Prevention and Emergency Protocol related Article</i>		Communication, reports and reporting procedures concerning pollution incidents	Please tick the appropriate answer and comment as necessary				
			Yes	No	If not, please indicate the impediment(s) encountered with respect to this obligation.	Is the competent administration currently undertaking action to remedy to the situation?	Please describe this (these) action(s)?
Article 8 Communication of information and reports concerning pollution incidents	1	Has your country the necessary means of communication to ensure, with the necessary speed and reliability, the reception, transmission and dissemination of reports and urgent information concerning pollution incidents?					
Article 9 Reporting procedure	2	Has your country issued instructions to masters of ships and to pilots of aircraft to report by the most rapid and adequate channels all incidents which result or may result in a discharge of oil or hazardous and noxious substances?					
	3	Has the information collected in accordance with paragraphs 1, 3 and 4 been communicated to the Regional Centre?					
	4	Has the information collected in accordance with paragraphs 1, 3 and 4 been communicated to the other Parties likely to be affected by the pollution incident, directly or through the Regional Centre?					

Part IV Spill Incidents

Table VII - Spill Incidents which have occurred during the biennium

Accident location (latitude and longitude or closest shore location)	Accident Type *	Vessel IMO number or vessel name	Vessel flag	Has any product been released?	If yes, specify the type of product released (Oil/HNS)	Have any actions been taken?	If yes, specify the actions taken

*: cargo transfer failure, contact, collision, engine breakdown, fire/explosion, grounding, foundering/weather, hull structural failure, machinery breakdown, other

Part V **Effectiveness**

Number of operational national contingency plans and other plans

4. Implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities (LBS Protocol)

I - INFORMATION ON THE REPORTING PARTY

Please provide information on the reporting Party by completing the following table.

<i>Contracting Party</i>	
<i>Reporting period (from D/M/Y to D/M/Y)</i>	
Name of the institution/s responsible for the LBS Protocol	
Name of the officer who is the focal point for the LBS Protocol	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the Institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the Protocol's Focal Point	
Date of submission of the report	

Organizations/bodies/agencies providing information for the compilation of the report

Please provide information on the preparation of this report, including, where appropriate, stakeholders involved and material used, by completing the following Table.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II – REPORTING FORMAT TO BE COMPLETED

1. Legal measures
2. Allocation of resources for the establishment of institutions and monitoring programmes
3. Administrative measures and related technical data
4. Implementation of the NAPs and their effectiveness
5. Monitoring
6. Effectiveness

Part I **Legal measures**

Question 1: **Has the Party, in accordance with Article 14 of the Barcelona Convention, adopted legislation implementing the provisions of the LBS Protocol as listed in Table I below?**

Table I - Legal measures

Related Article	No	<i>Description of the obligations</i>	Status of implementation					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 5 para.2 NAPs/SAP	1	Measures to eliminate pollution from LBS activities particularly regarding the phasing out of inputs of the substances listed in Annex I that are toxic, persistent and liable to bioaccumulate, using BAT, BEP and Cleaner Production.											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 5 para. 5 Risk	2	Measures to reduce to a minimum the risk of pollution caused by accidents											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										

Art. 6 para.1	3	Authorization or regulation of point source discharges into the Protocol area and releases into water and/or air that reach and may affect the sea													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
Remarks/Comments															
Art. 6 para.2	4	Establishment of inspection system to assess compliance with authorizations and regulations													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
Remarks/Comments															
Art. 6 para.3	5	Application of appropriate sanctions in the event of non-compliance with authorizations and/or regulations													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
Remarks/Comments															
Art. 7 CP decisions 1985, 1987, 1989, 1991, 1993	6	Implementation of common measures for the control of pollution adopted by the Meeting of the CPs on interim environmental quality criteria for bathing waters, mercury in seafood, shellfish waters; measures to prevent mercury pollution, measures for control of pollution by cadmium and cadmium compounds, organotin compounds, organohalogen compounds, organophosphorus compounds, carcinogenic, teratogenic and mutagenic substances.													
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
			Remarks/Comments												
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments							
Remarks/Comments															

Part II **Allocation of resources**

Question 2: **Has the Party allocated the resources necessary to comply with the requirements of the provisions of the LBS Protocol listed in Table II below?**

Table II - Allocation of resources for the establishment of institutions and monitoring programmes

No.	Measures/Obligations	Status					Difficulties/Challenges					
		Please tick the most appropriate answers					Please tick the most appropriate answers					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Issue the permits provided for in Art. 6 of the Protocol											
		Remarks/Comments					Remarks/Comments					
2	Competent structures for inspection of compliance (Art. 6 para.2)											
		Remarks/Comments					Remarks/Comments					
3	Establishment of appropriate monitoring structures and programmes to assess as far as possible the levels of pollution along the coast in particular with regard to the sectors of activity and categories of substances listed in Annex I (Art. 8)											

4	Establishment of appropriate monitoring programmes to evaluate the effectiveness of action plans, programmes and measures under this Protocol (the NAPs and the SAP) to eliminate to the fullest possible extent pollution of the marine environment (Art. 13)										
		Remarks/Comments					Remarks/Comments				

Part III Administrative measures

III.A Authorizations granted and related technical data

III.A.1

Please provide statistical information on authorizations for discharge granted during the period under review in Tables III.1 and III.2 below.

Table III.1 - Statistical information on authorizations for discharge granted [Art. 13, para. a] (Annex 1, Section c)

Sector of activity (1)	Number of ongoing authorizations	Number of ongoing point sources subject to regulations other than authorizations	Number of new authorizations	Number of new point sources subject to regulations other than authorization	% of total authorizations	% of total new point sources subject to regulations other than authorizations	Load of substances released tons/year ⁶
Energy production							
Fertilizer production							
Production and formulation of biocides							

⁶ The baseline budget data can be used to complete this column

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							
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							

Table III.2 - Quantities of pollutants discharged [Art. 13 (c)] (Annex 1, Section c)

Total load of substances released from all sectors of activities	Quantities ⁷ Tons/year
Organohalogen compounds	
Organophosphorus compounds	
Organotin compounds	
Polycyclic aromatic hydrocarbons	
Heavy metals and their compounds	
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)	

⁷ The baseline budget data can be used to complete this column

Part IV Implementation of the NAPs and their effectiveness

Please provide information, in Table V below, on the implementation of the NAP to address LBS pollution

Table V - Implementation of NAPs and their effectiveness

No.	NAP priorities and SAP targets	Status					Difficulties/Challenges					
		Please tick the most appropriate answers					Please tick the most appropriate answers					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
X	NAP priorities and the respective SAP targets will be pre-filled in by the Secretariat											
		Remarks/Comments					Remarks/Comments					

Part V Implementation of monitoring programmes*

Please provide information, in Table VI below, on the implementation of monitoring programmes and activities

Table VI - Implementation of monitoring programmes

No.	Monitoring requirements	Status					Difficulties/Challenges					
		Please tick the most appropriate answers					Please tick the most appropriate answers					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Implementation of state and trend monitoring											
		Remarks/Comments					Remarks/Comments					
2	Implementation of compliance monitoring											
		Remarks/Comments					Remarks/Comments					
3	Implementation of biomonitoring											
2	Implementation of eutrophication monitoring											

- * The data resulting from monitoring activities as provided in Table VI should be submitted to MED POL according to the agreed procedure and format as specified in document WG 315/Inf.3

Part VI **Effectiveness**

- Total number of authorizations
- Total load of pollution discharged for all sectors
- Total load of pollution discharged for all substances
- Number of NAPs projects completed
- Number of inspections per point source
- Number of non-compliance cases
- Number of non-compliance cases in which sanctions were applied

5. Implementation of the Protocol for the Specially Protected Areas and Biodiversity

I - INFORMATION ON THE REPORTING PARTY

Please provide information on the reporting Party by completing the following table.

<i>Contracting Party</i>	
<i>Reporting period (from D/M/Y to D/M/Y)</i>	
Full name of the institution/s responsible for the SPA and Biodiversity Protocol	
Name of the officer who is the SPÄ/RAC focal point	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the SPA/RAC Focal Point	
Date of submission	

Organizations/bodies/agencies providing information for the compilation of the report

Please provide information on the preparation of this report, including, where appropriate, stakeholders involved and material used, by completing the following table/s.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II – REPORTING FORMAT TO BE COMPLETED

This reporting format includes questions requesting information on the following issues:

1. Legal measures related to the implementation of the SPA and Biological Diversity Protocol
2. Establishment and management of specially protected areas
3. Specially Protected Areas of Mediterranean Importance (SPAMIs)
4. Measures for the protection and conservation of species
5. Effectiveness

The format also includes questions about the implementation of the following Action Plans:

1. Action Plan on Cartilaginous Fishes in the Mediterranean Sea
2. Action Plan on Introduction of Species and Invasive Species in the Mediterranean Sea
3. Action Plan for the Conservation of Cetaceans in the Mediterranean Sea
4. Action Plan for the Conservation of Marine Vegetation in the Mediterranean Sea
5. Action Plan for the Conservation of Bird Species inventoried in Annex II of the SPA Protocol
6. Action Plan for the Management of the Mediterranean Monk Seal
7. Action Plan for the Conservation of Mediterranean Marine Turtles

Part I **Legal measures**

Question 1: **Has the Party, in accordance with Article 14 of the Barcelona Convention, adopted legislation implementing the provisions of the SPA and Biodiversity Protocol listed in Table I below ?**

Table I - Legal measures

Article reference	No.	<i>Description of the obligation</i>	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 2 para.1	1	Designation of the terrestrial areas (including wetlands) under its jurisdiction that are included in the area to which the SPA and Biological Diversity Protocol applies?											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 3 para.1(b)	2	Protection and management of endangered or threatened plant and animal species? ⁸											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					

⁸ Similar question in the reporting format of the CBD (Article 8k)

Art. 3 para. 1(a) General obligations	3	Protection, preservation and management in a sustainable and environmentally sound way of areas of particular natural or cultural value, notably by the establishment of specially protected areas?																			
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments													
			Remarks/Comments																		
Art. 6 Protection measures (para. (b))	4	Prohibition of the dumping and any discharge likely to directly or indirectly harm the integrity of specially protected areas?																			
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments													
			Remarks/Comments																		
Art. 6 Protection measures (para. (c))	5	Regulation of the passage of boats and all stopping or anchoring in the specially protected areas' extension zone?																			
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments													
			Remarks/Comments																		
Art. 6 Protection measures (para. (e))	6	Regulation or prohibition of all exploration activities or activities that involve modifying the soil or subsoil of the land part, of the seabed or of its subsoil in the specially protected areas?																			
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments													
			Remarks/Comments																		
Art. 6 Protection measures (para. (f))	7	Regulation of scientific research in the specially protected area?																			
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments													
			Remarks/Comments																		

Art. 6 Protection measures (para. (g))	8	Prohibition and regulation of all activities involving taking of species which originate in specially protected areas ⁹																			
			<i>Title, reference, date of enacting legal act</i>		Remarks/Comments																
Remarks/Comments																					
Art. 6 Protection measures (para. (h))	9	Regulation and if necessary prohibition of any other activity likely to have an adverse impact on the specially protected areas? ¹⁰																			
			<i>Title, reference, date of enacting legal act</i>		Remarks/Comments																
Remarks/Comments																					
Art. 11.2 and 12.1	10	Management of animal and plant species, particularly those appearing in Annexes II and III to the Protocol that permit them to be maintained in a favourable state of conservation?																			
			<i>Title, reference, date of enacting legal act</i>		Remarks/Comments																
Remarks/Comments																					
Art. 17	11	Taking into consideration, in the planning process leading to decisions on projects and activities that could significantly affect protected areas, species and their habitats, of possible direct or indirect, immediate or long-term, impact, including the cumulative impact of projects and activities on habitats? ¹¹																			
			<i>Title, reference, date of enacting legal act</i>		Remarks/Comments																
Remarks/Comments																					

⁹ Taking includes fishing, hunting, taking of animals and harvesting of plants or their destruction, as well as trade in animals, parts of animals, plants, parts of plants.

¹⁰ These include activities that may 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 the specially protected areas.

¹¹ Similar question in the reporting format of the CBD (Decision VII/28)

Part II **Specially Protected Areas**

Question 2: **Has the Party established specially protected areas and taken necessary measures for the implementation of their management plans?**

NB: Please provide the necessary data and information as indicated in Table II (Establishment of specially protected areas) and Table III (Implementation of management plans)

Table II - Establishment of specially protected areas

Article reference	No	<i>Description of the measure(s)</i>	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 3/1 (a)	2.a	Setting up of protected areas that come within the Protocol's geographical coverage. ¹²											
			Remarks/Comments ¹³										
Art. 7/2 (a)	2.b	Elaboration and implementation of a management plan for each SPA.											
			Remarks/Comments										

¹² Similar question in the reporting format of the CBD (Decision VII/28)

¹³ Please state how many SPAs were created during the reporting period and provide a list using Table II hereinafter.

Table III - List of SPAs

(Please list here only the SPAs that come within the Protocol's geographical coverage)

No.	Name of the SPA	Date of creation	Category	Jurisdiction	Coordinates	Surface (marine, terrestrial, wetland)	Main ecosystems, species and their habitats	Management plan		
								Date of adoption	NO	Under development
1										
2										
3										

Table IV - Management of SPAs

Article reference	No.	Management plan elements	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 7/2 (b)	1	Programmes for the observation and scientific monitoring of changes in the Protocol Areas' ecosystems and of the impact of human activities ¹⁴											
			Remarks/Comments					Remarks/Comments					

¹⁴ Similar question in the reporting format of the CBD (Article 7)

Art. 7/2 (b)	2	Measures for the involvement of local communities in the process of managing the protected areas.										
			Remarks/Comments				Remarks/Comments					
Art. 7/2 (c)	3	Providing assistance to local inhabitants who might be affected by the establishment of SPAs ¹⁵										
			Remarks/Comments				Remarks/Comments					
Art. 7/2 (d)	4	Funding mechanisms for managing and promoting the protected areas or income-generating activities that are compatible with the protection measures.										
			Remarks/Comments				Remarks/Comments					
Art. 7/2 (f)	5	Appropriate training for the technical managers and other qualified staff of SPAs.										
			Remarks/Comments				Remarks/Comments					
Art. 7/3	6	Incorporating into the national contingency plans measures for responding to incidents that could cause damage or constitute a threat to the specially protected areas?										
			Remarks/Comments				Remarks/Comments					
Art. 7/4	7	Institutional arrangements for the management as a whole of each SPA, covering both land and marine areas.										
			Remarks/Comments				Remarks/Comments					

¹⁵ Assistance to compensate for the possible adverse impact which the protection measures introduced in the protected area might have on the income of local inhabitants

Part III **Specially Protected Areas of Mediterranean Importance (SPAMIs)**

Question 3: Has the Party established SPAMIs and taken necessary measures to implement management plans for such areas

NB: Please provide the necessary data and information as indicated in Table V (Establishment of SPAMIs) and Table VI (Implementation of management plans)

Table V - Establishment of SPAMIs

Article reference	No.	Description of the measure	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 3/1 (a)	2.a	Setting up of SPAMIs											
			Remarks/Comments					Remarks/Comments					
Art. 7/2 (a)	2.b	Elaboration and implementation of a management plan for each SPAMI.											
			Remarks/Comments					Remarks/Comments					

Question 4: Are there changes in status of SPAMIs ?

NB: Please provide relevant information in Tables VI and VII on the list of SPAMIs and related data and implementation of management plans

Table VI - List of SPAMIs and Related Data

No.	Name of the SPAMI	Date of creation	Coordinates	Jurisdiction			Management plan			Change of delimitation	Change of legal status	Reasons for changes
				National	Adjacent water	High seas	Date of adoption	NO	In process			
1	To be pre-filled in by SPA/RAC	To be pre-filled in by SPA/RAC	To be pre-filled in by SPA/RAC									
17												

Table VII - Implementation of management plans

No..of SPAMI	Surface	Implementation of management plans (Annex I.D to the Protocol) Regulation of					Difficulties/Challenges					
		Dumping and releases	Monitoring programme implemented ¹⁶	Introduction and reintroduction of species	Any activity or act likely to harm	Activities in the buffer zone	Please tick the most appropriate answer					
							Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	To be pre-filled in by SPA/RAC											
17												

¹⁶ Please attach an annex with information on the state of each SPAMI (main ecosystems, threatened and/or endangered species and their habitats) located in the areas under the jurisdiction of the Party

Part IV Measures for the protection and conservation of species

Question 5: Has the Party implemented measures to protect and conserve endangered and threatened species as indicated in Table VIII?

Please include the necessary data in Table VIII

Table VIII - Measures to protect species

Article reference	No.	Description of the measure	Status					Difficulties/Challenges					
			Please tick the most appropriate answers					Please tick the most appropriate answers					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 11/2	4.a	Drawing up of a list ¹⁷ of endangered or threatened animal and plant species and identification of their distribution in the zones subject to the Party's jurisdiction.											
			Remarks/Comments					Remarks/Comments					
Art. 11/4	4.b	Establishment of bilateral or multilateral cooperation (including agreements) to protect and restore the population of migrant species in the area where the Protocol is applied.											
			Remarks/Comments					Remarks/Comments					
Art. 11/6	4.c	Formulation and adoption of measures and plans concerning <i>ex situ</i> reproduction, particularly in captivity, of protected fauna and the growing of protected flora.											
			Remarks/Comments					Remarks/Comments					

¹⁷ If the response is affirmative please provide the list of endangered or threatened animal and plant species by ticking where appropriate the respective cells of the third column of Table IX

Art. 11/7	4.d	Granting exemptions, according to Art. 12/7, to the bans laid down to protect the species appearing in the Annexes to the Protocol.										
			Remarks/Comments ¹⁸					Remarks/Comments				
Art. 13	4.e	Taking steps to deal with the deliberate or accidental introduction into the wild of non-native or genetically modified species ¹⁹										
			Remarks/Comments					Remarks/Comments				

Table IX - Measures to protect species

No.	List of species as per the Annexes to the Protocol	Party's list of endangered/threatened animals and plants	Subregional cooperation for migrant species	Ex situ protection measures	Exemption granted	Introduction of species	Comments/remarks
1	To be pre-filled in by SPA/RAC						
2							

¹⁸ If yes, please attach an annex with details of the species concerned, the reasons for the dispensation and the quantities and beneficiaries

¹⁹ Including banning those that could be harmful to ecosystems, habitats, or species in the Protocol's application zone.

Part V **Conservation of the components of marine and coastal biodiversity**

Question 6: **Has the Party implemented the measures indicated below in Table X?**

Table X - Protection of marine and coastal biodiversity components

<i>Article reference</i>	No.	Description of the measure	Status					Difficulties/Challenges					
			Please tick the most appropriate answers					Please tick the most appropriate answers					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 3/3	5.a	Compilation of an inventory of the components of marine and coastal biodiversity.											
			Remarks/Comments					Remarks/Comments					
Art. 3/4	5.b	Formulation of a national strategy and action plan to protect the components of marine and coastal biodiversity. ²⁰											
			Remarks/Comments					Remarks/Comments					

²⁰ Similar question in the reporting format of the CBD (Article 6).

PART VI **Enforcement measures**

Please insert the relevant data in the table below.

Table XI – Enforcement measures

Enforcement measures for non-compliance with:	Number of inspections	Number of non-compliance cases	Number of fines issued and total amount	Number of other enforcement measures	Remarks/ Comments
Provisions on prohibition and regulation of all activities involving taking ²¹ of species which originate in specially protected areas					
Provisions of Article 11.3					
Provisions of Article 11.5					

PART VII **Effectiveness**

- Number of SPAs established
- Total of surface of SPAs
- Number of SPAs with management plan adopted
- Number of SPAMIs
- Number of species as per the annex II of the Protocol covered by protection measures
- Number of known endangered and threatened species in the country
- Number of inspections
- Number of non-compliance cases
- Number of non-compliance cases in which sanctions were applied

²¹ Taking includes fishing, hunting, taking of animals and harvesting of plants or their destruction, as well as trade in animals, parts of animals, plants, parts of plants

Action Plan on Cartilaginous fish

No.	<i>Description of measures taken under the Action Plan</i>	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Has the Party granted chondrichthyans a legal status that complies with the conventions adopted to protect them from degradation and harm due to human activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
2	Has the Party developed specific programmes in the context of IPOA-Sharks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
3	Has the Party taken steps on fishing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
4	Has the Party started programmes of scientific research on chondrichthyans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
5	Has the Party developed programmes to train specialists and fisheries technicians and managers in the study and conservation of chondrichthyans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
6	Has the Party developed information material directed at local authorities, residents, teachers, tourists, commercial fishermen, recreational fishermen, divers and all other groups of people likely to be concerned?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					

Action plan on the introduction of non-indigenous species into the Mediterranean Sea

No.	Description of the measures taken under the Action Plan	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Has the Party adopted legislation to control the introduction of marine species and taken the necessary steps to express in its national laws the provisions of the pertinent international treaties? ²²											
		Remarks/Comments					Remarks/Comments					
2	Does the Party have an assessment of the situation regarding the introduction of marine species? ¹⁷											
		Remarks/Comments					Remarks/Comments					
3	Does the Party have a mechanism to monitor and control ballast water discharged into territorial waters? ²³											
		Remarks/Comments					Remarks/Comments					
4	Has the Party established an action plan to control the introduction of non-native marine species and mitigate the negative impact of such introduction?											
		Remarks/Comments					Remarks/Comments					
5	Has the Party developed training and awareness-raising programmes on risks, legal aspects, ballast water management, fouling?											
		Remarks/Comments					Remarks/Comments					

²² Similar question in the reporting format of the CBD (Article 8h)

²³ including hotspots: ports, coastal lagoons, fish farming sites, sensitive areas, etc.

Action plan for the conservation of bird species

	<i>Description of the measures taken under the Action Plan</i>	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Does the Party provide legal protection to bird species?											
		Remarks/Comments					Remarks/Comments					
2	In the Party's territory, are there protected areas that have been established to conserve bird species listed in the Annexes to the Protocol?											
		Remarks/Comments					Remarks/Comments					
3	Has the Party developed programme(s) of research on one or several species of bird listed in the Annexes to the SPA Protocol?											
		Remarks/Comments					Remarks/Comments					
4	Does the Party have an action plan for one or several species appearing in the Annexes to the SPA Protocol?											
		Remarks/Comments					Remarks/Comments					

Action plan for the conservation of cetaceans in the Mediterranean Sea

No.	Description of the measures taken under the Action Plan	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Has the Party developed an action plan for the conservation of cetaceans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
2	Has the Party conducted studies and set up scientific research programmes on cetaceans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
3	Has the Party set up a network for monitoring cetacean strandings? ²⁴	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					
4	Has the Party created marine protected areas and/or SPAMIs to protect one or several species of cetacean?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Remarks/Comments					Remarks/Comments					

²⁴Similar question in the reporting format to ACCOBAMS (13. Networks set up for monitoring cetacean strandings)

Action plan for the conservation of marine vegetation in the Mediterranean Sea

No.	Description of the measures taken under the Action Plan	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Has the Party adopted protection status for vegetation species and formations that are significant for the marine environment, particularly meadows?											
		Remarks/Comments					Remarks/Comments					
2	Do the Party's regulations regarding environmental impact assessment take into consideration an impact analysis for every human activity that is undertaken on meadows and other plant formations that are significant for the marine environment?											
		Remarks/Comments					Remarks/Comments					
3	Has the Party created marine protected areas to protect the most representative meadows and other plant formations that are significant for the marine environment?											
		Remarks/Comments					Remarks/Comments					
4	Has the Party conducted studies and scientific research aimed at identifying and mapping the marine vegetation formations that are natural monuments? ²⁵											
		Remarks/Comments					Remarks/Comments					

²⁵ such as *Posidonia* barrier reefs, surface organogenic formations, platforms (vermetid platforms with soft algal lawns) and certain *Cystoseira* belts

Action plan for the conservation of marine vegetation in the Mediterranean Sea

5	Has the Party developed programmes for the mapping of the main meadows and other plant formations that are significant for the marine environment?										
		Remarks/Comments					Remarks/Comments				
6	Has the Party developed awareness and education actions (targeting sea users, local populations and the general public) concerning the conservation of marine vegetation, especially surface organogenic formations?										
		Remarks/Comments					Remarks/Comments				
7	Has the Party developed training programmes for specialists in the study and conservation of marine vegetation?										
		Remarks/Comments					Remarks/Comments				
8	Does the Party have an action plan, drawn up on the basis of the scientific data available, for the conservation of marine vegetation?										
		Remarks/Comments					Remarks/Comments				

Action plan for the conservation of the monk seal

No.	Description of the measures taken under the Action Plan	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Has the Party given the monk seal protection status?											
		Remarks/Comments					Remarks/Comments					
2	For fishing, does the Party explicitly ban the use of dynamite, the carrying of firearms on boats, and all fishing techniques that can endanger monk seals?											
		Remarks/Comments					Remarks/Comments					
3	If the Party still has breeding monk seal populations, have measures been taken to isolate monk seals from any human activity?											
		Remarks/Comments					Remarks/Comments					
4	In the Party's territory, have SPAs been created to conserve monk seal populations or their potential habitats?											
		Remarks/Comments					Remarks/Comments					
5	Has the Party established a list of breeding caves and other habitats that are of importance for monk seal conservation?											
		Remarks/Comments					Remarks/Comments					
6	Has the Party carried out programmes for data collection on the monk seal?											
		Remarks/Comments					Remarks/Comments					

Action plan for the conservation of the monk seal

7	Has the Party developed programmes for awareness raising, information and training concerning monk seal conservation?										
		Remarks/Comments					Remarks/Comments				
8	Does the Party have an action plan for the conservation of the monk seal and its potential habitats?										
		Remarks/Comments					Remarks/Comments				

Action plan for the conservation of marine turtles

No	Description of the measure taken in the field of the Action Plan	Status					Difficulties/Challenges					
		Please tick the most appropriate answer					Please tick the most appropriate answer					
		Yes	No	Under Development	Other	Not Applicable	Policy Framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	Does the Party protect marine turtles by law?											
		Remarks/Comments					Remarks/Comments					
2	Has the Party implemented measures to reduce incidental catch in marine turtles?											
		Remarks/Comments					Remarks/Comments					
3	Has the Party created centres to rescue marine turtles?											
		Remarks/Comments					Remarks/Comments					
4	In the Party's territory, are there SPA created to conserve marine turtle populations or their potential habitats?											
		Remarks/Comments					Remarks/Comments					
5	Has the Party compiled an inventory of turtle nesting beaches?											
		Remarks/Comments					Remarks/Comments					
6	Is the Party participating in tagging programmes?											
		Remarks/Comments					Remarks/Comments					
7	Has the Party developed programmes for awareness raising, information and training concerning marine turtle conservation?											
		Remarks/Comments					Remarks/Comments					
8	Does the Party have an action plan for the conservation of marine turtles?											
		Remarks/Comments					Remarks/Comments					

6. Implementation of the Protocol for the Protection of the Mediterranean Sea Against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Offshore Protocol)

I - INFORMATION ON THE REPORTING PARTY

<i>Contracting Party</i>	
<i>Reporting period (from D/M/Y to D/M/Y)</i>	
Name of the institution/s responsible for the implementation of the Offshore Protocol	
Name of the officer who is the Focal Point for the Offshore Protocol	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the Institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the Protocol's Focal Point	
Date of submission	

Organizations/bodies/agencies providing information for the compilation of report

Please provide information on the preparation of this report including, where appropriate, stakeholders involved and material used, by completing the following table.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II - REPORTING FORMAT TO BE COMPLETED

1. Legal measures
2. Allocation of resources for the establishment of Institutions and monitoring programmes
3. Administrative measures and technical data
4. Enforcement measures
5. Effectiveness

Part I **Legal measures**

Question 1: **Has the Party, in accordance with Article 14 of the Barcelona Convention, adopted legislation implementing the provisions of the Offshore Protocol as listed in Table I?**

Table I - Legal measures

Number of Article	No.	Description of the obligations/provisions	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Articles 4 ,5 and 6 and Annex IV	1	Prior authorization for all activities for exploration and exploitation according to the requirements of Articles 5 and 6 and criteria set forth in Annex IV											
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Article 8 General obligations	2	Mandating the use of the best available environmentally effective and economically appropriate techniques by operators in order to minimize the risk of pollution											
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										

Article 9 Annexes I and II	3	Prohibition of disposal into the Protocol area of harmful and noxious substances and material listed in Annex I to this Protocol													
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments							
			Remarks/Comments												
	4	Issuance of a prior special permit for disposal into the Protocol area of harmful and noxious substances and material listed in Annex II to this Protocol													
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments							
			Remarks/Comments												
	5	Issuance of a prior general permit for disposal into the Protocol area of harmful and noxious substances and material that are not listed in Annexes I and II to this Protocol													
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments							
			Remarks/Comments												
Art. 11 Sewage	6	Prohibition of discharges of sewage from installations except for the cases provided for in Article 11 of the Protocol)													
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments							
			Remarks/Comments												

Art. 12 Garbage	7	Prohibition of disposal into the Protocol area of all plastics, such as synthetic ropes ,synthetic fishing nets and plastic garbage bags and all non-biodegradable garbage, including paper products, rags, galls, metal, bottles, crockery, dunnage, lining and packing materials												
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
	8	Disposal of food waste to take place as far away as possible from land in accordance with international rules and standards												
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
Art. 13 Reception facilities	9	Mandating disposal of all waste and harmful or noxious substances and materials in designated onshore reception facilities												
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											
Art. 21 SPA	10	Mandating special measures to prevent, abate, combat and control pollution in specially protected areas arising from activities in these areas,												
			<i>Title, number, date of enacting legal act</i>					Remarks/Comments						
			Remarks/Comments											

Part V **Effectiveness**

- Number of authorizations
- Surface of the Mediterranean Sea covered by off-shore activities
- Total quantity of materials disposed into the Protocol area in case of exceptions
- Number of inspections
- Number of non-compliance cases
- Number of non-compliance cases in which sanctions were applied
- Number of dumped/buried installations

7. Implementation of the Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Hazardous Wastes Protocol)

I - INFORMATION ON THE REPORTING PARTY

Please provide information on the reporting Party by completing the following table.

<i>Contracting Party</i>	
<i>Reporting period (from D/M/Y to D/M/Y)</i>	
Name of the Institution/s responsible for the Hazardous Wastes Protocol	
Name of the officer who is the focal point for the Hazardous Wastes Protocol	
Mailing address	
Tel.	
Fax	
Email	
<i>Contact point for the national report, if any</i>	
Full name of the institution	
Mailing address	
Tel.	
Fax	
Email	
Signature of the Protocol's Focal Point	
Date of submission of the Report	

Organizations/bodies/agencies providing information for the compilation of the report

Please provide information on the preparation of this report including, where appropriate, stakeholders involved and material used, by completing the following table.

Full name of the institution	
Name of the contact point (optional)	
Mailing address	
Tel.	
Fax	
Email	

II – REPORTING FORMAT TO BE COMPLETED

1. Legal measures
2. Allocation of resources
3. Administrative measures and technical data
4. Enforcement measures
5. Effectiveness

Part I **Legal measures**

Question 1: **Has the Party, in accordance with Article 14 of the Barcelona Convention, adopted legislation implementing the provisions of the Hazardous Wastes Protocol as listed in Table I below?**

Table I - Legal measures

Related Article	No.	Description of the obligations	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer					
			Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
Art. 5 para.2	1	Reduction to a minimum or where possible elimination of the generation of hazardous waste											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 5 para.3	2	Reduction to a minimum and possibly elimination of the transboundary movement of hazardous waste through bans on the import of hazardous waste, and refusal of permits for export of hazardous waste to States which have prohibited their import.											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					
			Remarks/Comments										
Art. 5. para.4	3	<i>Subject to the specific provisions referred to in Art. 6 para. 4 relating to the transboundary movement of</i>											
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments					

		<i>hazardous waste through the territorial sea of the State of transit, prohibition of the export and transit of hazardous waste, within the area under their jurisdiction, to developing countries</i>	Remarks/Comments									
	4	<i>Subject to the specific provisions referred to in Art. 6 para. 4 relating to the transboundary movement of hazardous waste through the territorial sea of the State of transit, prohibition, by the Parties which are not Member States of the European Community²⁶ of all imports and transit of hazardous waste</i>										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
			Remarks/Comments									
Art. 6 para.3	5	The transboundary movements of hazardous waste only take place(within areas beyond the territorial sea waters) with the prior written notification of the State of export and consent of the State of import, as specified in Annex IV										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
			Remarks/Comments									
Art. 6 para. 4	6	The transboundary movements of hazardous waste through the territorial sea of the State of transit only takes place with the prior notification by the State of export to the State of transit as specified in Annex IV										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
			Remarks/Comments									
Art. 5 para. 5 and Art. 9	7	Prevention and punishment of illegal traffic in hazardous wastes, including criminal penalties for all persons involved in such illegal activities, in accordance with the terms of Article 5.5 and Article 9 of the Protocol										
			<i>Title, reference, date of enacting legal act</i>					Remarks/Comments				
			Remarks/Comments									

²⁶ For the purposes of this Protocol, Monaco shall have the same rights and obligations as Member States of the European Community

Part II **Allocation of Resources**

Question 2: Has the Party allocated the resources necessary to comply with the requirements of the provisions of the Hazardous Wastes Protocol listed in Table II below?

Table II - Allocation of resources for the establishment of institutions and monitoring programmes

No.	Measures/obligations	Status					Difficulties/Challenges					
		Please tick the most appropriate answers					Please tick the most appropriate answers					
		Yes	No	Under development	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
1	To implement the requirement of Arts. 6 and 12 of the Protocol on Transboundary movements of Hazardous Wastes and notification procedures and provide adequate information to the public											
		Remarks/Comments					Remarks/Comments					
2	Necessary structures to identify, punish or impose sanctions in the event of contravention of this Protocol (Arts. 5.5 and 9)											
		Remarks/Comments					Remarks/Comments					

Part III Technical Data

III:1 Wastes other than those listed in Annex I to the Protocol considered or defined as hazardous wastes under domestic legislation (Art. 4 para. 1)

Please list any wastes other than those listed in Annex I to the Protocol considered or defined as hazardous wastes under domestic legislation and any requirement concerning transboundary movement applicable to such wastes:

Table III

No.	Waste description	Definition	Main characteristics	Transboundary movement procedure established
1				
2				
X				

III.2 Total amount of generation of hazardous wastes and other wastes (Art. 5)

Table IV

Total amount of hazardous wastes and other wastes generated (metric tonnes)														
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005			
Total amount of hazardous wastes generated (under Annex IA: Y1-Y45)														
Total amount of other wastes generated (Annex IB: Y46-Y47)														
Remarks:														

Generation of hazardous wastes and other wastes by Y-categories in

If possible, please fill in quantities for categories Y1 - Y47

CATEGORIES							
Waste streams (Annex I)		2002	2003	2004	2005	2006	2007
Y1	Clinical wastes from medical care in hospitals, medical centres and clinics						
Y2	Wastes from the production and preparation of pharmaceutical products						
Y3	Waste pharmaceuticals, drugs and medicines						
Y4	Wastes from the production of biocides and phytopharmaceuticals						
Y5	Wastes from the manufacture of wood preserving chemicals						
Y6	Wastes from the production, formulation and use of organic solvent						
Y7	Wastes from heat treatment and tempering operations containing cyanides						
Y8	Waste mineral oils unfit for their originally intended use						
Y9	Waste oils/water, hydrocarbons/water mixtures, emulsion						
Y10	Waste substances containing or contaminated with PCBs, PCTs, PBBs						
Y11	Waste tarry residues from refining, distillation and any pyrolytic treatment						
Y12	Wastes from production of inks, dyes, pigments, paints, etc						
Y13	Wastes from production resins, latex, plasticizers, glues, etc						
Y14	Waste chemical substances whose effects on the environment are not known						
Y15	Wastes of an explosive nature not subject to other legislation						
Y16	Wastes from production, formulation and use of photographic chemicals...						
Y17	Wastes resulting from surface treatment of metals and plastics						
Y18	Residues arising from industrial waste disposal operations						
Wastes having as constituents (Annex I)		2002	2003	2004	2005	2006	2007
Y19	Metal carbonyls						
Y20	Beryllium; beryllium compounds						
Y21	Hexavalent chromium compounds						
Y22	Copper compounds						

Y23	Zinc compounds						
Y24	Arsenic; arsenic compounds						
Y25	Selenium; selenium compounds						
Y26	Cadmium; cadmium compounds						
Y27	Antimony; antimony compounds						
Y28	Tellurium; tellurium compounds						
Y29	Mercury; mercury compounds						
Y30	Thallium; thallium compounds						
Wastes having as constituents (Annex I)		2002	2003	2004	2005	2006	2007
Y31	Lead; lead compounds						
Y32	Inorganic fluorine compounds excluding calcium fluoride						
Y33	Inorganic cyanides						
Y34	Acidic solutions or acids in solid form						
Y35	Basic solutions or bases in solid form						
Y36	Asbestos (dust and fibres)						
Y37	Organic phosphorus compounds						
Y38	Organic cyanides						
Y39	Phenols; phenol compounds including chlorophenols						
Y40	Ethers						
Y41	Halogenated organic solvents						
Y42	Organic solvents excluding halogenated solvents						
Y43	Any congener of polychlorinated dibenzo-furan						
Y44	Any congener of polychlorinated dibenzo-p-dioxin						
Y45	Organohalogen compounds other than ... (e.g. Y39, Y41, Y42, Y43, Y44)						
Household wastes							
Y46	Wastes collected from households						
Y47	Residues arising from the incineration of household wastes						

III.3 Transboundary movements of hazardous wastes or other wastes in which Parties have been involved
Generation of hazardous wastes including the amount of hazardous wastes and other wastes exported, their category, characteristics, origin, and disposal methods (Article 6, Article 8.2)

Table IV.1 Export of hazardous wastes and other wastes in

Total amounts exported:
Total amount of hazardous wastes under Annex IA(Y0-Y45) exportedin metric tons
Total amount of hazardous wastes under Annex IB(Y46-Y47) exported in metric tons
Total amount of hazardous wastes or other wastes exported in metric tons

Category of waste		Hazardous characteristics ³ (Annex III)								
Annex I ¹		Annex VIII ³	UN class ³	H' code ³	Characteristics ³	Amount exported (metric tons)	Country/countries of transit ⁴	Country of destination ⁴	Final disposal operation	Recovery operation
Y code	Waste streams/having wastes as constituents ²									

1 The Y code must be specified or, if none is applicable, the waste streams/having wastes as constituents.
2 Need not be filled in if the Y-code has been specified.
3 Optional to fill in.
4 Use ISO codes as in the attached list.

Please insert the amount of hazardous wastes and other wastes imported, their category, characteristics, destination, any transit country and disposal method as stated on the response to notification;

Table IV.2

Total amount of hazardous wastes under Annex IA(Y0-Y45) importedin metric tons

Total amount of hazardous wastes under Annex IB(Y46-Y47) importedin metric tons

Total amount of hazardous wastes or other wastes importedin metric tons

Category of waste		Hazardous characteristics ³ (Annex III)			Amount imported (metric tons)	Country/countries of transit ⁴	Country of origin ⁴	Final disposal operation	Recovery operation
Annex I ¹		UN class ³	H ³ code ³	Characteristics ³					
Y code	Waste streams/ having wastes as constituents ²								

1 The Y code must be specified or, if none is applicable, the waste streams/having wastes as constituents.

2 Need not be filled in if the Y-code has been specified.

3 Optional to fill in.

4 Use ISO codes as in the attached list.

Please insert the amount of hazardous waste or other waste which did not proceed as intended

Table IV.3

Waste or other matter disposed of	Quantity	Remarks/Comments/Explanations

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

Please provide information on accidents which have occurred (if any) during the transboundary movement and disposal of hazardous waste or other waste and on the measures taken and their effectiveness

Table V

Accidents (if any)	Measures taken	Effectiveness of measures

Information on alternative disposal options applied within the area of Parties' national jurisdiction (Article 8.3)

Please provide any information available on alternative options for the disposal of hazardous wastes carried out within the area of the national jurisdiction of the Party.

Available alternative options for the disposal of HW carried out within the area of national jurisdiction	Description

Part IV **Enforcement measures**

Please insert the data in Table VI below

Table VI - Enforcement measures

Enforcement measures in the event of contravention of the Protocol	Number of inspections	Number of contraventions	Number of criminal sanctions applied		Number of other enforcement measures applied	Number of clean measures implemented	Remarks/ Comments
Requirements of Articles 5.5 and 9							

Part V **Effectiveness**

- Total amount of hazardous waste generated
- Total amount of hazardous waste imported
- Total amount of hazardous waste exported
- Number of inspections
- Number of contraventions of the Protocol
- Number of contraventions of the Protocol in which sanctions were applied

7.1 Implementation of the Regional Plan on the Reduction of Hazardous Waste Generation by 20% in 2011

Reference	No	Description of the obligation	Status					Difficulties/Challenges					
			Please tick the most appropriate answer					Please tick the most appropriate answer(s)					
			Yes	No	Undergoing process	Other	Not applicable	Policy framework	Regulatory framework	Financial resources	Administrative management	Technical capabilities	Public participation
HW Regional Plan, Section 6.2.1	1	Has the Party an official inventory of Hazardous Waste (HW), based on an international classification (Basel Convention, European Union, etc) or based on a national one, updated regularly ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments										
HW Regional Plan, Section 6.2.1	2	Has the Party introduced national registers for HW producers, waste management and transport companies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments										
Regional Plan Section	3	Are measures set for preventing mixture of different types of waste, irregular practices in storage/accumulation, inappropriate treatment or uncontrolled dumping ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Remarks/Comments										

	4	Has the Party set a national strategy for reducing HW that set priorities , at the level of both HW flows and sources of generation, according to the information provided by the national inventory ?												
			Remarks/Comments											
HW Regional Plan, Section 6.2.3	5	Has the Party set a national plan establishing actions , targets and deadlines according to the priorities defined by the Strategy and if so, what actions, targets and deadlines were developed during the corresponding biennium												
			Remarks/Comments											
HW Regional Plan Section 6.2.4	6	Among the following types of actions, explain the mechanisms that were implemented to promote the application of cleaner production in the main sources of HW during the biennium : capacity building, awareness raising, voluntary agreements, economic instruments, voluntary instruments (e.g. eco-labelling, environmental management systems)												
			Remarks/Comments											

HW Regional Plan, Section 6.2.1 (in relation to art. 5.4 LBS Protocol)	7	Is the Party using waste generation factors ²⁷ based on the Best Available Techniques (BAT) as the approach for addressing the reduction of HW in all the mentioned measures?											
			Remarks/Comments										

²⁷ Waste generation factor = Tonnes of hazardous waste per unit of industrial activity (Regional Plan for the reduction of the generation of Hazardous Wastes from industrial installations).

15th Meeting of the Contracting Parties

Decision IG 17/3: Guidelines for the Determination of Liability and Compensation for Damage resulting from Pollution of the Marine Environment in the Mediterranean Sea Area

The 15th Meeting of the Contracting Parties,

Recalling Articles 16 and 18 of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, as amended in 1995, hereinafter referred to as the “Barcelona Convention”,

Recalling also their decisions adopted at their 13th Meeting held in Catania, Italy, and their 14th Meeting held in Portoroz, Slovenia, on the need to develop appropriate rules and procedures for the determination of liability and compensation for damage resulting from pollution of the marine environment in the Mediterranean Sea Area,

Taking note of the work carried out in the framework of MAP in the field of liability and compensation since 1997, the conclusions and recommendations of the meeting of government-designated legal and technical experts held in Brijuni, Croatia, in 1997, and of the meeting of legal experts held in Athens, Greece, in 2003,

Noting with appreciation the work undertaken by the Open-Ended Working Group of Legal and Technical Experts to Propose Appropriate Rules and Procedures for the Determination of Liability and Compensation for Damage resulting from Pollution of the Marine Environment in the Mediterranean Sea Area and its recommendations at its first and second meetings, in Loutraki, Greece, 2006 and in Athens, Greece, 2007, respectively;

Decides to adopt the Guidelines for the Determination of Liability and Compensation for Damage resulting from Pollution of the Marine Environment in the Mediterranean Sea Area together with its Appendix, hereinafter referred to as the “Guidelines”, which are contained in the Annex to this Decision,

Invites the Contracting Parties to take the necessary measures, as appropriate, to implement the Guidelines and to report on their implementation in accordance with Article 26 of the Barcelona Convention to the 17th Meeting of the Contracting Parties in 2011,

Recommends that the Contracting Parties take into account the Feasibility Study Covering the Legal, Economic, Financial and Social Aspects of a Liability and Compensation Regime in the Mediterranean Sea and its Coastal Area UNEP(DEC)/MED WG.270/Inf.4 and the Explanatory Note to the Draft Guidelines UNEP(DEPI)/MED WG.320/Inf.4 for the purpose of facilitating the implementation of the said Guidelines,

Invites the Contracting Parties to cooperate and provide support to facilitate the implementation of the Guidelines as appropriate,

Also decides to establish a working group of legal and technical experts to facilitate and assess the implementation of the Guidelines and make proposals regarding the advisability of additional action;

Requests the Secretariat to:

- prepare for adoption by the 16th Meeting of the Contracting Parties in 2009 a concise draft format for reporting on the implementation of the Guidelines;
- provide assistance to Mediterranean countries upon request to facilitate the implementation of the Guidelines, with particular reference to the development of domestic legislation and capacity building;
- prepare a draft assessment report on the implementation of the Guidelines for the consideration of the working group of legal and technical experts established for this purpose by the Meeting of the Contracting Parties.

**DRAFT GUIDELINES ON LIABILITY AND COMPENSATION FOR DAMAGE
RESULTING FROM POLLUTION OF THE MARINE ENVIRONMENT
IN THE MEDITERRANEAN SEA AREA**

A. Purpose of the Guidelines

1. These Guidelines aim at implementing Article 16 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, done in Barcelona on 16 February 1976, as amended in Barcelona on 10 June 1995 (the "Barcelona Convention"), according to which the Contracting Parties undertake to cooperate in the formulation and adoption of appropriate rules and procedures for the determination of liability and compensation for damage resulting from pollution of the marine environment in the Mediterranean Sea Area.
2. These Guidelines are also aimed at the furtherance of the polluter pays principle, by virtue of which the costs of pollution prevention, control and reduction measures are to be borne by the polluter, with due regard to the public interest, as provided for in Article 4, paragraph 3, sub-paragraph (b), of the Barcelona Convention. These Guidelines do not provide for any State subsidiary liability.
3. While not having a legally binding character *per se*, these Guidelines are intended to strengthen cooperation among the Contracting Parties for the development of a regime of liability and compensation for damage resulting from pollution of the marine environment in the Mediterranean Sea Area and to facilitate the adoption by the Contracting Parties of relevant legislation.
4. These Guidelines apply to the activities to which the Barcelona Convention and any of its Protocols apply.

B. Relationship with Other Regimes

5. These Guidelines are without prejudice to existing global and regional environmental liability and compensation regimes, which are either in force or may enter into force, as indicatively listed in the Appendix to these Guidelines, bearing in mind the need to ensure their effective implementation in the Mediterranean Sea Area as defined in paragraph 7.
6. These Guidelines are without prejudice to the rules of international law on State responsibility for internationally wrongful acts.

C. Geographical Scope

7. These Guidelines apply to the Mediterranean Sea Area as defined in Article 1, paragraph 1, of the Barcelona Convention, including such other areas as the seabed, the coastal area and the hydrologic basin as are covered by the relevant Protocols to the Convention, in accordance with Article 1, paragraph 3, of the Convention.

D. Damage

8. The legislation of Contracting Parties should include provisions to compensate both environmental damage and traditional damage resulting from pollution of the marine environment in the Mediterranean Sea Area.
9. For the purpose of these Guidelines, “environmental damage” means a [measurable] adverse change in a natural or biological resource or [measurable] impairment of a natural or biological resource service which may occur directly or indirectly.
10. Compensation for environmental damage should include, as the case may be:
 - (a) costs of activities and studies to assess the damage;
 - (b) costs of preventive measures including measures to prevent a threat of damage or an aggravation of damage;
 - (c) costs of measures undertaken or to be undertaken to clean up, restore and reinstate the impaired environment, including the cost of monitoring and control of the effectiveness of such measures;
 - (d) diminution in value of natural or biological resources pending restoration;
 - (e) compensation by equivalent if the impaired environment cannot return to its previous condition.
11. In assessing the extent of environmental damage, use should be made of all available sources of information on the previous condition of the environment, including the National Baseline Budgets of Pollution Emissions and Releases, developed in the context of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities, done in Athens on 17 May 1980, as amended in Syracuse on 7 March in 1996, and the Biodiversity Inventory carried out in the framework of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, done in Barcelona on 10 June 1995.
12. The measures referred to in paragraph 10(b) and (c) should be reasonable, that is appropriate, practicable, proportionate and based on the availability of objective criteria and information.
13. When compensation is granted for damage referred to in paragraph 10(d) and (e), it should be earmarked for intervention in the environmental field in the Mediterranean Sea Area.
14. For the purpose of these Guidelines, “traditional damage” means:
 - (a) loss of life or personal injury;
 - (b) loss of or damage to property other than property held by the person liable;
 - (c) loss of income directly deriving from an impairment of a legally protected interest in any use of the marine environment for economic purposes, incurred as a result of impairment of the environment, taking into account savings and costs;
 - (d) any loss or damage caused by preventive measures taken to avoid damage referred to under sub-paragraphs (a), (b) and (c).
15. These Guidelines also apply to damage caused by pollution of a diffuse character provided that it is possible to establish a causal link between the damage and the activities of individual operators.

E. Preventive and Remedial Measures

16. The legislation of the Contracting Parties should require that the measures referred to in paragraph 10(b) and (c) are taken by the operator. If the operator fails to take such measures or cannot be identified or is not liable under the legislation implementing these Guidelines, the Contracting Parties should take these measures themselves and recover the costs from the operator where appropriate.

F. Channeling of Liability

17. Liability for damage covered by these Guidelines will be imposed on the liable operator.
18. For the purpose of these Guidelines, "operator" means any natural or juridical person, whether private or public, who exercises the *de jure* or *de facto* control over an activity covered by these Guidelines, as provided for in paragraph 4.

G. Standard of Liability

19. The basic standard of liability will be strict liability, that is liability dependent on the establishment of a causal link between the incident and the damage, without it being necessary to establish the fault or negligence of the operator.
20. In cases of damage resulting from activities not covered by any of the Protocols to the Barcelona Convention, the Contracting Parties may apply fault-based liability.
21. In the case of multiple-party causation, liability will be apportioned among the various operators on the basis of an equitable assessment of their contribution to the damage.
22. For the purpose of these Guidelines, "incident" means any sudden occurrence or continuous occurrence or any series of occurrences having the same origin, which cause damage or create a grave and imminent threat of causing damage.

H. Exemptions of Liability

23. The operator should not be liable for damage which it proves to have been caused by acts or events which are totally beyond its control, such as *force majeure*, an act of war, hostilities, civil war, insurrection or an act of terrorism.

I. Limitation of Liability

24. In cases where strict liability is applied, financial limits of liability may be established on the basis of international treaties or relevant domestic legislation.
25. The Contracting Parties are invited to re-evaluate on a regular basis the appropriate extent of the amount of such limits, taking into account, in particular, the potential risks posed to the environment by the activities covered by these Guidelines.

J. Time Limits

26. Time limits to commence proceedings for compensation should be based on a two-tier system of a shorter period from the knowledge of the damage or from the identification of the liable operator, whichever is later (e.g. three years), and a longer period from the date of the incident (e.g. thirty years).
27. Where the incident consists of a series of occurrences having the same origin, the time limits should run from the date of the last of such occurrences. Where the incident consists of a continuous occurrence, the time limits should run from the end of that continuous occurrence.

K. Financial and Security Scheme

28. The Contracting Parties, after a period of five years from the adoption of these Guidelines, may, on the basis of an assessment of the products available on the insurance market, envisage the establishment of a compulsory insurance regime.

L. Mediterranean Compensation Fund

29. The Contracting Parties should explore the possibility of establishing a Mediterranean Compensation Fund to ensure compensation where the damage exceeds the operator's liability, where the operator is unknown, where the operator is incapable of meeting the cost of damage and is not covered by a financial security or where the State takes preventive measures in emergency situations and is not reimbursed for the cost thereof.

M. Access to Information

30. Pursuant to Article 15 of the Barcelona Convention, the Contracting Parties should ensure that their competent authorities give to the public wide access to information as regards environmental damage or the threat thereof, as well as measures taken to receive compensation for it. Replies to requests for information should be given within specific time limits.

N. Action for Compensation

31. The legislation of the Contracting Parties should ensure that actions for compensation in respect of environmental damage are as widely accessible to the public as possible.
32. The legislation of Contracting Parties should also ensure that natural and juridical persons that are victims of traditional damage may bring actions for compensation in the widest manner possible.

Appendix

Indicative list of instruments setting forth global and regional environmental liability and compensation regimes pursuant to paragraph 5:

- Convention on Third Party Liability in the Field of Nuclear Energy, Paris, 29 July 1960, amended by Paris Additional Protocol of 28 January 1964; Paris Protocol of 16 November 1982; and Paris Protocol of 12 February 2004
- Convention Supplementary to the Paris Convention of the 29th July 1960 on Third Party Liability in the Field of Nuclear Energy, Brussels, 31 January 1963, as amended by Paris Additional Protocol of 28 January 1964; Paris Protocol of 16 November 1982; and Paris Protocol of 12 February 2004
- International Convention on Civil Liability for Oil Pollution Damage, London, 27 November 1992
- Convention on Civil Liability for Nuclear Damage, Vienna, 21 March 1963, amended by Vienna Protocol of 12 September 1997
- Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material, Brussels, 17 December 1971
- International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, London, 27 November 1992
- Convention on Limitation of Liability for Maritime Claims, London, 19 November 1976, amended by London Protocol of 2 May 1996
- Joint Protocol relating to the Application of the Vienna Convention and the Paris Convention, Vienna, 21 September 1988
- Convention on Civil Liability for Damage Caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels, Geneva, 10 October 1989
- International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, London, 3 May 1996
- Convention on Supplementary Compensation for Nuclear Damage, Vienna, 12 September 1997
- Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal, Basel, 10 December 1999
- International Convention on Civil Liability for Bunker Oil Pollution Damage, London, 23 March 2001
- Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, Kiev, 21 March 2003

- Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992, London, 16 May 2003
- Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on Environmental Liability with regard to the Prevention and Remedying of Environmental Damage

15th Meeting of the Contracting Parties

Decision IG 17/4: Governance paper

The Meeting of the Contracting parties,

Recalling Articles 18 (vi) of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona in 1995, herein after referred to as the Barcelona Convention,

Recalling also its decisions adopted at its 13th Meeting held in Catania, Italy in 2003, and its 14th meeting held in Portoroz, Slovenia in 2005, on the external evaluation of MAP, and on the future orientations of MAP respectively,

Noting with appreciation the work undertaken by the Drafting Committee established by the Extraordinary meeting of the MAP Focal Points held in Catania, November 2006 led by Italy,

Aiming at ensuring an effective MAP governance based on stronger cooperation and integration among MAP components, result oriented programming and planning, increased ownership of the Contracting Parties and higher visibility of MAP and the Barcelona Convention in the region,

Reaffirming the importance of the MCSD and its role in the implementation of the MSSD and *recognizing* its important place in the MAP governance system,

Recognizing the need for MAP and MCSD to increase their visibility on the international scene and contribute effectively to the international and regional processes on sustainable development;

Decides to approve the Governance paper as contained in the Annex to this Decision;

Requests the Secretariat to report to the Bureau of the Contracting parties on measures taken, and ways and means for the implementation of the Governance paper and in particular of the proposed actions, as contained in the Annex to this Decision;

Also requests the Secretariat to propose to the Bureau of the Contracting Parties for approval, with prior consultation with the MAP focal points and MCSD members, the criteria and procedure for the selection of the MCSD members from the academic and scientific community, the intergovernmental organizations and eminent experts as provided for in the Governance paper contained as Annex to this Decision;

Requests the Bureau of the Contracting Parties to nominate the members of the MCSD members from the scientific and academic community, the inter-governmental organisations, the eminent experts according to the agreed criteria and procedures as referred to in the preceding paragraph, with a view to convening the 2009 meeting of the MCSD with the composition as provided for in the Governance paper.

GOVERNANCE PAPER

CONTENTS

1. Governance goals and principles
2. Coordination and coherence mechanisms
3. Mandate for the Coordinating Unit
4. Mandate for Regional Activity Centres and programmes
5. Institutional status of the RACs
6. Work Programme and long-term planning
7. Monitoring of progress towards a goal-oriented vision, and implementation of the Work Programme
8. Role of Focal Points
9. Visibility
10. New terms of reference for the MCSD

Attached document: Actions needed to bring the MAP system into line with the Governance Paper

1. MAP GOVERNANCE GOALS AND PRINCIPLES

MAP was originally conceived as a catalytic entity to guide the numerous actors operating in the Mediterranean region whose collective conduct and activities determine the quality of its environment. After 30 years, the socio-economic, political and environmental situation in the area has evolved. There is wide recognition that the MAP system needs to adapt to these changes to better meet present complex challenges.

MAP is faced with the interrelated challenges of good governance, increased visibility and maintaining relevance to the environmental and sustainable development challenges of the region. The main goal of this governance document is to ensure that the MAP system establishes and implements the required *modus operandi* – especially in terms of *coordination, approaches* to actions as well as the *operational structure*.

In particular, the MAP governance system should ensure two crucial aspects:

1. Strong and cooperative relationships among MAP components and key actors, and
2. A MAP organizational system that is:
 - Consistent with the intent and obligations of the Barcelona Convention, its protocols and strategies;
 - Responsive to contemporary needs and priorities;
 - Efficient and effective (in terms of good governance principles and measures) to meet future goals;
 - Structured to optimize the use of resources.

A well-functioning MAP structure will:

- Be streamlined for effectiveness;
- Ensure implementation of the Barcelona Convention and its Protocols;
- Ensure effectiveness of the measures taken towards the implementation of the Barcelona Convention and its Protocols using a system of suitable indicators, which should also serve to assess possible trends in the quality of the marine environment and coastal zones;
- Ensure that Regional Activity Centres (RACs), including MED POL, operate as integral parts of MAP and their work is entirely focused on implementation of the Convention and its Protocols;
- Ensure that Contracting Parties, as essential parts of the Barcelona Convention, play a full and active role in the Barcelona Convention/MAP system;
- Properly target dissemination of information to enhance implementation effectiveness and political and public visibility, and strengthen commitment within Contracting Parties.

2 . COORDINATION AND COHERENCE MECHANISMS

Good governance concerns both achieving desired results and achieving them in the right way.

Since the "right way" is largely shaped by the cultural norms and values of an organization, the task environment within which it functions and the resources at its disposal, there can be no universal template for good governance. Each organization must tailor its own definition of good governance to suit its needs and values.

There are some universal norms and values that apply across cultural boundaries. The United Nations has published a list of characteristics of good governance, which include:

- Participation,
- Transparency,
- Responsiveness,
- Consensus orientation,
- Equity,
- Effectiveness and efficiency,
- Accountability,
- Strategic vision.

[Source: "Governance and Sustainable Human Development", United Nations Development Programme, 1997.]

To ensure that sustainable development goals are realistically attained, action must be taken to work towards this ideal with the aim of making it a reality.

Within MAP, the Secretariat must provide strong leadership and act as a point of reference and advocate for governance reform.

To this end, the Coordinator, assisted by the Deputy Coordinator, should oversee governance performance over the long term, ensuring synergy with other United Nations organizations and programmes. This should include coordinating, revitalizing and organizing the work for the RACs (including MED POL) and the Mediterranean Commission on Sustainable Development (MCSD) in the light of the reformed MAP governance structures decided by the Contracting Parties.

It is evident that effective coordination is essential across MAP. In addition to implementing 'rules' decided by the Contracting Parties to support effective coordination, leadership and accountability must be provided by the Secretariat.

Accountability will also be promoted through the Executive Coordination Panel (ECP), chaired by the Secretariat and made up of the Directors of the MAP Components to enhance collaboration and coordination across the MAP system.

The Executive Coordination Panel formalizes the meetings of the RAC Directors. It should meet regularly, four times a year, and submit a summary of its discussions to the Bureau and to MAP Focal Points for information and for approval where relevant.

The issues to be considered by the ECP should include cooperation in the development and implementation of the MAP Work Programmes, as well as brainstorming on relevant policy issues and providing advice to the Secretariat in the RACs' respective areas of competence including recommendations on the methods and means to tackle operational issues. Priority tasks of the Executive Coordination Panel will be to identify, design and lead the

implementation of an effective process of integration of RACs activities and set up the Work Programme accordingly.

The ECP will meet regularly as specified above, but also when needed by urgent situations, with a permanent online network. The Secretariat will establish the ECP agenda;

2.1 IMPLEMENTATION OF GOOD GOVERNANCE

The Coordinator, assisted by the Deputy Coordinator, is responsible for the full implementation and monitoring of the governance reform process as outlined in this section of the document. Implementation of good governance must incorporate activities to assist in overcoming potential obstacles to reform. Potential obstacles must be anticipated, identified in advance and pre-emptively addressed where possible.

2.2 AUDITING & FINANCIAL MANAGEMENT

In order to ensure consistency and coordination of the MAP system and develop a consolidated planning process, a thorough management audit of each MAP component should be accompanied by a regular cross-audit of MAP as a system, including activities financed by the Mediterranean Trust Fund (MTF) and those financed by other sources. Recommendations from the auditing process should be transparently shared by the MAP components and be considered for setting the way forward and for related distribution of financial resources.

Furthermore, with the aim of having a clear vision and contributing to improved management of resources in the MAP system, such audits will take into consideration the full range of funds mobilized by MAP components, from both internal and external sources.

2.3 INTERNAL COMMUNICATION

Internal communication, namely that which is oriented towards improving relations among MAP components and relations with the Contracting Parties to the Barcelona Convention, shall be regular and fully transparent so as to ensure coordination, exchange of information and optimization of resources and improve the sense of belonging to the MAP system as a whole.

Such an approach will generate participation and 'ownership' at every level. It is therefore expected that purpose, activities and impacts are clearly communicated, illustrated and discussed by the MAP components and other parties involved.

Translations of documents distributed to the Contracting Parties should be provided promptly following the diffusion of the original language version.

2.4 INFORMATION MANAGEMENT AND EXTERNAL COMMUNICATION

The MAP system generates a significant volume of data and information, both coming from the reports of the Contracting Parties and produced by the work of the MAP components. To ensure the optimal use of this rich resource as a tool for meeting the goals of the Barcelona Convention and its protocols and strategies, MAP requires an integrated data system and an effective, targeted external communications programme. The MAP policy concerning information and communication shall be regularly reviewed and updated as required.

3. MANDATE FOR THE COORDINATING UNIT

This chapter concerns the body established in Athens by UNEP to provide the Secretariat of the Barcelona Convention as stipulated in article 17 of the Convention. It does not, however, address the mandate of the MED POL team which is functionally equivalent to a RAC and whose specific mandate is therefore covered in section 4.

The Coordinating Unit should be known externally as the “Barcelona Convention / MAP Secretariat”. The term MEDU should be used only as absolutely required for internal purposes within UNEP.

As the Secretariat for the Barcelona Convention, the overall mission of the Coordinating Unit is to take all steps necessary to promote and facilitate the full and proper implementation of the Barcelona Convention, its protocols and strategies, and the decisions and recommendations taken at the Meetings of the Contracting Parties. The Coordinating Unit will accomplish this mission by ensuring the good functioning of the MAP system and facilitating the work of the Contracting Parties to meet their commitments under this Convention.

The work of the Coordinating Unit is to be undertaken with the technical support and assistance of the MAP Regional Activity Centres (including MED POL) in accordance with their individual mandates, and with specific decisions of the Contracting Parties.

According to article 17 of the Barcelona Convention, certain specific tasks are assigned to the Secretariat of the Convention, with subparagraph vii. of this article stating that other tasks may be assigned to the Secretariat by the Contracting Parties.

The MAP Work Programme (see section 6) should clearly identify whether a task is to be undertaken by the Coordinating Unit and/or by one or more of the RACs. Other decisions taken by the Contracting Parties at the Meetings of the Contracting Parties should likewise clearly identify if they are specifically addressed to one or more RAC. When this is not stated, the Coordinating Unit will be considered directly responsible for the execution of decisions assigned to the Barcelona Convention / MAP Secretariat by the Contracting Parties,

On this basis and with regard to its overall mandate, the following tasks should be performed by the Barcelona Convention / MAP Secretariat:

Representation and relations^{*}:

- Ensuring high-level policy and political dialogue with the Contracting Parties and third countries, in all matters related to the implementation of the Barcelona Convention, its protocols and strategies;
- Representation of the Secretariat of the Barcelona Convention at international fora; liaison with the CSD and other similar international and regional bodies;
- Liaison with countries hosting RACs, on matters related to their establishment and functioning;
- Maintaining regular contact with the Contracting Parties, via their designated MAP Focal Points;

^{*} Aspects of this task may also be delegated by the Coordinator to the Directors of the RACs (including MED POL) when appropriate.

- Liaison with non-governmental organizations (NGOs), local authorities and private actors about matters of horizontal relevance to the Barcelona Convention and its protocols and strategies, particularly on matters concerning legal issues and general policy;
- Oversight to ensure policy coherence and approval for distribution of all publications (including paper and digital publications) and press releases drafted by the MAP components.

Legal affairs:

- Management of the legal aspects of the Barcelona Convention; coordination of the legal instruments of the Barcelona Convention; and advice to the Contracting Parties and the RACs (including MED POL) on legal matters related to the Barcelona Convention and its Protocols.
- Ensuring the functioning of the reporting system and the compliance mechanism required by the Barcelona Convention and its protocols, including tracking information on the status of all decisions and resolutions of the Contracting Parties.

Preparation and organization of meetings:

- Providing the secretariat and organizing meetings of any high-level advisory bodies or horizontal working groups established by the Contracting Parties (including the MCSD), as well as providing the secretariat and organizing the Meetings of the Contracting Parties, plenipotentiary meetings, meetings related to legal/reporting/compliance issues, meetings of the MAP Focal Points, meetings of the Bureau of the Convention, etc.

Work Programme development and implementation:

- Ensuring overall coherence and complementarity of the work undertaken by the RACs (including MED POL) and by the Coordinating Unit itself, by:
 - Coordinating the preparation of the proposals to the Contracting Parties concerning the five-year Indicative Programme and the biannual Work Programme;
 - Monitoring the implementation of the MAP Work Programme (including the components assigned to the RACs and MED POL), and reporting regularly to the Contracting Parties thereon;
 - Providing formal and informal guidance to the RACs and MED POL on issues requiring involvement of the Coordinating Unit in their work, particularly issues of a legal or horizontal nature;
 - Facilitating and encouraging the regular flow of information between and among the RACs (and MED POL), including bilateral networking and cooperation between the MAP components.

Information and communication:

- Coordination of the implementation and periodic updating of the MAP information and communication policy

Financial issues:

- Ensuring financial management of the MAP system, with full respect for the rules in force and with due consideration for all recommendations of internal and external auditors, including:
 - Managing and monitoring all contributions to and disbursement from the MTF, and
 - Monitoring the contributions from external resources received by the MAP components (RACs including MED POL) in order to ensure that the activities financed are consistent with their individual mandates and the overall objectives of the MAP system;
- Maintaining, in coordination with the Directors of the RACs (including MED POL), up-to-date information concerning all staff posts within the MAP system, including job descriptions; ensuring appropriate training for MAP staff;
- Development and implementation of a strategy to attract additional resources (financial and human) to increase the capacity of the Barcelona Convention / MAP Secretariat and the RACs (including MED POL), from sources including the Contracting Parties, donor countries, the private sector, etc.

The Barcelona Convention / MAP Secretariat is overseen by the MAP Coordinator, with the support and assistance of a Deputy Coordinator. The diplomatic and representational tasks of the Secretariat should be undertaken primarily by the Coordinator, with the Deputy Coordinator playing a greater role in the day-to-day operational issues of the Secretariat (e.g. review of documents, relationship with RACs and MED POL, etc.) The detailed division of tasks shall be identified in their respective job descriptions.

4. MANDATES FOR REGIONAL ACTIVITY CENTRES AND PROGRAMMES*

The mandate for each RAC should at a minimum include the following:

- Long-term and horizontal goals and objectives, clearly identifying its role and the contribution to the implementation of the Barcelona Convention, its Protocols and Strategies;
- Scope of work including governing principles by which the RAC will operate with clear reference to cooperation with other RAC's, coordination by the MAP Coordinating Unit and the roles of the Focal Points' meetings, the MCSD and the Meetings of the Contracting Parties;
- Clear rules and procedures and related requirements/mechanisms to implement the principles.

To ensure comparability and harmonization among RACs, the mandates should be formulated in a standard format and clearly linked to specific sections/paragraphs of the Barcelona Convention, its Protocols and Strategies.

Each mandate should outline the modality of working relationships with the Secretariat and the other MAP components and, specifically, indicate mechanisms for developing and maintaining working partnerships among MAP components and other key MAP stakeholders, e.g. national authorities, NGOs, the private sector and local authorities.

The mandates should also make clear reference to the sources and mechanisms for financing the operations and activities of the RAC.

Each mandate should also highlight how the RAC will contribute to the collective goals of UNEP/MAP especially in knowledge management and dissemination and in improving overall MAP visibility, which is a critical and on-going collective responsibility of all MAP Components.

The mandate must include a clear reference and specific mechanisms for regular, efficient, effective and transparent reporting on activities/actions. Such reporting shall be provided to the Contracting Parties.

* For all practical purposes, MED POL should be considered a RAC. Therefore all references in this Governance Document to 'RACs' shall be read to also include MED POL.

5. INSTITUTIONAL STATUS OF THE RACS

As acknowledged during the Bureau meeting held in Slovenia on 6-7 April 2006 (see document UNEP/BUR 64/4) the status of the RACs at present is highly varied, ranging from the United Nations official status of REMPEC to the status of national agency/body of CP/RAC, INFO/RAC and SPA/RAC, to the “embedded” MAP status of MED POL and to the almost NGO status of BP/RAC.

It was recognized that such diversity poses serious obstacles to fully functional and harmonized coordination among the Secretariat and MAP components.

The homogenization/harmonization of the institutional status of the RACs (including MED POL), along with a clarification of their specific roles in the process of implementation of the Barcelona Convention is therefore a priority.

This in fact represents a crucial prerequisite for a fully functional and consolidated system of good governance for MAP.

In this context, transforming the RACs into international centres outside the UN system might be appropriate.

6. WORK PROGRAMME AND LONG-TERM PLANNING

Principles:

To ensure predictability in the work of the MAP, planning shall be based on a five-year Indicative Programme that outlines the goals and identifies actions within the MAP system over the following five year period. In order to provide continuity, ensure effectiveness and relevance and allow for appropriate amendments in response to new developments, this five-year Indicative Programme will be reviewed and revised on a 'rolling' basis at each Meeting of the Contracting Parties. Each Meeting of the Contracting Parties, also considering the interim results and status of implementation submitted by the MAP Secretariat, will also adopt a more detailed two-year Work Programme specifying the actions that will be undertaken in the following biennium.

The purpose of the activities included in the MAP Work Programme shall be to facilitate and promote the full implementation of the Barcelona Convention, its protocols, strategies, and also the decisions and recommendations of the Meetings of the Contracting Parties.

Both the five-year Indicative Programme and the detailed two-year Work Programme must cover the entirety of MAP activities, including both actions to be financed from the MTP and those to be financed from other sources. Activities outside the scope of the Work Programme adopted by the Meeting of the Contracting Parties could, when justified, be undertaken by MAP components if in line with their mandates. However, the Bureau should approve the relevant amendments to the Work Programme before any such additional activities are launched.

Preparation of proposed programmes:

The five-year Indicative Programme and the biennial Work Programmes are adopted by the Contracting Parties at their Meetings on the basis of a proposal to be tabled by the Secretariat.

The Coordinating Unit will oversee the preparation of the draft programmes based on preliminary suggestions from the RACs according to their respective areas of competence, and on the basis of an analysis of the results achieved.

Proposals for the biennial Work Programme should take into account the existing five-year Indicative Programme (as adopted at the previous Meeting of the Contracting Parties), as well as the results of state-of-the-environment (SOE) and compliance monitoring exercises (see section 7 of this document). Each RAC should consult its designated Focal Points as appropriate in preparing its proposals; the RACs are also encouraged to communicate among themselves at this stage, to enhance the complementarity of their proposed portions of the MAP Work Programmes.

For each element proposed for inclusion in the Programmes, the proposing MAP component should prepare a logical framework fiche, as follows:

For each item in the five-year Indicative Programme:

- Objectives and outputs;
- Indicative activities to meet objectives;
- Relation to Convention, Protocols, adopted Strategies and decisions of the Contracting Parties;
- Link to other actions (ongoing/past; external/internal to MAP);

- Indication of resources needed;
- Risks.

For each action in the two-year Work Programme:

Action proposed:

- ❖ Objective / specific outputs;
- ❖ Long-term sustainability / follow-up of outputs;
- ❖ Proposed indicator(s) to monitor its achievement;
- ❖ Rationale / Relationship to Convention, protocols, adopted strategies and Decisions of the Contracting Parties;
- ❖ Relationship to existing rolling programme (or in case not included, rationale for addition);
- ❖ SWOT analysis;
- ❖ Link to other actions (ongoing/past; external/internal to MAP) – and how synergies will be ensured;
- ❖ Resources needed – human and financial;
- ❖ Budget source;
- ❖ Division of responsibilities within the MAP system;
- ❖ Risks and how they will be managed.

The RACs and MED POL should use the preparation of this fiche as a tool to help ensure the relevance and expected effectiveness of the activity they propose.

Upon receipt of the proposals from the individual RACs, the Coordinating Unit shall screen them for coherence and feasibility, and, particularly, consider strategic aspects of the elements to be introduced in the final years of the rolling Indicative Programme. The Coordinating Unit is encouraged to consult with partner organizations as appropriate at this phase.

The Coordinating Unit will then transmit the consolidated draft proposals for the five-year Indicative Programme and the Work Programme for the upcoming biennium to the MAP Focal Points for preliminary written comments/observations, at least four months before the MAP Focal Points Meeting. The Coordinating Unit should review the comments received at a meeting of the RAC Directors, with a view to preparing a revised draft for submission to the MAP Focal Points meeting. The discussion at the Focal Points' meeting should particularly consider the overall coherence and practicality of the proposed biannual Work Programme and the strategic direction of the proposed five-year rolling Indicative Programme.

A final draft of each Programme will then be submitted by the Secretariat to the Meeting of the Contracting Parties for adoption.

Decisions and recommendations of the Meeting of the Contracting Parties:

Decisions taken by the Contracting Parties at their Meetings should be practical and concise. The Contracting Parties will adopt the five-year Indicative Programme and the biannual Work Programme through one decision at the Meeting of the Contracting Parties. The Parties should refrain from adopting additional decisions that assign tasks to the Secretariat in lieu of (or in addition to) including these tasks in the Work Programme.

Any other decision addressed to the Secretariat should clearly specify if it is directed towards the Coordinating Unit alone, to specific RAC(s), or to the MAP components as a whole. Decisions addressed to the Contracting Parties themselves should be operational (not declaratory), implementable and precise enough to enable future assessment of compliance. Such decisions should be coherent with the strategic directions and timing of actions contained in the Work Programmes.

Political declarations and recommendations by the Contracting Parties and the guidelines adopted by the Contracting Parties should be distinguished from decisions, and are not subject to compliance reporting.

7. MONITORING OF PROGRESS

The objective of the Barcelona Convention, its protocols and strategies is to effect real changes to improve the environment in the Mediterranean Sea area. It is essential to have a good understanding of whether progress is being made towards accomplishing the objectives set, and to identify where better performance is needed.

Progress monitoring must consider both the steps undertaken and also the results on the ground as well as the underlying causes of success or failure. Results of this monitoring should feed back into the preparation of future Indicative Programmes and biannual Work Programmes, and thereby be used to improve the effectiveness of actions undertaken by the MAP components and by the Contracting Parties themselves.

A suitable system of indicators is required to measure the effectiveness of the measures taken towards the implementation of the Barcelona Convention and its Protocols, and also to know trends in the Mediterranean environment. The pertinent information from different national sources must be brought together in a coherent information system for this purpose.

State of the Environment reporting

Indicators to monitor results on the ground should be compiled from SoE reporting. Such State of the Environment indicators are key input for designing future Indicative Programmes of MAP.

Several components of the MAP system already collect information on the State of the Environment, including to fulfill requirements of the protocols for technical reporting to MAP. In addition, other regional initiatives, including the MEDSTAT Programme and activities under way at the EEA, generate information about the State of the Environment. For reasons of efficiency and completeness, the MAP Secretariat should coordinate its activities with these other initiatives whenever possible. The first step to be taken by MAP should be to integrate the data collected by the various RACs (including MED POL). Ultimately, the region should move towards a 'report once' approach whereby State of the Environment data is collected following agreed standards so that they can be used for multiple purposes, including national needs, European Commission requirements, requirements of other conventions, etc.

Legislative / institutional progress in Contracting Parties

The MAP reporting mechanism provides information on how legislation and institutions in the Contracting Parties comply with the requirements of the Barcelona Convention and its protocols, including the decisions of the Meeting of the Contracting Parties that are addressed to the Contracting Parties. On the basis of the reports from the Contracting Parties on the implementation of the Barcelona Convention and its Protocols, the Secretariat should draw up a report describing the overall situation regarding legislative and institutional progress in the region. Such information can be used to identify steps needed to correct any non-compliance, and the future MAP Work Programmes can be designed accordingly.

Progress in Implementation of the Work Programme

Information about the state of implementation of the current MAP Work Programme, including the technical details considered useful for proper understanding and evaluation, is needed both to steer its management and also as input to the design of future programmes.

Regular communication among RACs and between RACs and the Coordinating Unit is key to ensuring the early identification of any problems related to the implementation of the biannual Work Programme.

Regular formal reports (e.g. at a frequency of six months) shall be submitted by the RACs to the Coordinating Unit. These reports should be structured following the actions in the biannual Work Programme, and cover all substantive, administrative and financial aspects of the Centre's activities. They should highlight any problems encountered in implementation, or needs for divergence from the agreed Work Programme.

Reports should be discussed by the Bureau, which will provide guidance to the Secretariat in resolving any problems. The reports should also be made available to all Contracting Parties.

At a minimum, the reporting should assess progress with respect to:

- The name and exact purpose of activity(ies);
- Reference to the date that the mandate was given for the specific activity and the body that gave the mandate;
- Implementation of activities in line with the purpose, highlighting convergence or divergence from goals and identifying the respective reasons and justification for any divergence/changes, mentioning technical details to enable proper understanding and evaluation;
- Associated cost/benefits using an objective and transparent approach;
- Impact of the activity and its effectiveness. Periodical evaluations of all major activities should be carried out by authoritative and independent experts;
- Efforts to mobilize external resources in order to implement activity(ies) effectively.

Reporting should also assess the coherence between individual actions, and their combined contribution towards meeting MAP objectives.

8. ROLE OF FOCAL POINTS

8.1 ROLE OF MAP FOCAL POINTS

Designation

The MAP Focal Points shall be designated by the competent Ministry/bodies that represent the Contracting Parties at the Meeting of the Contracting Parties.

The MAP Focal Points shall be appropriately empowered persons, officially from the administration of the Contracting Party. They shall serve as the official conduit for communication between the Secretariat and Contracting Parties and will receive copies of correspondence among Focal Points of the other MAP components. To correctly fulfil their tasks, MAP Focal Points must receive in a timely manner all relevant MAP correspondence and documents.

The name and functions of the designated Focal Points shall be communicated to the MAP Secretariat and to all concerned parties at the national level.

Any change with respect to the designation of the MAP Focal Points shall be notified to the Secretariat and other concerned authorities and bodies

Main tasks

- Coordinating the relationship between the MAP Secretariat and governmental/administrative bodies concerned by MAP's mandate and activities
- Coordinating with governmental/administrative bodies, as appropriate, for the preparation of the Contracting Parties' meetings and disseminating Secretariat working documents to concerned bodies
- Transmitting official comments and documents to MAP Secretariat
- Attending the meetings of the MAP Focal Points
- Disseminating nationally the recommendations and the decisions adopted by the Contracting Parties' meeting and the Bureau
- Following the implementation of the decisions of the Contracting Parties in particular with respect to:
 - procedures for ratification of MAP legal instruments
 - preparation of relevant national legislation
 - adoption and implementation of relevant national plans and strategies
 - preparation of projects and programmes for the implementation of the Convention and its protocols
 - preparation and transmission of reports in accordance with article 26 of the Convention
 - preparation and transmission of reports as requested by article 27 of the Convention on compliance
- Nominating appropriate national experts to participate at MAP meetings and activities after consulting with governmental/administrative bodies, as required
- Liaising with NGOs and other partners concerned with MAP activities
- Diffusing information on MAP activities making use as appropriate of MAP information documents
- Liaising with local representatives of international financial facilities, institutions and programmes for the support of projects related to the implementation of MAP
- Serving as contact point of the Contracting Party for matters related to the MCSD/MSSD
- Coordinating with the Contracting Party's RAC Focal Points
- Informing and advising RAC Focal Points about the Contracting Party's strategy regarding the Barcelona Convention and its protocols, and other Mediterranean policies
- Informing RAC Focal Points about decisions and activities that may be relevant to them

- Assisting the MAP Secretariat in the identification of relevant experts for specific initiatives or consultations

Support to MAP Focal Points

- For the fulfilment of their tasks, it is advisable that the MAP Focal Points should receive, as appropriate, support as follows:

Governmental/administrative bodies shall:

- Inform and, as appropriate, associate MAP Focal Points in the elaboration and implementation of the Contracting Parties' policies, strategies, programmes and projects related to the implementation of the Barcelona Convention and its protocols
- Provide MAP Focal Points with any relevant data and information
- Consult MAP Focal Points about the designation of RAC Focal Points
- Provide MAP Focal Points with adequate resources as required for the execution of their tasks, within the context of broader national fiscal and staffing policies and priorities
- Keep MAP Focal Points informed of developments related to the implementation, by the Contracting Party, of Multilateral Environmental Agreements relevant to the Barcelona Convention and its Protocols

The MAP Secretariat shall:

- Channel, where appropriate, its communications with the Contracting Party through MAP Focal Points
- Keep MAP Focal Points informed of correspondence or documents sent to RAC Focal Points
- Provide support, including appropriate training, to the MAP Focal Points to enable them to carry out their tasks

Relations with RAC Focal Points

- MAP Focal Points shall be kept informed by the RAC Focal Points of their activities in relation to the implementation of decisions and recommendations of the Contracting Parties, including their programme of work
- MAP Focal Points shall be informed by RAC Focal Points about the Contracting Party's needs and objectives identified in their specific field of action
- MAP Focal Points shall receive the necessary support for the execution of their tasks, including contributions for the preparation of the reports for the MAP Secretariat
- MAP Focal Points shall coordinate with RAC Focal Points for the preparation of MAP meetings and other activities

8.2 TERMS OF REFERENCE FOR BP/RAC FOCAL POINTS

Designation

The BP/RAC Focal Point shall be designated by the competent Ministry/body of the Contracting Party, in consultation with the MAP Focal Point.

The BP/RAC Focal Point shall be an appropriately empowered person appointed by the governmental/administrative body responsible for broader policies on environmental protection and sustainable development.

The name and functions of the designated Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and BP/RAC Director, as well as to concerned bodies in the Contracting Party.

Tasks

BP/RAC Focal Points shall be responsible for:

- Maintaining the relationship between BP/RAC and governmental/administrative bodies;
- Contributing to the preparation of BP/RAC Focal Point meetings through comments and proposals either made on their own initiative or relating to documents prepared by BP/RAC, after consultation with Contracting Party bodies as required;
- Attending the Focal Point meetings and reporting on their conclusions to governmental/administrative bodies and MAP Focal Points;
- Disseminating BP/RAC technical and information documents, guidelines, studies, etc., to concerned bodies;
- Following, in consultation with MAP Focal Points, the implementation of relevant decisions and recommendations of the Meetings of the Contracting Parties;
- Liaising with NGOs, the academic and scientific community and socioeconomic actors concerned with BP/RAC activities;
- Communicating to MAP Focal Points all information and documents needed for the execution of their tasks;
- Disseminating and promoting BP/RAC documents and publications among concerned governmental/administrative bodies, along with public and private institutions and interested individuals;
- Organizing, where necessary, presentations and discussions with partners and experts, with the participation of BP/RAC, to promote the Centre's activities;
- Transmitting to BP/RAC information relevant to its role as the Mediterranean Environment and Development Observatory, and as one of the support centres for the MCSD;
- Assisting BP/RAC to obtain other useful information by identifying relevant sources and key contact persons;
- Contributing to the preparation of MCSD meetings through comments and proposals either made on their own initiative or relating to documents prepared by BP/RAC, after consultation with national bodies;
- Producing, where necessary, joint publications with BP/RAC;
- Assisting BP/RAC in the identification of relevant experts for specific initiatives or consultations.

Support measures

In order to fulfil their tasks, it is advisable for BP/RAC Focal Points to receive the following support as appropriate:

Contracting Party bodies shall:

- Associate BP/RAC Focal Points with the formulation and implementation of Contracting Party policies and strategies on sustainable development, including the production of related statistics and indicators;
- Transmit to BP/RAC Focal Points all necessary information, in particular for following up relevant decisions and recommendations of the Meeting of the Contracting Parties;
- Provide BP/RAC Focal Points with adequate resources as required for the execution of their tasks, within the context of the broader fiscal and staffing policies and priorities of the Contracting Party.

BP/RAC shall:

- Provide Focal Points with all information needed for the execution of their tasks including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to BP/RAC Focal Points to enable them to carry out their tasks.

8.3 TERMS OF REFERENCE FOR CP/RAC FOCAL POINTS

Designation

The CP/RAC Focal Point shall be designated by the competent Ministry/body of the Contracting Party in consultation with the MAP Focal Point.

The CP/RAC Focal Point shall be an appropriately empowered person appointed by the governmental/administrative body responsible for policies for the promotion of sustainable production focusing on pollution prevention, and consumption patterns, according to the mission of the Centre.

The criteria for the decision of the Focal Points' designation would be based on:

- the expertise of the candidate in the field of sustainable production and/or consumption;
- the interaction of the institution or centre of the candidate with the sectors and stakeholders concerned with production and consumption issues (e.g. industrial and business associations, consumer protection agencies, etc.).

The name and functions of the designated Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and CP/RAC Director, as well as to concerned bodies in the Contracting Party.

Tasks

CP/RAC Focal Points shall be responsible for:

- Maintaining the relationship between CP/RAC and all relevant stakeholders within the Contracting Party;
- Contributing to the preparation of CP/RAC Focal Point meetings through comments and proposals either made on their own initiative or relating to documents prepared by CP/RAC, after consultation with Contracting Party bodies as required;
- Attending Focal Point meetings and reporting on their conclusions to governmental/administrative bodies and MAP Focal Points;
- Disseminating CP/RAC technical and information documents, guidelines, studies, etc., to concerned bodies;
- Monitoring, in consultation with MAP Focal Points, the implementation of relevant decisions and recommendations of the Meetings of the Contracting Parties;
- Communicating to MAP Focal Points all information and documents needed for the execution of their tasks, including reports on implementation;
- Liaising with governmental/administrative bodies in drafting public policies related to sustainable production and consumption and in setting up appropriate programmes, voluntary agreements with production sectors, and other initiatives;
- Liaising with other regional and international processes related to cleaner production;
- Liaising with local representatives of international financial facilities, institutions and programmes for the support of projects related to the implementation of CP/RAC activities;
- Working with all stakeholders to achieve effective implementation of sustainable production, eco-efficiency and responsible consumption;
- Identifying the needs of the Contracting Party with respect to clean production and proposing activities according to those needs;
- Organizing activities in the Contracting Party (national workshops, courses, exchange of experts, etc.);

- Providing national information on specific topics for:
 - CP/RAC studies and publications; and
 - case studies of cleaner production measures;
- Assisting CP/RAC in the identification of relevant experts for specific initiatives or consultations.

Support measures

In order to fulfil their tasks, it is advisable for CP/RAC Focal Points to receive the following support, as appropriate:

Contracting Party bodies shall:

- Provide CP/RAC Focal Points with adequate resources as required for the execution of their tasks, within the context of broader fiscal and staffing policies and priorities in the Contracting Party;
- Associate CP/RAC Focal Points with the formulation and implementation of Contracting Party policies, strategies and projects on cleaner production;
- Transmit to CP/RAC Focal Points all necessary information, in particular for following up those recommendations of the Meeting of the Contracting Parties addressed to the Contracting Parties.

CP/RAC shall:

- Provide CP/RAC Focal Points with all information needed for the execution of their tasks, including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to CP/RAC Focal Points to enable them to carry out their tasks.

8.4 TERMS OF REFERENCE FOR INFO/RAC FOCAL POINTS

Designation

The INFO/RAC Focal Point shall be designated by the competent Ministry/body of the Contracting Party, in consultation with the MAP Focal Point.

The INFO/RAC Focal Point shall be an appropriately empowered person appointed by the governmental/administrative body responsible for environment and sustainable development policies.

The name of the designated Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and INFO/RAC Director, as well as to concerned bodies in the Contracting Party.

Tasks

INFO/RAC Focal Points shall be responsible for:

- Maintaining the relationship between INFO/RAC and governmental/administrative bodies;
- Contributing to the preparation of INFO/RAC Focal Point meetings through comments and proposals either made on their own initiative or relating to documents prepared by INFO/RAC, after consultation with Contracting Party bodies as necessary;
- Attending Focal Point meetings and reporting on their conclusions to governmental/administrative bodies and MAP Focal Points;
- Disseminating INFO/RAC technical and information documents, guidelines, studies, etc., to concerned bodies;
- Following, in consultation with MAP Focal Points, the implementation of relevant decisions and recommendations of the Meetings of the Contracting Parties;
- Liaising with NGOs, the academic and scientific community, and the media concerned with INFO/RAC activities;
- Communicating to MAP Focal Points all information and documents needed for the execution of their tasks;
- Keeping informed about and supporting INFO/RAC activities in its two focus areas of:
 - ICT, especially the design and implementation of InfoMAP, with the necessary collaboration from Contracting Parties (contributing mainly technical expertise); and
 - Public communication, increasing awareness, and media relations and communications;
- Identifying and highlighting areas of synergy and cooperation between INFO/RAC activities and those of Contracting Party agencies and programmes;
- Identifying synergies with European initiatives and programmes, such as the Infrastructure for Spatial Information in Europe (INSPIRE) and Global Monitoring for Environment and Security (GMES), and international forums, such as the Global Environment Outlook (GEO), directly related to INFO/RAC's mandate, in order to collaborate closely with them;
- Identifying funding and/or co-financing opportunities between the activities of INFO/RAC and programmes and/or projects in the Contracting Party;
- Commenting on and/or contributing to all online forums, websites, documents, reports, or other outputs of INFO/RAC, as required or appropriate;
- Bringing to the attention of INFO/RAC any relevant contacts, programmes, networks, innovations, etc., that could assist INFO/RAC in its activities and mandate;
- Assisting INFO/RAC in the identification of relevant experts for specific initiatives or consultations.

Support measures

In order to fulfil their tasks, it is advisable for INFO/RAC Focal Points to receive the following support, as appropriate:

Contracting Party bodies shall:

- Associate INFO/RAC Focal Points with the definition of Contracting Party policies, strategies and projects on environmental awareness and communication;
- Transmit to INFO/RAC Focal Points all necessary information, in particular for following up those recommendations of the Meeting of the Contracting Parties addressed to the Contracting Parties;
- Provide INFO/RAC Focal Points with adequate resources as required for the execution of their tasks, within the context of broader fiscal and staffing policies and priorities in the Contracting Party.

INFO/RAC shall:

- Provide INFO/RAC Focal Points with all information needed for the execution of their tasks, including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to INFO/RAC Focal Points to enable them to carry out their tasks.

8.5 TERMS OF REFERENCE FOR MED POL FOCAL POINTS

Designation

The MED POL Focal Points shall be designated by the competent Ministry/body of the Contracting Party, in consultation with the MAP Focal Point.

The MED POL Focal Point shall be an appropriately empowered person appointed by the Contracting Party body responsible for the regulation of discharges into the marine environment from land-based sources.

The name and functions of the designated MED POL Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and MED POL Coordinator, as well as to concerned bodies in the Contracting Party.

Tasks

MED POL Focal Points shall be responsible for:

- Coordinating and ensuring the implementation of MED POL programme activities in the Contracting Party;
- Maintaining the relationship between MED POL and governmental/administrative bodies;
- Contributing to the preparation of MED POL Focal Points meetings through comments and proposals either made on their own initiative or relating to documents prepared by MED POL, after consultation with Contracting Party bodies as necessary;
- Attending meetings and reporting on their conclusions to governmental/administrative bodies and MAP Focal Points;
- Disseminating MED POL technical and information documents, guidelines, studies, etc., to concerned bodies and other relevant institutions and stakeholders;
- Ensuring and following up, in consultation with MAP Focal Points, the implementation of relevant recommendations of the Meetings of the Contracting Parties, including monitoring implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (LBS Protocol), the Protocol for the Prevention of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft (Dumping Protocol) and the Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Hazardous Waste Protocol);
- Communicating to MAP Focal Points all information and documents needed for the execution of their tasks, including reports on implementation of and compliance with the LBS, Dumping and Hazardous Waste Protocols, as appropriate;
- Liaising with NGOs, the academic and scientific community and socioeconomic actors concerned with MED POL activities;
- Liaising with the Contracting Party's Focal Points for other relevant environmental conventions;
- Liaising with local representatives of international financial facilities, institutions and programmes for the support of projects related to the implementation of MED POL activities in general and the NAPs in particular;
- Ensuring and coordinating the preparation and implementation of the Contracting Party's marine pollution national monitoring programme, according to MED POL methodology
- Ensuring the collection of data and information deriving from the implementation of monitoring activities and their transmission to the Secretariat;

- Following up the long term implementation of the NAPs to address pollution from land-based sources and collecting and transmitting to the Secretariat all relevant data and information;
- Assisting MED POL in the identification of relevant experts for specific initiatives or consultations.

Support measures

- In order to fulfil their tasks, it is advisable for MED POL Focal Points to receive the following support, as appropriate:

Contracting Party bodies shall:

- Involve MED POL Focal Points in the formulation and implementation of Contracting Party policies, strategies and projects on prevention and control of land-based marine pollution, including monitoring, dumping activities and management of hazardous waste;
- Transmit to MED POL Focal Points all necessary information, in particular for following up those recommendations of the Meetings of the Contracting Parties addressed to the Contracting Parties;
- Provide MED POL Focal Points with adequate resources as required for the execution of their tasks, within the context of broader fiscal and staffing policies and priorities in the Contracting Party.

MED POL shall:

- Provide MED POL Focal Points with all information needed for the execution of their tasks, including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to MED POL Focal Points to enable them to carry out their tasks.

8.6 TERMS OF REFERENCE FOR PAP/RAC FOCAL POINTS

Designation

The PAP/RAC Focal Point shall be designated by the competent Ministry/body of the Contracting Party, in consultation with the MAP Focal Point.

The PAP/RAC Focal Point shall be an appropriately empowered person appointed by the governmental/administrative body responsible for coastal zone management policies.

The name and functions of the designated Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and PAP/RAC Director, as well as to concerned bodies in the Contracting Party.

Tasks

PAP/RAC Focal Points shall be responsible for:

- Maintaining the relationship between PAP/RAC and Contracting Party bodies;
- Contributing to the preparation of PAP/RAC Focal Point meetings through comments and proposals either made on their own initiative or relating to documents prepared by PAP/RAC, after consultation with Contracting Party bodies as necessary;
- Attending meetings of the Focal Points and reporting on their conclusions to governmental/administrative bodies and MAP Focal Points;
- Disseminating PAP/RAC technical and information documents, guidelines, studies, etc., to concerned Contracting Party bodies;
- Following, in consultation with MAP Focal Points, the implementation of relevant decisions and recommendations of the Meeting of the Contracting Parties;
- Liaising with NGOs, the academic and scientific community and socioeconomic actors concerned with PAP/RAC activities;
- Communicating to MAP Focal Points all information and documents needed for the execution of out their tasks, including reports on coastal zone management;
- Liaising with local representatives of international financial facilities, institutions and programmes for the support of projects related to the implementation of PAP/RAC activities;
- Following activities related to the follow-up of the Coastal Areas Management Programme (CAMP) and maintaining links with the responsible institutions and other stakeholders in the implementation of CAMP recommendations;
- Assisting PAP/RAC in the identification of relevant experts for specific initiatives or consultations;
- Following activities in relation to the implementation of Barcelona Convention instruments and obligations related to ICZM.

Support measures

In order to fulfil their tasks, it is advisable for PAP/RAC Focal Points to receive the following support, as appropriate:

Contracting Party bodies shall:

- Associate PAP/RAC Focal Points with the formulation and implementation of national policies, strategies and projects on coastal zone management;
- Transmit to PAP/RAC Focal Points all necessary information, in particular for following up recommendations of the Meeting of the Contracting Parties addressed to countries;

- Provide PAP/RAC Focal Points with adequate resources as required for the execution of their tasks within the context of broader fiscal and staffing policies and priorities in the Contracting Party.

PAP/RAC shall:

- Provide Focal Points with all information needed for the execution of their tasks, including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to PAP/RAC Focal Points to enable them to carry out their tasks.

8.7 TERMS OF REFERENCE FOR REMPEC FOCAL POINTS

Designation

The REMPEC Focal Point shall be designated by the competent Ministry/body of the Contracting Party, in consultation with the MAP Focal Point.

The REMPEC Focal Point shall be an appropriately empowered person appointed by the Contracting Party's body responsible for policy related to marine pollution from maritime activities and measures for combating it. If this body is not the same as—or part of—the body responsible for marine pollution emergencies, it is advisable to consider designating two REMPEC Focal Points: one responsible for preparedness and response to marine pollution accidents, and the other responsible for prevention of pollution from ships.

The name and functions of the designated REMPEC Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and to the REMPEC Director, as well as to concerned bodies in the Contracting Party.

Tasks

REMPEC Focal Points shall be responsible for:

- Maintaining the relationship between REMPEC and governmental/administrative bodies;
- Regularly providing REMPEC with the information specified in Articles 4 and 7 of the Prevention and Emergency Protocol, and any other information relevant to its implementation;
- Contributing to the preparation of REMPEC Focal Point meetings through comments and proposals either made on their own initiative or relating to documents prepared by REMPEC, after consultation with relevant Contracting Party authorities as necessary ;
- Attending meetings of REMPEC Focal Points and reporting on their conclusions to governmental/administrative bodies and to MAP Focal Points;
- Disseminating REMPEC technical and information documents, guidelines, studies, etc., to concerned authorities and other stakeholders within the Contracting Party ;
- Following, in consultation with MAP Focal Points, the implementation of relevant decisions and recommendations of the Meetings of the Contracting Parties, including monitoring, in particular, the implementation of the Regional Strategy for prevention of and Response to Marine Pollution from Ships;
- Liaising with NGOs, the academic and scientific community and socioeconomic actors concerned with REMPEC activities;
- Communicating to MAP Focal Points all information and providing them with the documents needed for the execution of their tasks, including reports on implementation of and compliance with the Prevention and Emergency Protocol, as appropriate;
- Liaising, as appropriate, with the authorities responsible for the implementation of relevant IMO and ILO Conventions;
- Liaising with local representatives of international financial facilities, institutions and programmes for the support of projects related to implementation of REMPEC activities;
- Ensuring that the Contracting Party's component of the regional communication and information system is always fully operational;
- Providing assistance, as appropriate, to REMPEC in organizing national, sub-regional and regional training activities, meetings and exercises;
- Assisting REMPEC in creating and maintaining up-to-date databases relevant for responding to oil spills and releases of other hazardous and noxious substances, and for prevention of pollution from ships, including in particular “country pages” on the REMPEC website;

- Facilitating work within the Contracting Party, as appropriate, by the Mediterranean Assistance Unit, following its activation in the event of a serious marine pollution accident;
- Keeping REMPEC regularly informed on: (a) competent Contracting Party authorities in charge of oil pollution preparedness and response; (b) Contracting Party operational contact points (operational 24 hours a day) responsible for receipt and transmission of marine pollution reports; (c) the Contracting Party authority entitled to act on behalf of the State to request and render assistance in case of emergency; and (d) Contracting Party authorities responsible for prevention of pollution from ships;
- Assisting REMPEC in the identification of relevant experts for specific initiatives or consultations.

Support measures

- In order to fulfil their tasks, it is advisable for REMPEC Focal Points to receive the following support, as appropriate:

Contracting Party bodies shall:

- Involve REMPEC Focal Points in the formulation and implementation of Contracting Party policies, strategies and projects related to the prevention and combating of marine pollution from maritime activities;
- Transmit to REMPEC Focal Points all necessary information, in particular for following up those recommendations of the Meetings of the Contracting Parties addressed to Contracting Parties;
- Provide REMPEC Focal Points with adequate resources as required for the execution of their tasks, within the context of broader fiscal and staffing policies and priorities in the Contracting Party.

REMPEC shall:

- Provide Focal Points with all information and training needed for the execution of their tasks, including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to Focal Points to enable them to carry out their tasks.

NOTE: In the event of marine pollution emergencies, all communications between REMPEC and the competent authorities of the Contracting Party concerned shall be established and maintained through the Contracting Party's Centre or Contact Point, operational 24 hours a day, which will be responsible for further dissemination of all such communications within the Contracting Party.

8.8 TERMS OF REFERENCE FOR SPA/RAC FOCAL POINTS

Designation

The SPA/RAC Focal Point shall be designated by the competent Ministry/body of the Contracting Party, in consultation with the MAP Focal Point.

The SPA/RAC Focal Point shall be an appropriately empowered person appointed by the governmental/administrative body responsible for Contracting Party policy on marine and coastal biodiversity and protected areas.

The name and functions of the designated Focal Point shall be communicated by the MAP Focal Point to the MAP Secretariat and SPA/RAC Director, as well as to concerned bodies in the Contracting Party.

Tasks

SPA/RAC Focal Points shall be responsible for:

- Maintaining the relationship between SPA/RAC and governmental/administrative bodies;
- Contributing to the preparation of SPA/RAC Focal Point meetings through comments and proposals either made on their own initiative or relating to documents prepared by SPA/RAC, after consultation with Contracting Party bodies as necessary;
- Attending Focal Point meetings and reporting on their conclusions to governmental/administrative bodies and MAP Focal Points;
- Disseminating SPA/RAC technical and information documents, guidelines, studies, etc., to concerned bodies;
- Following, in consultation with MAP Focal Points, the implementation of relevant decisions and recommendations of Meetings of the Contracting Parties, including implementation of the Strategic Action Programme for the Conservation of Biological Diversity in the Mediterranean (SAP BIO) and its related National Action Plans (NAPs);
- Liaising with NGOs, the academic and scientific community and socioeconomic actors concerned with SPA/RAC activities;
- Communicating to MAP Focal Points all information and documents needed for the execution of their tasks, including reports on implementation of and compliance with the SPA and Biodiversity Protocol as appropriate;
- Liaising with other Focal Points for relevant environmental conventions on marine and coastal biodiversity issues;
- Liaising with local representatives of international financial facilities, institutions and programmes for the support of projects related to implementation of SPA/RAC activities and NAPs ;
- Communicating to SPA/RAC all information on implementation of and compliance with the Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA and Biodiversity Protocol);
- Disseminating SPA/RAC questionnaires, enquiries, etc., on specific issues relevant to the SPA and Biodiversity Protocol;
- Disseminating announcements, invitations, programmes, etc., of various events organized by SPA/RAC to appropriate bodies, organizations, resource persons, etc. ;
- Consulting with governmental bodies on the nomination of Contracting Party experts to participate in SPA/RAC meetings and activities;
- Coordinating and helping, as appropriate, in the organization of events/missions relevant to the SPA and Biodiversity Protocol in the Contracting Party;
- Assisting SPA/RAC in the identification of relevant experts for specific initiatives or consultations.

Support measures

- In order to fulfil their tasks, it is advisable for SPA/RAC Focal Points to receive the following support, as appropriate:

Contracting Party bodies shall:

- Associate SPA/RAC Focal Points with the formulation and implementation of Contracting Party policies, strategies and projects on marine and coastal biodiversity, including monitoring and scientific research;
- Transmit to SPA/RAC Focal Points all necessary information, in particular for following up those recommendations of the Meeting of the Contracting Parties addressed to Contracting Parties;
- Provide SPA/RAC Focal Points with adequate resources as required for the execution of their tasks, within the context of broader fiscal and staffing policies and priorities in the Contracting Party.

SPA/RAC shall:

- Provide SPA/RAC Focal Points with all information needed for the execution of their tasks, including technical details considered useful for proper understanding and evaluation;
- Provide support, including appropriate training, to SPA/RAC Focal Points to enable them to carry out their tasks.

9. VISIBILITY

Improving overall MAP visibility and its key role in the protection of the Mediterranean Sea area is a critical and ongoing collective responsibility of all MAP components. Each RAC will commit and contribute to the collective goals of UNEP/MAP especially in knowledge management-dissemination and visibility. The mandate of each RAC shall highlight how it should contribute to these goals, under the overall coordination of the MAP Secretariat.

In this respect and to move towards concrete actions, the common information and communication policy/strategy mentioned in section 2.4 of this document shall identify:

- Objectives and draft general principles of a common MAP IC strategy;
- Operational modalities related to.
 - ordinary (daily, weekly, monthly, bi-monthly, etc.) information management and dissemination issues;
 - cases of emergency/crisis (i.e. accidents, major events, etc.), defining the modalities and responsibilities of operation of the MAP components and the Secretariat, and how to raise visibility and mobilize responses in a coordinated manner in special circumstances

The policy shall identify the need for media strategies capable of adapting MAP messages to the target audience, and of using tools with multiplier effects.

One of the main 'common' and concrete outcomes of the implementation of the MAP information and communication policy will be the bi-annual "State of the Environment" report, elaborated by the Secretariat based on the Contracting Parties' reports to the Barcelona Convention and its protocols and publicly available data, focused on thematic areas of competence of centres. Dissemination of this report will concretely help raise the visibility of the MAP / Barcelona Convention.

10. NEW TERMS OF REFERENCE FOR THE MCSD

The Mediterranean Commission for Sustainable Development (MCSD) was established in 1995 in the framework of the Mediterranean Action Plan (MAP) as an advisory body to the Contracting Parties to assist them in their efforts to integrate environmental issues in their socioeconomic programmes and, in so doing, promote sustainable development policies in the Mediterranean region. The Commission is unique in its composition, in as much as government representatives, local communities, socioeconomic actors, IGOs and NGOs participate on an equal footing. During the first decade of its existence, the MCSD has carried out high-quality undertakings, mobilising work on priority themes for the Mediterranean, notably, water resources, integrated coastal zone management, tourism, industry etc., and developing the MSSD.

Ten years after its founding, the MCSD needs to be reformed, taking into account new international and regional developments (the Johannesburg Plan of Implementation, the Millennium Development Goals, the MSSD, etc.). Whatever the option chosen, better interaction should be sought between the MCSD and the United Nations Commission on Sustainable Development (CSD), for instance regarding the choice of themes, which should bring a breath of fresh air to the MCSD and allow its fuller integration into the international actions being carried out in favour of sustainable development. Furthermore, the composition of the Commission should be reviewed to ensure it achieves greater representativeness and fosters a sense of ownership by the entire Mediterranean community. Furthermore, the role of the Commission should be better clarified in relation to the overall MAP system and to the Barcelona Convention and its Protocols.

1- Mandate

The MCSD is an advisory body and represents a forum for debate with essentially the following missions:

- Assist Mediterranean countries and other stakeholders active in the region in the adoption and implementation of sustainable development policies, including the integration of environmental considerations into other policies
- Ensure the follow-up of MSSD implementation through appropriate tools, mechanisms and criteria that would better enhance an efficient follow-up function
- Promote the exchange of experience and good practices regarding the integration of environmental and socioeconomic policies, as well as examples which show the application of international sustainable development commitments at suitable scales in different countries
- Identify the obstacles encountered and support regional and subregional cooperation for the effective implementation of the sustainable development principle
- Coordinate the periodical drafting of the report on the state of implementation of the MCSD recommendations
- Produce opinions of the overall MAP Work Programme and the functioning of the Coordinating Unit and the RACs, with the aim of integrating sustainability considerations into the MAP / Barcelona Convention system as a whole.

2- Composition

The MCSD is a forum for debate and exchange of experiences on sustainable development issues that concern all interested parties in the Mediterranean region. It would therefore be appropriate to involve the greatest possible variety of national actors in the work of the Commission, so as to ensure the greatest possible dissemination of the concepts promoted by the MCSD. For this to be achieved the composition of the Commission should be expanded as follows:

- 22 representatives designated by the competent bodies of the Contracting Parties
- 3 representatives of local authorities
- 3 representatives of NGOs
- 3 representatives of socio- economic stakeholders
- 3 representatives of the scientific community
- 3 representatives of intergovernmental organizations working in the field of sustainable development
- 3 eminent experts in the field of the topics of the MCSD meeting agenda

Efforts should be made to ensure participation of representatives from both environmental and development sector related to the topics of the agenda of each meeting of the MCSD.

Appropriate geographical representation, and media participation, should be ensured.

3- Periodicity of meetings

The Commission will hold an ordinary meeting on a biannual basis and extraordinary sessions on a need-be basis.

4 – Steering Committee

A Steering Committee, meeting annually, will oversee the work of the MCSD between sessions.

5- Secretariat

The Secretariat of the Commission will be under the authority of the MAP Coordinating Unit.

6- Functioning

The Commission will hold an ordinary meeting on a biannual basis with a multi-annual planning programme. Each session will focus on sectoral issues (MSSD and CSD themes) and on cross-sectoral issues (education, public access to information, financing and cooperation, technology transfer etc.). MCSD recommendations will be presented for consideration to the Meeting of the Contracting Parties, following discussion at the meeting of the MAP Focal Points. The conclusions of the meetings should influence the Work Programme of the MAP system, and the implementation of the Barcelona Convention in the Contracting Parties.

7- Reports

Before each session, each member should provide a concise report focusing on the implementation of MCSD recommendations, following a basic draft prepared by the Secretariat. The Secretariat will then prepare a summary report to be presented at the beginning of each session. The Regional Activity Centres (RACs) should also provide a report on the implementation of MCSD recommendations relevant to their line of work.

Actions Needed to Bring MAP system into line with Governance Paper

- 1. The position of a Deputy Coordinator with horizontal responsibilities will be re-established, with more distinctive operational and networking responsibilities.**
- 2. An Executive Coordination Panel (ECP) will be established with the tasks and functions indicated in the Governance document, formalising the meetings of the RAC Directors and reporting to the Bureau and MAP Focal Points.**
- 3. The Executive Coordination Panel will design and establish a system to integrate the activities to be carried out by the MAP Components during the biennium, based on the programming section of the Governance document.**
- 4. The current auditing system will be improved with a regular cross-audit of all MAP Components. It will look at activities financed by MTF as well as those funded by any other external source.**
- 5. A specific section of the MAP internet website will be dedicated to the governance reform process.**
- 6. A standard format for compiling/revising the MAP Components mandates will be prepared and distributed by the Coordinating Unit, for approval by the Conference of the Parties.**
- 7. Each MAP Component will compile/revise its mandate according to the agreed format in consultation with the MAP Coordinating Unit and ECP, for approval by the Contracting Parties.**
- 8. A template shall be developed for the harmonization of the Host Country Agreements of the RACs, in line with the UN standards. Reference to the HCA shall be made in each RAC's mandate.**
- 9. Assessment of the advantages and disadvantages of according international status to the RACs**
- 10. Review and updating of the MAP Information and Communication Policy.**

15th Meeting of the Contracting Parties

Decision IG 17/5: Implementation of the ecosystem approach to the management of human activities that may affect the Mediterranean marine and coastal environment

The 15th Meeting of the Contracting Parties,

Recalling decision V/6 of the Conference of the Parties to the Convention on Biological Diversity regarding the description and the application of the ecosystem approach,

Recalling paragraph 30(d) of the Johannesburg Plan of Implementation encouraging the application of the ecosystem approach by 2010,

Recalling also its decision, adopted at its 14th Meeting held in Portoroz, Slovenia, to follow the initiative of the European Commission relating to a project on the ecosystem approach, with a view to the possible application of the ecosystem approach by the whole MAP system,

Acknowledging with satisfaction the work accomplished in the framework of the joint EC/MAP project on the application of the ecosystem approach,

Noting with appreciation the conclusions and recommendations of the Government-designated Experts' Meeting held in Athens in February 2007,

Decides to progressively apply the ecosystem approach to the management of human activities that may affect the Mediterranean marine and coastal environment for the promotion of sustainable development;

Decides to initiate a process, involving scientists and policy makers, and when appropriate, other competent bodies/organizations/authorities, aiming at the gradual application of the ecosystem approach which would include the following steps:

- i) Definition of an ecological Vision for the Mediterranean.
- ii) Setting of common Mediterranean strategic goals.
- iii) Identification of important ecosystem properties and assessment of ecological status and pressures*.
- iv) Development of a set of ecological objectives corresponding to the Vision and strategic goals.
- v) Derivation of operational objectives with indicators and target levels.
- vi) Revision of existing monitoring programmes for ongoing assessment and regular updating of targets.
- vii) Development and review of relevant action plans and programmes;

Agrees, as far as the first step of the process is concerned, on the following ecological vision for the Mediterranean:

“A healthy Mediterranean with marine and coastal ecosystems that are productive and biologically diverse for the benefit of present and future generations”;

* From this step onwards, it is necessary to consider the appropriate spatial and temporal scale of application of the approach

Agrees, as far as the second step of the process is concerned, on the following strategic goals for marine and coastal areas, on the basis of the relevant priority field of action of the MSSD and the experience gained by other international and regional bodies:

- a) *To protect, allow recovery and, where practicable, restore the structure and function of marine and coastal ecosystems thus also protecting biodiversity, in order to achieve and maintain good ecological status and allow for their sustainable use.*
- b) *To reduce pollution in the marine and coastal environment so as to minimize impacts on and risks to human and/or ecosystem health and/or uses of the sea and the coasts.*
- c) *To prevent, reduce and manage the vulnerability of the sea and the coasts to risks induced by human activities and natural events;*

Requests the Secretariat to continue work on the basis of the road map specified above, taking into consideration relevant work undertaken by other regional and international organizations and initiatives and enhancing cooperation with them.

15th Meeting of the Contracting Parties

Decision IG 17/6: Operational Document of MED POL Phase IV (2006-2013)

The 15th Meeting of the Contracting Parties,

Taking into account the role of MED POL to assist the Parties in the implementation of the LBS, the Dumping and the Hazardous Waste Protocols,

Taking into account the results of the external evaluation of MED POL Phase III,

Considering the need to formulate a programme that would better integrate the marine pollution control and assessment components,

Recalling the need to take into consideration the future application of the ecosystem approach to the management of human activities,

Reaffirming the need to strengthen cooperation with all relevant international and regional Institutions, bodies and initiatives,

Recognizing the need to cooperate closely with all relevant stakeholders including the private sector and the civil society,

Recalling the adoption by the Parties in 2005 of the scope and content of the MED POL Phase IV Programme,

Taking into account the recommendations of the Meeting of the MED POL National Coordinators held in Hammamet in June 2007;

Decides

To adopt the Operational Document of MED POL Phase IV contained in the Annex to this draft decision.

ANNEX
OPERATIONAL DOCUMENT OF MED POL PHASE IV
(2006-2013)

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EXECUTIVE SUMMARY

This document provides the basis for implementing the MED POL Phase IV Programme. Rather than replacing Phase III, the implementation plan should be seen as an evolution and expansion of ongoing activities. Although countries have indeed made important and concrete steps towards the control of land-based pollution during the last years, the lack of the necessary ratifications of the 1995 Dumping Protocol, the 1996 Land-based Protocol and the 1996 Hazardous Waste Protocol, which did not allow them to enter into force, remains a very negative mark for the Barcelona Convention system. In the specific context of the MED POL Phase IV Programme, their entry into force would in fact provide the activities with a more solid legal strength and better prospects of implementation. Any efforts should therefore be made by the countries with the assistance of the Secretariat to overcome possible problems and complete the ratification procedures as soon as possible.

Apart from maintaining, and as required improving, the implementation of activities initiated during Phase III, the evolution of the MED POL Programme into Phase IV will attempt to better integrate its activities (e.g. monitoring) into the Strategic Action Programme and the Protocols (Land Based Sources, Dumping, and Hazardous Waste), and to operationally link with relevant international initiatives (European Marine Strategy and the Euro-Mediterranean Horizon 2020 Initiative, the Stockholm, Basel and London Conventions, and the Global Marine Assessment). MED POL will participate in the implementation of the ecosystem approach by MAP. Progress in the implementation of the SAP and the Protocols will be measured through monitoring of relevant indicators while implementation tools (data quality assurance programme, training, capacity building) will be modified accordingly. The environmental data will be integrated into an Information System to facilitate better interpretation in order to assess the state of the marine environment, the efficacy of pollution control measures, and compliance with the Barcelona Convention and its Protocols.

The Secretariat will follow up and monitor the implementation of Sectoral Plans (SPs) and National Action Plans (NAPs) based on a continuous process of review and evaluation. MED POL will develop a policy and promote the transfer of technology and know how, and consequently to facilitate the implementation of NAPs. Assistance will continue to be provided to the countries for the priority actions described in the NAPs and access to existing financial sources will be facilitated.

Enhanced cooperation is envisaged between MED POL and private industry, stakeholders, civil society, competent international organizations. More in particular, closer links will be established with the MAP RACs and specific synergies will be set up to make better use of the available competencies within the MAP system and avoid overlaps. Phase IV anticipates improved collaboration between MED POL and the scientific community, a reciprocal relationship that will improve the interpretation of environmental monitoring data, thereby helping to elucidate gaps in the information, develop better predictive capabilities and improve the understanding of the marine and coastal ecosystems of the Mediterranean Sea in order to aid environmental policy makers and managers.

The Barcelona Convention and its Protocols stipulate a number of obligations that must be assumed by the Contracting Parties. Many tasks that were initiated during Phase III in fulfilment of such responsibilities will continue during Phase IV. Thus, countries will continue to ensure the coordination of policy-making, monitoring and pollution mitigation. Results from the monitoring programme will be integrated for purposes of environmental assessments and reporting to MED POL. MED POL Phase IV will increase the scope and importance of these activities.

The responsibilities of the MED POL Coordinating Unit have and will increase over time, particularly as the relevant Protocols will come into force. The management challenge of

Phase IV is to achieve better integration of the various components into which MED POL has grown and to react to the recommendations made as result of the review of MED POL Phase III. An information and communication strategy, aimed at increasing the visibility of the monitoring programme at the local and national levels, will be developed as an integral part of the ongoing development of the MAP Information Strategy and the MED POL Information System.

1. INTRODUCTION

The scope of MED POL Phase IV was adopted at the Meeting of the Contracting Parties held in Slovenia, 8-11 November 2005 (UNEP(DEC)/MED IG.16.5/Annex III). MED POL IV will retain most of the basic elements of MED POL III, and as such will continue to deal with marine and coastal pollution assessment and control by using the same tools (e.g. monitoring, capacity building, assessments, elaboration of control measures, etc.) that were successfully implemented in the past. However, considering the results of the evaluation of MED POL Phase III, based on the analysis of MAP's legislative framework and the contemporary initiatives and trends in environmental protection, and the recent policy developments at the region and the international levels, it appears that a number of important issues had not, or not adequately, been covered by the scope of MED POL III and will be gradually included in its Phase IV, as agreed by the Contracting Parties (see doc. UNEP(DEC)/MED IG.16.5/Annex III). In particular:

- a) Control of sources of pollution in river watersheds and ground waters, as related to the inputs into the marine environment (as advocated by WSSD and the European Union, and as envisaged by the relevant articles of the LBS Protocol²⁸). Initially it may be reasonable to cover only the estuaries, particularly if they are declared also as hot spots, and move gradually upstream only in this case;
- b) Plans and programmes to counter physical alteration and destruction of habitats in cooperation with the competent regional bodies (as advocated by Agenda 21, SAP);
- c) Inclusion of the analysis of relevant social and economic factors such as the analysis of the social and economic roots of environmental degradation into the assessment of the state of the marine environment;
- d) A wider use of preventive and precautionary actions in pollution control, especially by preparation of environmental impact assessments, BAT and BEP for planned activities that may be a major source of marine pollution (as envisaged by the LBS and Dumping Protocols, and the SAP);
- e) More integration between the monitoring programme and the legal instruments;
- f) Development of financial tools to support the implementation of SAP/NAPs including strengthening operational contacts with regional and international donors;
- g) Meaningful involvement of, and collaboration, with the private sector and other stakeholders in designing and implementation of pollution control programmes and in the evaluation of their results;

²⁸ Article 3, paragraph (b) of the Protocol: The area to which Protocol applies shall be the hydrological basin of the Mediterranean Sea. Article 4, paragraph 1(a) of the Protocol: The Protocol shall apply to discharges from LBS point and diffuse sources and activities within the territories of the Contracting Parties that may affect directly or indirectly the Mediterranean Sea area. These discharges shall include those which reach the Mediterranean Area, as defined in Article 3(a), (c) and (d) of this Protocol, through coastal disposal, rivers, outfalls, canals, or other watercourses, including ground water flow, or through run-off and disposal under the seabed with access from land. Article 8 of the Protocol specifies that the Parties shall carry out at the earliest possible date monitoring activities, presumably covering the Protocol area, i.e. the hydrological basin of the Mediterranean.

- h) Intensified dissemination of information on the problems associated with the Mediterranean; mobilisation of public support to the goals of MAP/MED POL; preparation and wide distribution of reports addressed to general public, by making effective use of information technology (IT);
- i) Intensified and well-structured programmes that may facilitate cooperation for the transfer of technology between countries in order to reduce the existing technological gaps in the pollution reduction processes;
- j) Treatment of the "marine environment" in a holistic way, *i.e.* as an integral whole consisting of the sea area and the adjacent terrestrial coastal area (as advocated by Agenda 21 and the WSSD, and as implied by the revised title of the Barcelona Convention and envisaged by the amended Article 1 of the Convention²⁹);
- k) Application of the ecosystem approach to the management of human activities, including pollution control (as advocated by a large segment of scientific community, proposed by SAP³⁰ and the European Union, advocated by the MED POL Phase III evaluation and adopted by a number of regional pollution control programmes³¹);
- l) Intensified collaboration with natural and social scientists, and better use of scientific understanding of marine and coastal ecosystems as a functional basis for sound decision-making;
- m) Monitoring and assessment of the environmental effects and ecological implications of fisheries management, including aquaculture, on ecosystems (as advocated by the ecosystem approach to the management of human activities and practised by other Europe-based regional seas programmes) as well as of sea water desalination activities;
- n) Monitoring and assessment of environmental effects associated with energy production and maritime transport, in cooperation with other competent international and regional bodies;
- o) Assessment of the health risk associated with the quality of bathing and shellfish-growing waters, tourist establishment and facilities.

Some of the above issues may appear as beyond the scope of a programme initially designed for marine pollution control. However, while sectoral and narrowly defined control of marine pollution may have been seen in 1975 as an effective remedy to the woes of the Mediterranean basin, the changes adopted since 1995 in MAP's legislative framework are a clear indication that the Parties to the Convention have shifted the focus of their attention. The focus is no longer only the protection of the Mediterranean Sea against pollution but extends to a broader and more ambitious goal: to the protection of the marine environment and the coastal region of the Mediterranean as a contribution to sustainable development. Agenda 21, the contemporary global and regional initiatives and trends in the approach to environmental protection, and the change in the philosophy underpinning the current

²⁹ The title of the Convention: Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean. Article 1, paragraph 2 of the Convention: The application of the Convention may be extended to coastal areas as defined by each Contracting Party.

³⁰ One of the targets proposed in the SAP is to safeguard the ecosystem function, maintain the integrity and biological diversity of species and habitats.

³¹ For instance: HELCOM and OSPAR.

legislative framework of MAP, justify certain adjustments in the present scope of MED POL.

2. PURPOSE OF THIS DOCUMENT

The MED POL Phase IV Programme (2006-2013) was adopted at the Contracting Parties in Slovenia, 8-11 November 2005. The text comprised Annex III to the recommendations for 2006-2007 UNEP(DEC)/MED IG.16.5/Annex III. With respect to MED POL Phase IV, this document outlined:

- i) Overall principles and goals
- ii) Basic principles and assumptions
- iii) Scope
- iv) Modalities of implementation

The operational details of implementation were to be elaborated during a transitional period (2006-2007). The purpose of this document is to provide a basis for formulating the implementation plan for MED POL Phase IV.

In preparing this document, the Secretariat has taken into account a number of events/documents/meetings related to some components or to the Programme as a whole. In particular, the Third Review Meeting on MED POL – Phase III Monitoring Activities held in Palermo (Sicily, Italy), 12-15 December 2005 (UNEP(DEC)/MED WG.282/5) that critically reviewed the implementation of the monitoring activities; the “Evaluation of MED POL Phase III Programme” (UNEP(DEC)/MED WG.264/3), a far-reaching report with several criticisms and recommendations; the initial results of the implementation of the Strategic Action Programme (SAP MED) and the preparation of NAPs, which ushered into the region an era of effective collective pollution reduction, along with specific deadlines; the recommendation made by the Contracting Parties to MAP and MED POL to explore the gradual application of the ecosystem approach to the management of human activities; and recent initiatives such as the European Commission’s Marine Strategy and the Euro-Mediterranean Partnership’s Horizon 2020 Initiative.

While this document is expected to provide the Contracting Parties with concrete indications of how MED POL Phase IV will ensure the implementation of the agreed activities, it is anticipated that certain aspects of the Programme will need further elaboration. In particular, while a number of technical and scientific details of the monitoring programme will need to be gradually formulated through a consultative process together with national scientists, regional experts and MED POL Coordinators, it is evident that the possible application of the ecosystem approach, the formulation of a new legally-binding Strategic Action Programme and the possible agreement on the use of a differentiated approach to the pollution reduction process, if achieved, would necessarily imply a further evolution and an adaptation of the management of the activities that will be appropriately discussed at a later stage with MED POL National Coordinators and Contracting Parties.

3. SCOPE OF MED POL PHASE IV

3.1. Control and assessment

As agreed by the Contracting Parties, MED POL Phase IV will retain most of the basic elements of MED POL Phase III, and as such will continue to deal with marine and coastal pollution assessment and control by using the same tools (*e.g.* monitoring, capacity building, assessments, elaboration of control measures, etc.) that were successfully implemented in the past, as appropriately revised. The implementation of the LBS, Dumping and Hazardous Waste Protocols and the SAP will remain the backbone of the control and assessment activities.

3.1.1 Implementation of the LBS Protocol and the SAP MED

The Contracting Parties will follow up and monitor the implementation of the Sectoral Plans (SPs) and the National Action Plans (NAPs) based on a continuous process of review and evaluation of all draft SPs, NAPs and will inform the Secretariat accordingly. MED POL will make every effort to ensure that the process is completed satisfactorily in all countries through contacts and country visits. Additionally, in order to ensure the sustainable implementation of the NAPs, the Secretariat will strengthen information campaigns on NAPs throughout the region and will work to obtain the maximum political support for the Plans in each country. It will also work closely with national authorities and donors on the long-term financing of NAPs and for the effective participation of civil society in their implementation.

MED POL, to complete the picture on potential diffuse sources of pollutants into the Mediterranean Sea, will initiate activities aiming at the estimation of (a) atmospheric inputs of pollutants, (b) pollutant inputs from submarine ground water discharges (c) nutrient inputs from rivers (order of magnitude) and (d) substances released to the environment through non-point sources or multiple small localized sources (area source). It will also promote the use of modeling tools to facilitate estimation of inputs from diffuse sources, evaluation of the absorbing capacity of the marine environment and the preparation of state of the environment reports.

One of the pillars of the implementation of the NAPs is integrated pollution control, with an emphasis on cleaner production concept and tools. Whereas MED POL and CP/RAC have already tackled relevant technical aspects in the framework of the GEF Project, the issue of the acquisition by the national stakeholders of the necessary technology to perform pollution reduction remains critical. MED POL will promote the transfer of technology and know how, and consequently to facilitate the implementation of NAPs in Mediterranean countries.

Based on the vast information obtained during the implementation of the SAP MED, the Secretariat, with the assistance of GEF, will undertake an assessment of the needs of individual countries for the development and implementation of policies and legislation aimed at addressing the sectoral causes of the environmental degradation of the Mediterranean. Public participation and information will be given priority in the assessment process.

As indicated in the SAP MED, "States have common and differentiated responsibilities" regarding the degradation of the marine environment. As a result of a number of activities and consultation meetings which indicated that the Mediterranean Countries are willing to cooperate in the framework of a differentiated mechanism to ensure the implementation of the NAPs in the most cost effective manner, MED POL will continue to develop the elements of the mechanism to reach

a regional consensus to ensure the equity and fairness of national efforts to reduce inputs of pollution into the marine environment. It is expected that through the implementation of a convenient differentiation mechanism, the Mediterranean Countries would cooperate in a meaningful way to respect their obligations under the current and the new legally binding action plans and programmes containing measures and timetables ensuring fairness, equity and benefits to their actions.

Long-term financing is clearly critical to the process of the implementation of the NAPs. The Secretariat will continue to work with the GPA, the GEF-World Bank-MAP Strategic Partnership and the EC 2020 initiative to depollute the Mediterranean and other donors to facilitate the process of ensuring the financial sustainability of NAPs. Assistance will continue to be provided to the countries for the development of specific initiatives, focussing on the short-term arrangements for the financing of priority actions of NAPs in Hot Spots and priority actions for 2010 and the framework conditions developed for the implementation of medium to long-term actions. In this framework, MED POL will facilitate the access to existing financial sources.

3.1.2 Implementation of the Dumping Protocol

MED POL will more actively assist countries to implement the Dumping Protocol. Following the positive results of the national meetings organized in 2006 by MED POL in a number of countries to review the institutional, legal and technical aspects of the management of dumping activities, MED POL will continue to assist countries in assessing national needs and facilitating the proper application of the Dumping Protocol and its adopted Guidelines. MED POL will prepare a methodology for the development of national limit values for contaminants in dredged materials.

In addition, MED POL will work towards the integration of the dumping sites in each of the Mediterranean countries into the conventional monitoring programme.

The Mediterranean region shows an upward trend in the offshore oil and gas exploration activities. As a result, the issue of dismantling and dumping offshore platforms will be given higher importance through close cooperation and awareness programmes for the proper implementation of the adopted Guidelines.

MED POL will strengthen cooperation with the London Convention Secretariat. Ongoing activities related to the exchange of data and information will continue. A new key requirement will be to ensure the harmonization of the respective reporting systems. Moreover MEDPOL will launch the on-line reporting system related to dumping Protocol.

On the basis of the outcome of on-going international developments, and in particular the related London Convention assessment, MED POL will inform the Contracting Parties on any relevant emerging issues. After the entry into force of the Dumping Protocol, MED POL may advise the Contracting Parties to launch a process of amending the Protocol in relation to CO₂ injections in sub-seabed geological formations to combat global climate change and to any other relevant emerging issue.

3.1.3 Implementation of the Hazardous Wastes Protocol

MED POL has strengthened cooperation with the Basel Convention Secretariat and its relevant Regional Centres (BCRCs). A joint pilot project has recently been launched in Bosnia and Herzegovina to set up national inventories of lubricating oils

and assess their impacts and to develop a national environmental sound management system for lubricating oils. The project will serve as a model for other Mediterranean countries.

In parallel with this project, MED POL will prepare an inventory of the quantities of batteries generated in countries and collect information on their management. The environmental sound management of batteries will be subject to a regional partnership with relevant producers and managers of communication companies. In addition, the issue of the management of obsolete chemicals will be addressed and assistance will be provided to countries, upon request, for the development of an appropriate management system and to facilitate their disposal. POPs and specifically PCBs will be of special interest due to the magnitude of the issue in the region and because of their special relevance to the implementation of the Stockholm Convention. Finally, MED POL will assess the feasibility for the development of guidelines to address the management of electronic waste, by-products from dismantling of ships and medical waste.

Noting the lack of ratifications of the Hazardous Wastes Protocol, MED POL, in cooperation with technical and legal experts, will endeavor to identify the reasons for the lack of progress and will propose specific measures to revitalize the Protocol.

MEDPOL will continue to improve its cooperation and coordination with the Basel Convention and its BCRC and any other UN office active in the region in matters related to illegal traffic of hazardous waste, management of e-waste and partnership with the private sector. The cooperation with CP/RAC will continue in the framework of the implementation of the Regional Plan for the reduction by 2010 of 20% of hazardous waste from industrial origin which was adopted by the Contracting Parties meeting in Catania in 2005.

3.1.4 Assessment of the Implementation of Protocols

3.1.4.1 Overview of Monitoring Activities in MED POL Phase III

As a basis for recognizing changes in the monitoring programme, it is useful to have an overview of the activities that comprised MEDPOL Phase III, as summarized in document UNEP(DEC)/MED WG.282/3.

According to Article 12 of the Barcelona Convention all Contracting Parties shall establish monitoring programmes and designate the competent authorities responsible for pollution monitoring. In addition, Article 8 of the Land-Based Sources Protocol stipulates that these monitoring programmes should aim:

- a) “Systematically to assess, as far as possible, the levels of pollution along their coasts, in particular with regard to the sectors of activity and categories of substances listed in Annex I, and periodically to provide information in this respect; and
- b) To evaluate the effectiveness of action plans, programmes and measures implemented under this Protocol to eliminate to the fullest possible extent pollution of the marine environment”.

The monitoring activities in MED POL Phase III Programme (1996-2005) were designed in consideration of the above, and with the following specific objectives:

- to determine temporal trends of some selected contaminants in the coastal waters and specifically in hot-spot areas in order to assess the effectiveness of policy measures and actions taken ;
- to undertake periodical assessments of the state of the environment in hot spots and general coastal areas (needed to provide information for decision makers on the basic environmental status of the areas which are under anthropogenic pressures), and
- to control pollution by means of compliance to national / international regulatory limits.

Concerning the trend-monitoring component, its specific aim is to detect site-specific temporal trends of selected contaminants basically at the designated hot spot sites in the coastal marine environment. The aim is eventually to monitor the effectiveness of control measures taken at pollution hot spots with long-term data of several decades or more. Trends in pollutant or contaminant levels, in general, are also considered as “state” indicators of pollution and are included in most of the regional monitoring programmes to provide inputs to the assessments of the state of the marine environment.

Monitoring of loads aims to provide estimates of inputs of some major groups of pollutants (all listed in the Land Based-Sources Protocol) to the coastal marine environment via point (rivers, municipal and industrial effluents) and non-point (run off) land-based sources as well as through the atmosphere.

Compliance monitoring, covers health-related conditions in bathing and shellfish/aquaculture waters as well as contaminant concentrations in effluents, aiming at pollution control. In order to achieve fully the objectives of this type of monitoring, countries are encouraged to prepare compliance reports by comparing

their results with the existing limit values of their national and/or international and regional legislation.

Biological effects monitoring (monitoring with biomarkers) was also included in the monitoring programmes as a pilot activity to test the methodology and its use as an early-warning tool to detect any destructive effects of pollutants on marine organisms at the initial stage of exposures. Biomarkers, in general, are considered as "impact" indicators used for the evaluation of toxic effects of pollutants on coastal marine life. They can in fact be considered as the most direct method to assess exposure to, and effects of, chemical contaminants at very early stages (at cellular or organism level).

Another component of the MED POL Phase III Programme is the monitoring of eutrophication that was mainly implemented through pilot studies. The monitoring sites are those where eutrophication phenomena are common and, in addition, potentially risk areas under the direct impact of anthropogenic nutrient and organic material inputs.

Another activity that has been initiated in Phase III is that of baseline studies with the participation of MED POL institutions in the Mytilos/Mytimed projects.

3.1.4.2 Programmatic Monitoring Components

As described in document UNEP(DEC)/MED WG.282/5, the principal programmatic components of MED POL Phase IV were discussed at the Third Review Meeting on MED POL – Phase III Monitoring Activities held in Palermo (Sicily, Italy), 12-15 December 2005.

The trend monitoring will continue following the same course as during MED POL Phase III, taking into account the recommendations of the relevant reviews but indicators may change based on the decisions taken within the ecosystem approach process.

The biological effects monitoring activity will continue to be a component of MED POL monitoring and assessment as an early warning tool for the effects of pollutants at the molecular/organism level. The programme will be further developed using caged organisms and the 2-tier approach which has been proposed by the Workshop on the MED POL Biological Effects Programme: Achievements and Future Orientations (Alessandria, Italy, 20-21 December 2006).

Pilot eutrophication monitoring studies at local problematic areas will continue to be implemented based provisionally on the TRIX index and phytoplankton determinants.

As the activities of the Mytilos/Mytimed projects are concentrated in the western Mediterranean an effort will be made to also cover the Eastern Mediterranean with participation of MED POL institutions of the region.

The strategy related to compliance monitoring will be revised to make this type of monitoring an even better tool for the implementation of the provisions of the LBS and Dumping Protocols, as well as the SAP. Notably, data will be gathered to estimate the magnitude of pollutant inputs via rivers and streams, and diffuse sources arriving directly to the sea.

The various programmatic elements relate either to quantifying inputs or assessing environmental quality. The nature of these two types of activities, essentially compliance and state monitoring, is described here.

a) Quantification of Pollutant Inputs (Compliance Monitoring)

The assessment of discharges and emissions from point sources will be implemented through periodic updating of the National Baseline Budgets of Pollutant Emissions and Releases (NBBs). To this end, information obtained from regularly updated national Pollutant Release and Transfer Registers (PRTRs) or similar systems would be most beneficial. The estimates of pollutant releases should eventually be verified, and the used estimation methods gradually replaced, by actual monitoring of direct effluent discharges into the sea.

The assessment of inputs from rivers and streams will be implemented on the basis of a monitoring programme which will be prepared through consultation with experts and National Coordinators. Sufficient temporal information of pollutant quantities, suspended sediment concentration, and water flow should be collected in order to make meaningful estimates of annual loads into the sea.

The relative importance and composition of atmosphere inputs of pollutants to the Mediterranean Sea remains an important knowledge gap. In the first instance, this topic can be addressed as research project whereby an estimation of the role and composition of atmospheric inputs can be made on the basis of a review of existing information, together with modelling as feasible. The monitoring of atmospheric deposition should be based on a network of coastal stations comprising at least one station in each country. Similarly, a research mechanism could be used to assess the importance of submarine ground water discharges as a source of pollutants to the marine environment. This could also take the form of a literature review, followed by pilot studies as required. As for inputs from watershed, MEDPOL will make use of the regional state –of-the-art in the matter e.g. the results of EuroHarp project to estimate the order of magnitude of inputs from watershed.

b) Monitoring and assessment of the quality of the marine environment (State Monitoring)

These activities will include ongoing monitoring of the levels and evaluation of temporal trends of pollutants in sediments and biota at 'hot spots' and coastal reference stations complemented with baseline surveys, together with monitoring of biological effects of pollution. The latter activity will consist of: (i) monitoring of biological effects at the organism level (biomarkers) and, where appropriate, also at the community level (species composition, abundance and biomass of benthic communities); and (ii) monitoring of eutrophication. Sub-regional surveys involving measurements of biomarkers in caged organisms deployed at selected sites will be carried out as a research project, with a view to extending the network throughout the Mediterranean Sea. The biomarkers and eutrophication monitoring will be based on the strategies developed by MED POL during Phase III and tested in pilot projects. These strategies will be re-evaluated and if necessary modified after further implementation. Finally, monitoring of health-related conditions in bathing waters and shellfish growing/aquaculture waters will continue.

3.1.4.3 Methodologies

The MED POL Programme has generated a wealth of information concerning monitoring procedures. Unfortunately, this material is scattered through a range of manuals, guidelines, MAP Technical Reports and other documents. Moreover, there has been some reliance placed on the UNEP Regional Seas Series entitled Reference Methods and Technical Bulletins for Marine Pollution Studies, many of

which are now out of date. See <http://www-naweb.iaea.org/naml/aqcsmethodes.asp> for listing of the available methodologies and guidelines in this series. Thus, there is a pressing need to clarify and consolidate the monitoring procedures, and in some cases update the methodologies. Finally, more of the material should be translated into more of languages used in the Mediterranean region.

All documents relating to monitoring programme methodologies, including new and updated information, will be collated to create a more user-friendly and readily accessible resource for analytical chemists, as well as other scientists and environmental managers in the Mediterranean region. The consolidated manual for all monitoring will be developed as an internet-based system and become incorporated into the MED POL Internet Portal currently under development. The Internet-based manual of COMBINE provides a suitable example of this approach (www.helcom.fi). The design of the web-based system will enable easy updating of the monitoring methodologies whenever changes and additions are adopted.

For the most part, there is no need for absolute specificity with respect to all aspects of instrumentation or procedure for measurement. However, there are two fundamental requirements. Firstly, laboratories must be able to establish via supporting QA/QC documentation that their procedures are robust and reliable. Secondly, it is crucial to understand that the sample characteristics, or sample type in the broadest sense, under investigation remain uniform, regardless of when and where the sample is measured. In this vein, MED POL will provide guidelines for the measurement of eutrophication-related indicators and the sampling and handling of marine sediments.

A basic principle of MED POL Phase IV is that all methodologies should be harmonized with those utilized in other regional bodies to which a number of Contracting Parties belong. To this end cooperation will be enhanced with the European Union, the OSPAR Commission and ICES.

3.1.4.4 Data Quality Assurance

Reliable and harmonized data quality is a fundamental prerequisite for the regional assessment of marine pollution. The MED POL Programme has been a pioneer in establishing a regional data quality assurance (DQA) programme, through a 30-year partnership with the IAEA Marine Environmental Studies Laboratory (MESL) in Monaco. The DQA programme, intended for all MED POL participating laboratories, comprises several components:

- Provision of reference methods and guidelines
- Provision of reference materials and standard solutions
- Training in the analysis of marine pollutants in sediments and biota
- Training in good laboratory practice, including notably QA/QC procedures
- Laboratory performance studies (LPS, also known as inter-comparison exercises, inter-calibration exercises or proficiency tests)
- Split sample analyses
- Quality assurance missions

- Provision of expert advice on monitoring and assessment of pollution issues
- Provision of expert advice on emerging pollution issues

The DQA programme in partnership with the IAEA - MESL focused on chemical contaminants in marine sediment and biota. MED POL will continue its cooperation with IAEA-MESL in view of the concrete results obtained (the quality of the data coming from Mediterranean countries has markedly improved), the confidence given to the Monaco laboratory by national Institutes considering the sensitive type of data, the verified cost/effectiveness of the MED POL/IAEA partnership and finally the large experience in the region and the scientific and technical quality of the laboratory. The University of Genoa and later that of Alessandria, Italy, served as a reference centre for biological effects studies. Various other monitoring activities (e.g., bathing water quality and eutrophication studies) have also incorporated some elements of DQA. In addition, in the field of eutrophication, two training programmes were organised in Italy (June 2003 and November 2004) in cooperation with the Italian research centre ICRAM. However, no uniformity in requirements has been mandated. Therefore, the data quality assurance programme will be revised to serve the anticipated needs of MED POL Phase IV, taking into account additional indicators and the wide range of monitoring activities.

Laboratory performance studies (LPS) will be implemented annually by the IAEA, with the test sample alternating between marine sediment and a biological material. One LPS will assess the analysis of many metals and methyl mercury, and another will test the determination of several organic pollutants. Whereas most of the indicators for sediments and biota in MED POL Phase IV are already being tested, an important exception, organotin compounds, will be added when a sufficient number of laboratories in the region is undertaking these measurements. The University of Alessandria, Italy, will continue to conduct LPS for the biological effects monitoring but cooperation will be enhanced with the International Council for the Exploration of the Sea (ICES) and the programme Biological Effects Quality Assurance in Monitoring programmes (BEQUALM) aiming at harmonization. DQA for some of the other components of monitoring such as nutrients measured as part of the eutrophication investigations will be implemented through an operational agreement with QUASIMEME, the acronym for "Quality Assurance of Information for Marine Environmental Monitoring in Europe", at no cost for the participating Institutes.

Although the overall results of the data quality assurance programmes carried out as part of MED POL can be considered very satisfactory, efforts will be made to improve their follow up at the laboratory level and plan specific interventions where a need appears for training or control of the analytical instruments.

3.1.4.5 Data Interpretation and Utilization

The Secretariat will provide periodic syntheses of regional information based on the various national reports on monitoring and assessment of marine and coastal pollution. Such regional reports must not be only data compilation exercises, but require interpretation of the data with a view to providing policy advice to the Contracting Parties. MED POL will be responsible for synthesizing the results and providing, in consultation with MED POL National Coordinators, periodic assessments of the state of pollution in the Mediterranean Sea.

Several general issues will be addressed in the reports. Gaps in the data for both compliance and state monitoring with respect to spatial and temporal coverage, and completeness of the number indicators measured should be identified. Remedial action to address recognized data gaps should be suggested. An appraisal should be provided of the quality of chemical results, statistical treatment of data and overall assessment of pollution. Recommendations may be required to improve poor performance in these areas.

3.1.4.6 Indicators and data reporting

MEDPOL will continue to develop reliable, comprehensive indicators to be used for monitoring and evaluating the effectiveness of national and regional measures implemented in the framework of the LBS, Dumping and Hazardous Waste Protocols. It will also continue working closely with countries to facilitate the acquisition of relevant data and information to monitor the implementation of the MSSD. In addition, the gradual application of the ecosystem approach to the management of human activities will bring about the need for additional or specific indicators. Those relevant to marine pollution will be within the competence of MED POL that will develop them in cooperation with national and regional experts and National Coordinators.

The three-year activities on the development of marine pollution indicators have been very informative. The results showed that most of the Mediterranean countries exhibit differences in their capacities and capabilities of the generation of data to be used for the tested indicators. Therefore, MED POL will work closely with the national counterparts to improve and strengthen the national competences in issues related to indicators development, generation and use. Cooperation with EEA will continue to be a major milestone in this matter. It is expected that throughout MED POL Phase IV, the region will switch to **Drivers Pressures State Impacts Responses (DPSIR)** indicator based assessments.

The ongoing efforts to harmonize the MED POL procedures for collection, handling, reporting and assessment of monitoring data with those adopted by other appropriate regional and international organizations and bodies, will be intensified in the framework of the preparation of the MAP Reporting System. In view of the complexity of this issue as a whole, priority will be given to achieving functional harmonization of the data reporting requirements of the Monitoring Programme with those of other monitoring programmes to which some of the Mediterranean countries are committed.

3.1.5 Implementation tools

3.1.5.1 Capacity Building and technical assistance

Capacity building and technical assistance aim at improving the competence and capabilities of the countries undertaking the implementation of the Protocols including the SAP and the NAPs, and the monitoring and assessment of the marine and coastal environment of the Mediterranean Sea. Capacity building will improve human resources through training on technical, legal and financial aspects and, depending upon the availability of financial resources, augment physical resources through the procurement of supplies and instrumentation for the monitoring.

As a guiding principle, the activities will focus on:

a) National, regional and subregional programmes and expert missions to assist the implementation of the LBS, Dumping and Hazardous Waste Protocols. In this regard, MED POL and CP/RAC will implement capacity-building programmes according to their respective competencies, avoiding duplication and ensuring cooperation.

b) A key role of IAEA-MESL will continue to be the implementation of training courses related to monitoring. MED POL will conduct a survey of countries to determine whether new or additional training courses are required. Clearly the additional indicators to be measured require an expansion of existing training activities.

With regard to health related aspects of pollution, collaboration with WHO will continue. It is foreseen that appropriate training courses on microbiological analyses of bathing and shellfish growing areas, as well as technical assistance on the subject will be provided upon request. In parallel, Quality Assurance activities for the laboratories involved in microbiological analyses will be conducted. Water shortage is steadily but firmly an emerging issue that an increasing number of countries are facing. Therefore, capacity building activities including training courses on wastewater treatment and feasibility of the safe use of treated wastewater will be carried out.

With regard to capacity building for eutrophication, cooperation with appropriate national or regional Institutes (such as the Italian Institutes ARPA-ER, CRM and ICRAM) and IAEA - MESL will continue in the fields of training, intercomparison studies and technical and scientific support. The University of Alessandria, Italy, will continue to serve as the reference centre for biological effects studies, and will implement training and intercalibration as required.

c) The implementation of the inspection activities carried out during Phase III showed that, in addition to the continuous assistance to the existing inspection systems as well as technical and legal assistance to countries to establish such systems, appropriate training material will be prepared consisting of Guidelines and Manuals on how to perform technical and sanitary inspections, along with inspection check lists for each individual relevant industry as well as for those types of industries that, according to the NAPs, should perform significant reduction of pollutants.

d) The introduction of new indicators into MED POL Phase IV will be a gradual process, also in relation to the application of the ecosystem approach to the management of human activities. Some laboratories will be in a position to establish reliable analytical techniques more quickly than others. MED POL will explore options to establish regional centres for the analysis of new and / or difficult determinants, including biomarkers in order to avoid delays in the full and uniform implementation of the programme by all countries. This approach may thereby serve to promote transfer of technology and facilitate the implementation of the full monitoring programme throughout the Mediterranean region.

e) MED POL will take a more proactive role in fostering interactions in the region in the scientific, technical, legal and financial fields through organizing meetings/expert missions to examine regional knowledge gaps and other issues of fundamental interest to Phase IV developments. Technical assistance to countries will be in the form of sponsoring participation at international conferences and workshops in the Mediterranean region.

3.1.5.2 Database and Information System

According to the Agreement signed between MED POL and INFO/RAC, MED POL will switch by 2008 into a fully online system of reporting for monitoring, implementation of LBS, Dumping and Hazardous Waste Protocols, inventory of emissions and information exchange between the secretariat, national coordinators, RACs and stakeholders. The MED POL information system is under development. Phase I will be operational by 2008. Meanwhile MED POL will continue to establish databases to store and handle data provided by the countries under different topics. The protocols of data exchange, storage and handling will be compatible with those of other RACs and EEA which would enable MED POL to access and exchange data and information in a simplified and more reliable manner.

3.1.5.3 Technology Transfer

MED POL will establish a well-structured promotion programme of transfer of technology and know-how that may facilitate cooperation between countries in order to reduce the existing technological gaps. As feasible, all aspects related to the MED POL Phase IV activities will be taken into account, including legal, institutional, financial and technical issues. The programme, prepared in cooperation with CP/RAC, will be designed to facilitate the acquisition of technology and know-how in the most effective manner.

3.1.5.4 Compliance and enforcement

The implementation of the LBS Protocol priority actions and in particular of the SAP MED, include, *inter alia*, the introduction of new environmental tools including appropriate implementation of regulatory, economic and voluntary instruments, but it focuses on the reduction of certain pollutants from industrial and various facilities. Following this, and taking into consideration the status of permit, inspection and compliance systems in all Mediterranean countries, including policy and legislative gaps, there is a need to implement activities so as to enhance the inspectorate systems. Work will continue on issues of common interest like the indicators of inspections, which following the pilot phase, will be gradually implemented through the development of a programme of action. Periodic meetings of the network on compliance and enforcement will continue to be held to discuss issues of mutual interest and to exchange views on environmental inspections as well as to agree on common activities to be performed. At the same level, assistance to countries on issues related to environmental and sanitary inspections, including capacity building activities will continue.

The review that was made in 2005, based on existing data and information, of the status of permit, inspection and compliance systems in all Mediterranean countries including policy and legislative gaps, identified the basic subjects needing a more in depth study and the countries that would benefit from such activities. Therefore, following a proposal to GEF, it is expected that within a period of three years a number of countries will strengthen their existing mechanisms regarding inspections for compliance and enforcement. The set of national activities would include meetings among agencies responsible for permitting, inspecting and enforcement in order to set up the procedure, as it is indicated in the regulatory cycle, as well as a training workshop.

3.1.5.5 PRTR

The PRTR system, which is similar to EPER (European Pollutant Emissions Register) system, is an important tool of the compliance monitoring, which could assist national and local authorities to assess the state of local and national environment in relation to chemical releases as well as to adapt and tune their relative management plan.

MED POL will continue to assist countries in the implementation of PRTR through pilot projects and efficient replication strategies.

3.1.6 Physical alteration and destruction of habitats

Plans and programmes to counter physical alteration and destruction of habitats will be developed and implemented with special focus on sea water desalination practices in the region, coastal solid waste management and litter and dumping of matters covered by article 4.2 of the dumping Protocol.

MED POL will be actively involved in the activities of the European and International Desalination Societies to improve awareness of companies, engineers and technicians dealing with seawater desalination about environmental impacts of desalination process. As in the past, MED POL will actively participate at related events and initiatives to disseminate information on the possible negative environmental effects of desalination activities to ensure the creation of new environmentally friendly installations. In addition, MED POL will pursue the decision of the Contracting Parties to consider desalination activities under the provisions of the LBS Protocol and will collect and process the relevant data and information deriving from the reporting on the implementation of the Protocol.

Coastal solid waste and litter management is perceived as a serious issue in the Mediterranean. Following the preparation of an action plan and Guidelines as well as the successful initiative of MED POL together with RAMOGE and local actors in Lebanon in 2006, efforts will continue to be made in cooperation with local and national authorities and stakeholders such as maritime traffic authorities, fishermen and tourist associations and NGOs to improve the management of beach litter throughout the region. In particular, in cooperation with UNEP/Regional Seas, MED POL will launch specific initiative for the formulation of a comprehensive regional strategy and its implementation at the local level.

It is obvious that the proper implementation of Dumping Guidelines will significantly reduce the impacts of dumping activities on benthic habitat. As mentioned earlier, MED POL will actively assist countries in the proper implementation of the Guidelines.

3.1.7 Socio-economic roots of environmental degradation

In the implementation of Phase IV, the inclusion of an analysis of the relevant social and economic roots of environmental degradation will be essential as it will better guide the planning and the realistic launching of activities. In this connection, MED POL will make use of the work of the Blue Plan (e.g. their work on the identification of pressure indicators) and other regional and international actors such as the METAP Programme of the World Bank and OECD to obtain the relevant data and information. Particularly relevant to the pollution reduction process (i.e. the implementation of the NAPs) are the studies carried out by METAP on the cost of

inaction. This collaboration will also provide an important contribution to the preparation of state of pollution reports.

3.1.8 Public Health

Activities related to the health risk associated with the quality of bathing and shellfish-growing waters, tourist establishment and facilities will continue to be carried out in close collaboration with WHO.

The draft Guidelines on coastal bathing waters criteria that are being prepared will require some preliminary work before the countries can implement them. Therefore, these guidelines should be finalized and gradually implemented by using the common methodology for developing beach profiles. In addition, possible problems related to their completion should be identified and capacity building needs will be addressed.

The implementation of the new criteria and standards, pilot studies of beach profiles and complementary activities on beach management are issues that need further discussion, guidance and, above all, a detailed programme for the adoption and gradual implementation of bathing waters criteria. Regular consultation meetings of experts will be held every two years to examine the further implementation of bathing waters quality issues and to provide guidance and assistance to countries.

Periodic assessment of the quality of bathing waters as well as of the quality of shellfish growing areas will continue to be conducted. The evaluation of the state of the microbiological quality of the Mediterranean Sea, based on the compliance to the agreed and/or national criteria and standards for bathing waters and shellfish growing areas will be carried out every five years.

Issues related to wastewater management and treatment as well as reuse of treated wastewater, including capacity building, will be further developed and followed up.

Taking into account the link between the human health aspects of tourism and the provisions of the LBS Protocol, highlighted in the approved MED POL Phase IV Programme, the assessment of health risks associated with tourist establishments in the region will provide scientific evidence of the major associated risks. It is foreseen that all environmental determinants to health will be thoroughly examined in relation to tourist establishments and facilities, with a view to prepare an integrated action plan to reduce the burden of disease in Mediterranean tourist establishments. The implementation of the action plan to all concerned countries will focus on the country specific needs carrying out tailor-made activities. Whenever appropriate, cooperation with other RACs will be sought.

3.2 Cooperation, Information and Public Participation

3.2.1 Cooperation

As it was successfully achieved during Phase III, the ongoing work of the Mediterranean scientific community on operational monitoring and observation systems, such as MOON and MED GOOS, will be closely followed up and cooperation will be strengthened on a practical basis, for example through the formulation of joint pilot exercises and initiatives.

As in the past, cooperation will continue with WHO and all other UN Agencies/Bodies carrying out work relevant to the various components of MED POL, with global and regional Convention Secretariats and International and Intergovernmental Organizations. Cooperation will also be strengthened with RACs on the basis of their respective competences.

Especially relevant for the Phase IV of MED POL will be an efficient and concrete cooperation with the European Commission in view of the relevance of its recent initiatives such as the Water Framework Directive, the Marine Strategy Directive and the 2020 Initiative. In fact, a close cooperation with the European Commission, in

view of the similar and comparable objectives of its initiatives with those of MED POL, will result in a better harmony of efforts, an easier involvement of the EU member states in the MED POL activities and a better overall integration in the marine pollution reduction process of European and non-European countries for the benefit of the whole Mediterranean region.

Close cooperation will be kept with all the relevant regional actors in the field of reporting to facilitate the efforts of those countries with different reporting obligations. In this connection, the successful work initiated with the European Environment Agency (EEA) in the framework of the signed joint work programme, will be continued.

NGOs will continue to play a key role in critically participating in the planning and implementation of the MED POL activities. As appropriate, NGOs will be invited to attend MED POL Meetings and specific partnerships will be established to facilitate the implementation of specific activities at the local level, such as those related to coastal litter management. A constructive role of NGOs is also expected in the long-term implementation of the NAPs, as they were successfully involved in the formulation of the NAPs in a large number of countries.

Contacts and operational links will be intensified with regional and international donors and banks, such as the World Bank and the European Investment Bank, as their involvement could facilitate the implementation of the NAPs by the countries.

As in the past, long-term partnerships will be sought with GEF and FFEM for projects and initiatives that could assist the implementation of the activities of MED POL.

3.2.2 Stakeholder Involvement

A meaningful involvement of, and collaboration with, the private sector and other stakeholders in designing and implementing the pollution control programmes and in evaluating their results is clearly essential. While MED POL recorded some success in the preparatory phase of the NAPs when the private sector did participate in a number of countries in the definition of the Plans, it is clear that a larger and better-planned effort should be made now that the NAPs are in the implementation phase. In this connection, MED POL, while planning to make use of the contacts already made, intends to foster its cooperation with CP/RAC in view of its wide and close contacts with the industrial sector and the already experimented collaboration with MED POL in the framework of SAP.

Additional stakeholders, such as local authorities, will be involved as appropriate to ensure ownership of programmes and activities that are implemented mostly at their level (e.g. construction and operation of sewage treatment plants, coastal litter management, preparation of PRTR, etc).

Countries are encouraged to promote partnerships with selected national private and public sectors to facilitate the implementation of NAPs. In turn, MEDPOL will work closely with regional and multinational industrial and business associations, e.g. EUROCHLOR, ASCAME, for the establishment of partnerships to disseminate the necessary information related to the implementation of NAPs, and with multinational companies working in the Mediterranean region to facilitate the implementation of MEDPOL programmes of activities related to the implementation of SAP and the Hazardous Wastes and Dumping Protocols.

3.2.3 Public Outreach

Public awareness and opinion are among powerful forces determining the success of any programme. In addition to the finalization of the MED POL Information System in cooperation with INFO/RAC (described earlier in this document), MED POL, with the assistance of the MAP Information Officer, will maintain and improve links with NGOs, stakeholders and media representatives. MED POL will regularly provide them with information that they could use to promote the goals of MED POL. To this end, an information and communication strategy, aimed at increasing the visibility of the programme at the local and national levels, will be developed as an integral part of the ongoing development of the MAP Information Strategy and the MED POL Information System. Similar experiences, such as the information strategy developed by GEF in the Black Sea, will be taken into account. The strategy will address the needs of all potential users of the data and information products, including decision-makers, the scientific community, the general public and the media. The objective will be to increasing national support for the programme and consequently the level of participation in its various components.

To complement the MED POL Information System and its Portal, the countries will be encouraged to establish national web sites delivering timely information on the monitoring activities, pollution assessments and outcomes. These national web sites should be written in the native language of each country and focus on the national significance of the monitoring information in the context of overall efforts to reduce pollution and promote sustainable development. To ensure the effectiveness of these web sites, media experts will be engaged in their development.

3.3 A Holistic Monitoring and Assessment Programme

As noted above, a key requirement is the development of a holistic approach for the monitoring and the assessment of human impacts on the marine and coastal environment. Many types of monitoring (*i.e.*, ambient, trend, hot spot, biological effects, eutrophication, and compliance) for a range of purposes have been conducted during MED POL Phase III. The philosophy underlying the holistic approach is that all monitoring activities are integrated for a single, well-defined aim – that of achieving a particular level of environmental quality in a specified ecosystem. Within the MED POL Programme, this means that uniform practices will be adopted across all types of monitoring activities and data management. Several facets will be standardized: indicators, methodologies for sample collection and chemical measurements, interpretation of results and assessment of pollution. All these tasks will be undertaken within a harmonized quality management scheme, with a view to integrating results into a common, regional database and using the scientific data to improve protection of the marine environment.

The ecosystem approach depends upon defining a desirable environmental quality to be attained. Mitigation and remediation of pollution requires an understanding of the major inputs of pollution, some of which have been measured under the SAP and NAPs. Some known gaps, notably relating to diffuse sources, exist and will be the focus of research during Phase IV. The SAP and NAPs aim to control point sources of pollution. Compliance monitoring will help verify that pollution regulations are in force. However, environmental monitoring and assessment are required to evaluate the efficacy of the pollution control strategies.

In this scheme, obtaining results from monitoring is a tool, not an end in itself. Data interpretation at various levels is essential, with outputs related to the creation of an accessible database, the dissemination of information about pollution and pollution control in the Mediterranean region, and policy advice to the Meeting of the Contracting Parties. Knowledge gaps can be examined in the short term through applied research projects, with the understanding that results of such investigations may lead to modifications in the monitoring programme. In any case, a periodic evaluation of the overall monitoring programme is essential.

3.3.1 Application of the Ecosystem Approach to the management of human activities

Internationally, the ecosystem approach has been evolving as a concept since first gaining prominence at the UNCED (Rio de Janeiro 1992). Key recognition was gained when adopted by the Fifth Meeting of the Contracting parties of the Convention on Biological Diversity (Nairobi 2000) and endorsed by the World Summit on Sustainable Development (Johannesburg 2002). In fact the Johannesburg Plan of Implementation encourages its application by the year 2010. In a marine context, the ecosystem approach has been adopted by the HELCOM and OSPAR Commissions and will be a keystone in the European Marine Strategy. Following recommendations from the meetings of the Contracting Parties to the Barcelona Convention (Catania, 2003 and Portoroz, 2005), the MED POL Programme on behalf of the Mediterranean Action Plan has initiated a project in cooperation with the European Commission to study the implications of its application on MAP and propose a road map.

The project was recently concluded and the Meeting of Government designated experts decided to propose to the Contracting Parties a road map for its application as well as an ecological vision for the Mediterranean Sea and three strategic goals.

One of the strategic goals refers to the reduction of pollution and this is where MED POL will play a leading role. Following the expected adoption of strategic goals by the Contracting Parties in December 2007, experts' consultations will be organized to proceed to the next step, which is the definition of ecological objectives, indicators and target levels. While, as far as MED POL is concerned, the monitoring activities will have to be revised when the set of ecological indicators will be decided, it is obvious that the application of the ecosystem approach will require a very close cooperation among all RACs and MAP components. In particular, the monitoring and assessment activities that will be addressed in the future, call for a clear and effective cooperation among those MAP components that carry out that type of activities in their field of competence. Particularly relevant will be the joint work that MED POL and SPA/RAC will have to organize in collecting the relevant information needed for the establishment of strategic and ecological objectives.

3.4 Scientific Collaboration

MED POL Phase IV will see closer interactions between MED POL and the scientific community. This will be a mutually beneficial relationship. On the one hand, MED POL has a considerable amount of valuable information in the regional database. Once conditions for access to and use of data have been clarified, the results of the monitoring programme will be made available to the scientific community for more widespread and rigorous interpretation. On the other hand, a number of knowledge gaps have been highlighted in recent reviews of the MED POL monitoring programme and others will become apparent during the Phase IV in view of the

enlarged scope of the Programme. The scientific community can help to provide some of the missing facts and understanding. Two mechanisms for such scientific interactions are envisaged, namely through the organization of international conferences/workshops and by supporting research projects. Recognizing that financial constraints will play a role, MED POL will likely be limited to adopting a facilitative approach in these initiatives. Scientific conferences/workshops comprise a cost effective method for increasing public awareness of the MED POL programme, enhancing interactions with social and natural scientists, and consolidating available information to gain a regional understanding of some key issues and knowledge gaps. MED POL will take a leading role and collaborate with other competent regional and international organizations to highlight issues of fundamental interest to MED POL Phase IV developments.

Research has been in the past a vital component of the MED POL Programme. Research projects can take the form of data review and assessment, testing novel methodologies, and pilot studies to examine emerging issues. Keeping in mind the obvious financial constraints, these types of research activities will be supported in MED POL Phase IV. MED POL will be associated to and, as appropriate, will seek co-sponsorship from, competent national and international organizations to in order to optimize reciprocal research efforts.

3.5 Fisheries

As indicated in the MED POL Phase IV Programme, monitoring and assessment of the environmental effects and ecological implications of fisheries management, including aquaculture, on ecosystems should be, as appropriate, of concern when planning the activities. While some aspects of aquaculture –mostly related to human health- have been regularly dealt with during Phase III and will continue to be in the programme throughout Phase IV, the environmental effects of such activity should be planned *ex novo*. MED POL sees the subject in the context of the holistic approach to be adopted in Phase IV and in particular in the framework of the monitoring and assessment activities that will have to be carried out when the ecosystem approach will be implemented. Whenever it will occur, MED POL intends to plan the specific activities in close collaboration with SPA/RAC for an adequate division of roles and tasks.

3.6 Maritime Transport

During next biennium a study on the environmental effects of maritime transport will be carried out in cooperation with REMPEC and specific proposals will be made to Contracting Parties for possible activities to be implemented in the long-term in the framework of Phase IV.

4. INSTITUTIONAL ARRANGEMENTS

4.1 National level

The Barcelona Convention and its Protocols stipulates a number of obligations that must be assumed by the Contracting Parties. Many tasks that were initiated during Phase III in fulfillment of such responsibilities will continue during Phase IV. Thus, countries will continue to ensure the coordination of policy-making, monitoring and pollution mitigation. Results from the monitoring programme will be integrated for

purposes of environmental assessments and reporting to MED POL. MED POL Phase IV will increase the scope and importance of these activities. An adaptive management approach will help cope with change and will facilitate programme implementation. Modifications to the overall management strategy will entail the restructuring and clarification of coordination roles. New mechanisms can be explored with respect to providing translation services, promoting public awareness of MED POL and making in-kind contributions.

Coordination of MED POL activities at the national level: The Secretariat believes that, considering the multidisciplinary aspects of the pollution reduction process, the need to involve other national stakeholders (e.g. Ministries of finance, of public works, etc.) in addition to the Ministries of Environment could be the key to achieve concrete results. To that end, the use of existing mechanisms, or the creation of new ones, in each country to ensure appropriate coordination and integration in their national programmes of the MED POL activities, and in particular those of the SAP, would be very beneficial.

MED POL National Coordinators: Although each Mediterranean country has, to different extent, a national pollution control programme, operational mechanisms differ considerably from country to country. The Secretariat believes that the implementation of MED POL, including the SAP, at the national level can be successful only if it is implemented in the framework of its national pollution control programme and its national development plans. For this reason, the full integration of national MED POL activities, including the SAP, in the national pollution control programmes and national development plans should be sought. A procedure will be formulated to involve the Meeting of MED POL National Coordinators in the process of preparing the periodic assessments of the quality of the marine environment. The feasibility of establishing a procedure for the introduction of operational changes in the programme that would not require approval of the Contracting Parties (e.g. changes in monitoring guidelines) will be examined. The role and the function of the MED POL National Coordinator is at present being reviewed by the MAP evaluation process which will be concluded by the end of 2007.

Novel In-kind Contributions to MED POL: New approaches to providing in-kind contributions to the MED POL Programme can be explored. National Coordinators or Collaborating Institutions may be able to provide assistance to the organization of training and capacity building activities, as well as the preparation of technical meetings, documents and guidelines. In particular, countries could assume the responsibility for translating specific MED POL documents, such as Guidelines, Manuals and promotional and information material, into their national language. In addition, countries could play a leading role in specific areas or issues of regional concern for the benefit of the whole region. This has been successfully experimented in other Regional Seas Programmes (such as OSPAR and HELCOM) where countries were responsible for the preparation of specific regional assessments or studies.

Public Awareness: In support of the MED POL information and communications strategy, as a follow up to the MAP information Strategy being prepared, countries should ensure to have national web sites written in their native language. The sites would present timely information on the monitoring activities, pollution assessments, and outcomes. These national web sites could highlight efforts, and especially successful case studies, aimed at pollution mitigation and remediation, e.g. information on the implementation of their NAP. They could also serve as mirrors sites for accessing MED POL documents, information and promotional material available in their native language.

4.2 MED POL Unit

The responsibilities of the MED POL Unit have increased over time. Changes were, of necessity, managed during Phase III chronologically in an incremental way. The management challenge of Phase IV is to achieve better integration of the various components into which MED POL has grown (e.g. the monitoring and the implementation of the SAP) and to react operationally to the recommendations made as result of the review of MED POL Phase III (UNEP(DEC)/MED WG.264/3). Moreover, following the results of the MAP evaluation to be finalized by the end of 2007, MED POL will adapt its management strategies according to the decisions of the Contracting Parties.

Coordination to harmonize national activities: Under the guidance and supervision of the relevant structures established under the MAP and the Barcelona Convention, the Secretariat will continue to play a central coordinating role for MED POL, ensuring the harmonization of national activities at the Mediterranean level, and effectively and meaningfully monitoring their implementation. Specific tasks for MED POL and the related RACs in relation to monitoring and assessment will be further identified at a later stage when the applying the ecosystem approach. WHO will continue to collaborate on a full time basis for the implementation of all health related aspects of the Programme. In the preparation of "guidance documents" for conducting MED POL activities (e.g., various technical and policy documents, guidelines), all efforts will be made to take into account the work already carried out by other regional and international bodies and special but critical attention will be paid to their harmonization with other relevant documents developed at the regional and international levels by the European Commission and Union and other international organizations.

Provision of advice for obtaining external financial assistance: Long-term financing is clearly critical to the process of the implementation of the NAPs. As indicated earlier in this document, the Secretariat has been working with GPA and other donors to facilitate the process of ensuring the financial sustainability of NAPs. Assistance will continue to be provided to the countries for the development of specific initiatives, building on the short-term arrangements for the financing of priority actions in NAPs and framework conditions developed for the implementation of medium to long-term actions, including facilitating access to existing financial sources to strengthen long-term financing. Thus, a key ongoing role will be to catalyze and facilitate the mobilization of external funds (i.e. from the GPA, EU, private industry, and other donors) to assist Mediterranean countries in the implementation of NAPs.

New Collaboration: The Secretariat will examine how some of the functions and responsibilities could be assumed by or shared with the National Coordinators or Collaborating Institutions. By continuing a process initiated during Phase III, the Secretariat will explore new cooperation with relevant international and intergovernmental organizations, global conventions and programmes. The Secretariat will seek support from national structures hitherto not formally associated with MED POL, such as the tourism-based economic sector, local authorities and non-governmental organizations.

5. MONITORING AND EVALUATION OF MED POL PHASE IV IMPLEMENTATION

The importance of a review process was highlighted during Phase III. Regular review meetings have in the past facilitated the exchange of information between national experts, national authorities and the Secretariat and had a beneficial effect on the implementation of activities. Successful implementation of the MED POL Phase IV will require periodic monitoring and evaluation in order to respond to changing information needs and improve operational procedures. A strategy for prompt remedial action should be in hand for each component under review in the event that failures or weaknesses are identified.

The Table here below intends to create a platform for an easy monitoring of the implementation of the activities of Phase IV.

It should be noted that, (a) under target date, the * placed after 2013 is used for activities intended as continuous throughout the Phase IV (2006-2013) and (b) the gray rows indicate financial implications for the Contracting Parties.

Policy Relevance	Activity	Expected results	Target date	Source of information and verification	Responsibility	Possible partnerships/related initiatives
	Implementation of LBS Protocol					
-LBS Art.5 and 15 -SAP	Ensuring the financing of NAPs	50% of NAPs priority actions financed	2013*	National, EIB and WB implementation reports	CPs ensure financial resources. MEDPOL facilitate the contacts with potential donors and provides technical assistance with CP/RAC	-H 2020 -GEF SP
-LBS Art.4	Estimation of the Inputs from diffuse sources	Models and existing data used for the quantification of releases from rivers and watershed developed	2011	Reports prepared and published	MED POL with relevant Mediterranean institutions and Contracting Parties	-GEF SP -other existing models -Stockholm Convention's Global Monitoring Programme
-Agenda 21 -JOP -MSSD -SAP	Development of a differentiation mechanism for pollution reduction	Differentiation mechanism based on ELVs	2009	Mechanism adopted by CPs	MED POL with regional experts and CPs and CP/RAC	-IPPC -Protocol LRTP
-LBS Art.5 and 15 -SAP	Implementation of MED POL-related activities of the GEF Strategic Partnership	Policy reforms related to tanneries, fertilizers, lubeoil, batteries are developed in selected countries	2012	Project Progress reports	MED POL in cooperation with CP/RAC and UNIDO and NCs	

	Implementation of the Dumping Protocol					
-Dumping Protocol Art.6.2	Implementation of adopted guidelines	Ratification of dumping protocol. Reduction of number of dumping operations in accordance with the new Protocol	2013*	National reports, Number.of MOUs between MEDPOL and CPs	MED POL in cooperation with relevant NCs and London Convention secretariat	London Convention
	Implementation of the Hazardous Waste Protocol					
-Hazardous Waste Protocol Art.4	Implementation of PCB component of GEF Strategic Partnership	Disposal of 1100 tons of PCBs from 5 countries. Strengthening the capacities and capabilities of Mediterranean countries	2012	Project progress reports, Number of authorizations for PCBs disposal in 5 countries	MED POL in cooperation with CP/RAC and UNEP/Chemicals	Basel Convention and its Centres (BCRCs)
-Hazardous Waste Protocol Art.5.5 and 8	Strengthening the Cooperation with Basel Convention Regional Centres through the implementation of joint projects	Regional model for management of hazardous wastes. Action Plan to combat illegal traffic of hazardous waste in Arabic world	2013*	Minutes of coordination meetings, Number of MoUs between MED POL and BCRCs	MED POL in cooperation with NCs , BC, BCRCs and CP/RAC	Basel Convention and BCRCs
-Rec. CPs Meeting, Catania, 2003	Implementation of Regional Plan for the reduction of generation of hazardous wastes	Reduction of 20% of the generation hazardous waste from selected industrial sectors	2010	National reports	MEDPOL in cooperation with CP/RAC and NCs	

	Assessment of the implementation of the Protocols					
-Art. 12 of the Convention and art. 8 of LBS protocol	Establishment and implementation of national monitoring programmes in all countries:	National and regional databases of results	2011	Number of NMPs and agreements signed; National reports	CPs in cooperation with MED POL	
-MED POL IV	1. State and trend monitoring	Data on environmental chemical contaminants	2013*	National and regional reports on the state of the marine environment	CPs with MED POL assistance	
-MED POL IV	2. Health-related monitoring	Data on microbial quality of bathing and shellfish growing waters	2013*	Relevant national reports	CPs with MED POL assistance	
-SAP -MED POL IV	3. Monitoring of loads	Data on industrial and urban emissions/releases updated (NBB or other)	2012	Relevant national reports	CPs with MED POL assistance	
-MED POL IV	4. Monitoring of biological effects	Data on biological effects	2013*	Number of laboratories participating	CPs with MED POL assistance	
-MED POL IV	5. Eutrophication monitoring	Data on eutrophication	2013*	Number of laboratories participating	CPs with MED POL assistance	
-MED POL IV	6. Baseline studies for monitoring of chemical contaminants in mussels	Data and reports	2010	Number of laboratories participating	CPs with MED POL assistance	EU processes and projects e.g. MYTIMED

-MED POL IV	7. Development and/or updating of common monitoring and analytical methodologies	Common methodology available and published in the website	2010	Document and website	MED POL in cooperation with IAEA	
-MED POL IV	8. Implementation of a Data Quality Assurance Programme	Good quality data	2013*	Number and reports on intercalibration exercises	MED POL in cooperation with IAEA, Alessandria University, QUASIMEME	-IAEA -QUASIMEME -Alessandria Univ. -BEQUALM
-Art. 12 of the Convention	Preparation of reports based on data interpretation	Status and trends reports	2010	Report on the state of marine environment	MED POL with CPs	EEA EMMA
-Rec. CPs Meeting, Catania 2003	Development of Marine Pollution Indicators MRIs	Strengthening the capacity and capability of the CPs to assess MRIs	2010	DPSIR Indicators-based assessment of the state of marine environment	MED POL in cooperation with EEA, BP , MedStat and NCs	-EEA -Blue Plan
-SAP	Regular updating of Pollution Hot Spots Report and determination of their management and monitoring strategy, taking into account all available data including NAPs and NBBs	Tracking countries' pollution reductions	2009 2013	Two reports on Hot Spots	MED POL in cooperation with NCs	

	<i>Use of implementation tools</i>					
-LBS Art. 10	Organization and implementation of capacity building programmes	National capacity improved (capacity building)	2013*	Reports of the training courses on chemical and microbiological parameters	MED POL in cooperation with IAEA and WHO	
-Art 15 of Convention	Development of MED POL Information System	Intranet and online reporting system for MED POL	2009	System operational	MED POL with cooperation of Info/RAC and NCs	-EMWIS(SEMIDE) -EUWI-MED
-LBS Art .5,9,10	Promotion of transfer of technology for cleaner production	Programmes prepared and implemented	2011	Reports on implementation	-MED POL -CP/RAC -CPs	-CP/RAC
-LBS Art 6	Strengthening of Inspectorate systems in all countries; capacity building programme 1) Meeting of network on compliance and enforcement 2) Assistance to countries upon request for strengthening the inspectorate systems	Capacity building programmes	2013*	Reports of meetings of network Indicators based National reports on inspection; number of trained experts	CPs with WHO/MED POL assistance	GEF SP
Rec. CPs Meeting, Malta, 1999	Launching of PRTR in all countries	Reporting format and data base established in all countries	2011	MoUs and contracts between MED POL and CPs	MED POL in cooperation with ICS-UNIDO and NCs	-EC (EPER) -UNECE

	<i>Physical alteration and destruction of habitats</i>					
-Rec. CPs Meeting, Catania 2003 - LBS Art.5	Programmes related to environmental and permitting aspects of desalination	Increased number of EIA studies for sea water desalination plants; desalination activities treated as part of the LBS Protocol	2013*	National reports	MED POL in cooperation with NCs, SPA/RAC	-European desalination Society (EDS)
-Rec. CPs Meeting, Malta 1999 - LBS Art.5	Implementation of coastal litter management programmes	Strengthened capacity of CPs to deal with coastal litter management	2013*	MoUs and contracts between MEDPOL, CPs, NGOs	MED POL with NCs and NGOs	-UNEP-RS -GPA -NGOs
	<i>Socio-economic roots of environmental degradation</i>					
-LBS Art.7	Socio-economic aspects of environmental degradation including the cost of inaction taken into account throughout MED POL IV	Comprehensive assessment of SoE	2013*	DPSIR Indicator-based state of marine environment report	MED POL in cooperation with BP and EEA	-EEA -BP

	Public health					
-LBS Art. 7 -MED POL IV	Finalization and adoption of Guidelines on bathing waters	Agreed Guidelines; Beach profiles methodology agreed	2009 2011	Report of Meeting of NCs; Beach profiles in all countries	CPs with MED POL/WHO assistance	-WHO
-LBS Art. 7 -MED POL IV	Consultation meetings and inter-calibration exercises	Assessments of bathing water quality	2013*	Reports of the meetings; country reports on compliance	CPs with MED POL/WHO assistance	-WHO
-MED POL IV	Preparation of an Action plan related to environment and health risks in tourist establishments	Pilot study prior to implementation; all components of the action plan implemented	2009 2013*	Integrated action plan; Report on the implementation of action plan	CPs with MED POL/WHO assistance	-WHO
-LBS, Art. 8 and Annex I - SAP	Enhancement of Wastewater treatment and management issues	Increase number of wastewater treatment plants in coastal Mediterranean cities and improvement of the quality of receiving waters	2013*	Assessment reports on the activities for improved sanitation	CPs with MED POL/WHO assistance	
-SAP	Implementation of the guidelines on the reuse of treated wastewaters; capacity building	Scientists trained; guidelines applied	2009	Progress Reports on the application of guidelines and on the training courses	CPs with MED POL/WHO assistance	-WHO

	Cooperation					
-MED POL IV	Continued cooperation with MOON	Access to additional and complementary data and information	2013*	MOU signed Common projects	MED POL	-MOON -MEDGOOS
-LBS Protocol	Continued involvement of WHO	Human health aspects properly treated in MED POL IV	2013*	Regular reports on activities	MEDPOL in cooperation with WHO/EURO	WHO/EURO
-Rec. CPs Meeting, Portoroz (2005)	Cooperation with RACs strengthened through specific joint activities	Shared information and experience; overlaps avoided	2013*	Minutes of coordination meetings; results of joint projects	MED POL and RACs	RACs
-LBS Art.5 and 15 -Rec. CPs Meeting, Portoroz (2005) -SAP -H 2020 Initiative -MAP-EU work programme	Provision of relevant technical information for the implementation of the Euro-Mediterranean Horizon 2020 Initiative and the European Marine Strategy	Pollution reduction through implementation of NAPs	2013*	Minutes of meeting with EC and EIB. Number of project financed	MED POL in cooperation with EC, EIB and NCs and CP/RAC	-EC -EIB -WB-METAP
-Rec. CPs Meeting, Catania 2003 -MAP-EEA cooperation programme	Cooperation with EEA in the field of reporting and indicators	Concise and harmonized set of indicators	2013*	DPSIR Indicators based state of marine environment report	MED POL in cooperation with EEA , BP and NCs	-EEA -BP -MEDSTAT
-MED POL IV	Involving NGOs in MED POL Phase IV activities	Larger participation of civil society in MED POL activities	2013*	Number of agreements between MEDPOL and NGOs	MED POL in cooperation with NCs and NGOs	NGOs
-LBS Art.5,15 -Rec. CPs Meeting, Portoroz 2005	Continuation of the cooperation with GEF and FFEM	Projects financed by GEF and FFEM	2013*	Minutes of coordination meetings	MED POL	-GEF -FFEM -WB

	Stakeholder involvement					
-Art.15 of Convention	Involvement of National and regional Stakeholders in the implementation of NAPs	Implementation of NAPs facilitated	2013*	National reports, number of agreement between MED POL and stakeholders	MED POL in cooperation with NCs and stakeholders	- BC - ASCAME - CP/RAC - Local authorities
-Art.15 of Convention	Strengthening the cooperation with private sector in cooperation with CP/RAC	Partnerships with industrial association	2013*	Minutes of meeting with CP/RAC, MAP-NFPs meeting reports	MED POL with NCs and industrial stakeholders	-Industrial associations -CP/RAC
	Public outreach					
-Art.15 of Convention	Establishment of MED POL Information System	Information system fully operational; better shared information on MED POL	2009	System operational	MED POL in cooperation with INFO/RAC	-INFO/RAC -EMWIS-SEMIDE -EUWI-MED
-Art.15 of Convention	Implementation of MAP Information Strategy by MED POL	Increased visibility of MEDPOL	2013*	National reports	MED POL with MAP and Info/RAC	-INFO/RAC -EMWIS-SEMIDE -EUWI-MED
-Art.15 of Convention	Preparation of National Web sites on MED POL activities and achievements	Increased visibility of MEDPOL at national level	2010	Websites operational	NCs assisted by MED POL	-INFO/RAC -EMWIS-SEMIDE -EUWI-MED

	Application of the ecosystem approach					
-Rec. CPs Meeting, Portoroz 2005	Participation of MEDPOL in the implementation of the roadmap	Ecological objectives, ecological indicators and target levels	2013*	Report of Meetings	MEDU and CPs in cooperation with MED POL and all RACs	-OSPAR -HELCOM -EU
	Scientific collaboration					
-Art 13 of Convention -Art. 9 of LBS -MED POL IV	Maintaining close contacts with the scientific community	MED POL keeps up-to-date on scientific developments and emerging issues; MED POL scientific work is shared with the scientific community	2013*	Scientists actively involved in MED POL activities (contracts, workshops, etc.)	MED POL in consultation with NCs	
-Art. 13 of Convention -Art. 9 of LBS -MED POL IV	Identification and assessment of emerging issues; support to monitoring	Emerging issues are identified and assessed; monitoring is supported	2013*	Research contracts; reports published	MED POL and research Institutes	Research Institutes

	Fisheries					
-MED POL IV	Monitoring of environmental effects of dumping of fish wastes and impact of aquaculture on the marine environment	Updated monitoring programmes	2013*	Data and assessment	MED POL and participating institutes	SPA/RAC
	Maritime transport					
MED POL IV	Assessment of environmental effect of maritime transport	Environmental effects of transport assessed	2013*	Report published	MED POL in cooperation with REMPEC	REMPEC IMO

	<i>Institutional arrangements</i>					
-MED POL IV	Improve effective participation of countries in MED POL activities; possibility for a better and wider activity coverage; more country ownership	Better participation of countries in MED POL activities; possibility for a better and wider activity coverage; more country ownership Improvement of the cooperation between MED POL and CPs National contributions in cash and/or kind provided to MED POL activities	2013* *	Amount of external assistance to MEDPOL, countries leading specific activities	CPs	
-MED POL IV	Coordination with regional and international stakeholders (including civil society) achieved by MED POL unit	More effective implementation of activities through participation of stakeholders	2013*	Progress Report on steps made by MED POL	MED POL	
-MED POL IV	Facilitating access to existing financial sources	Countries better informed of finance opportunities; better links between countries 'needs and finance opportunities	2013*	Project proposals prepared and submitted by countries to donors and banks; projects implemented	MED POL	GEF-SP

15th Meeting of the Contracting Parties

Decision IG 17/7: Implementation of NAPs and the preparation of legally binding measures and timetables required by Article 15 of the LBS Protocol

The 15th Meeting of the Contracting Parties,

Recalling the substantial progress in the fight against land-based pollution made by the Parties through the preparation and endorsement in 2005 of National Action Plans,

Considering that the implementation of the NAPs by the Parties, already started in 2006, will directly result in reduction of pollution and possible elimination of pollution hot spots,

Considering the need to formulate an appropriate long-term strategy to ensure the implementation of NAPs aiming at the mitigation of inherent technical, institutional and financial difficulties,

Taking into account the results of the comparative analysis made by the Secretariat of the content of the NAPs vis-a-vis the expected SAP targets,

Reaffirming the need to identify and agree on a differentiation approach for pollution reduction,

Reaffirming the need to agree on short- and long-term priority substances and sectors for pollution reduction,

Recalling the need to elaborate national and regional action plans and programmes, containing measures and timetables for their implementation (Art. 5 of the LBS Protocol),

Recalling the need to adopt the national and regional action plans and programmes containing measures and timetables for their implementation, which would become legally-binding one year after the entry into force of the Protocol (Art.15 of the LBS Protocol),

Taking into account the recommendations of the Meeting of the MED POL National Coordinators held in Hammamet in June 2007;

Decides:

1. To continue the implementation of NAPs endorsed in 2005 to the greatest possible extent foreseeing their revision in 2011; throughout the process, the Secretariat will continue to support with capacity building activities covering technical, institutional and financial aspects.
2. To develop the following elements in the framework of MED POL:
 - Identification of priority substances and sectors during 2008-2009;
 - Identification of a differentiation mechanism during 2008-2009 for the implementation of regional Emission Limit Values (ELVs), based on BAT, and start the

process of developing regional and/or sub-regional –as appropriate- Environmental Quality Objectives (EQOs) for the marine environment;

- Identification of relevant elements and indicators arising from the implementation of the ecosystem approach.

3. To establish a working group to develop by 2011³² action plans and programmes containing the legally binding measures and timetables required by article 15 of the LBS protocol, taking into consideration the possibility of using the elements arising from the above process for this purpose as well as for the revision of the NAPs.

³² Date to be revisited upon the entry into force of the LBS Protocol.

15th Meeting of the Contracting Parties

Decision IG 17/8: Guidelines concerning pleasure craft activities and the protection of the marine environment in the Mediterranean

The 15th Meeting of the Contracting Parties,

Bearing in mind the relevant provisions of the United Nations Convention on the Law of the Sea, adopted at Montego Bay on 10 December 1982, which is now in force and to which many Mediterranean coastal States and the European Community are Parties,

Taking into account the provisions of the relevant International Conventions dealing with the prevention of pollution from ships, and biological diversity,

Considering the provisions of the 1995 Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its relevant Protocols, in particular the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol) adopted in 2002 as well as the Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean Sea (SPA and Biodiversity Protocol) adopted in 1995,

Bearing in mind the measures adopted within the framework of the Regional Seas Programme of UNEP,

Acknowledging that the principle of freedom of navigation implies the freedom to carry out pleasure craft activities without prejudice to the recognised rights and obligations of the coastal State over marine areas within its jurisdiction,

Noting the considerable increase of pleasure craft activities in the past decades in the Mediterranean region,

Conscious of the risks that this increase constitutes for the marine environment of the Mediterranean Sea, a semi-enclosed basin with a delicate ecological balance,

Fully aware however of how such activities favour cultural, economic, social, sport and leisure exchanges,

Intending, therefore, to promote and facilitate an environmentally sound practice of activities related to pleasure craft, while fully respecting State competence in accordance with international law,

Wishing to harmonise, where necessary, the application of international, regional, national or local rules relating to pleasure craft activities and prevention of pollution,

Desirous of establishing a common framework that could assist the Mediterranean coastal States in implementing applicable international regulations and streamlining their regulations,

Recognizing, furthermore, that in this particular field, it is important to strengthen the cooperation that has been developed among Mediterranean coastal States,

Having considered the REMPEC's Regional Strategy for Prevention of and Response to Marine Pollution from Ships, adopted at the 14th Ordinary Meeting of the Contracting Parties to the Barcelona Convention convened in November 2005, which includes the prevention of pollution from pleasure craft activities as a specific objective,

Having also considered the Recommendation adopted by the Contracting Parties to the Barcelona Convention at their 14th Ordinary Meeting, which invited the Secretariat (REMPEC) to prepare guidelines on pollution from pleasure craft activities, taking into consideration the Principles for the development and respect of the marine environment by pleasure craft activities in the Mediterranean Sea, and to present them to the next Meeting of REMPEC Focal Points for endorsement, prior to their submission for adoption to the 15th Meeting of the Contracting Parties,

Appreciating the initiative of the Government of Monaco for promoting the development of a regional framework for the protection of the Mediterranean from the impact pleasure craft activities may have, as well as the efforts of the Centre to achieve the completion of the present Guidelines;

Decides to adopt the Guidelines concerning Pleasure Craft Activities and the Protection of the Marine Environment in the Mediterranean, set out as Annex to the present Decision;

Invites the Mediterranean coastal States to develop, as appropriate, measures and procedures for the implementation of the actions set out in the Guidelines, individually or in co-operation;

Invites the non-Mediterranean States whose pleasure craft sail the Mediterranean Sea to adopt, if not yet done so, analogous Guidelines.

ANNEX

Guidelines Concerning Pleasure Craft Activities and the Protection of the Marine Environment in the Mediterranean

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GENERAL

1. Introduction

1. Pleasure craft activities have expanded considerably in the Mediterranean region and are now one of the key sectors of Mediterranean tourism. This has resulted in an additional source of income and in the creation of direct and indirect jobs. Thus, these activities play an important economic and social role.
2. However, the development of marinas and the increasing density of boats and yachts in some parts of the Mediterranean have led to a serious concern with respect to the potential harm it may cause to the marine environment.
3. Thus it is crucial that the development of pleasure craft activities be accompanied by suitable measures to mitigate the impact these activities have on the environment and coastal areas.

2. Purpose of the Guidelines

4. The purpose of these Guidelines is to assist Governments when developing, improving and enacting domestic laws and taking appropriate measures, with a view to implementing international and regional regulations applicable to the prevention of pollution of the marine environment from pleasure craft activities.
5. The present Guidelines are also intended to users of pleasure craft and managers of marinas to encourage them to apply proper environmental practices and to comply with the relevant requirements.
6. These Guidelines should also serve to assist in planning and developing the environmental performance of marinas.

3. Application

7. The present Guidelines should apply to pleasure craft which are operated and/or used in the Mediterranean as defined hereunder, as well as to marinas under the jurisdiction of the Contracting Parties. They should apply to pleasure craft where, relevant International Conventions dealing with the prevention of pollution from ships are not applicable.
8. The present Guidelines are without prejudice to any applicable national or international legislation.
9. The geographical coverage of the present Guidelines is the Mediterranean Sea as defined hereunder including internal waters.

4. Definitions

10. For the purpose of these Guidelines:
 - "**Pleasure craft**" means all kinds of craft, including yachts, used for the purpose of leisure, sport or recreational activities, be they privately owned or chartered, and using any type of propulsion system³³.

³³ Rowing boats and similar non engine powered craft may also be covered by some aspects of the Guidelines.

- "**User of pleasure craft**" means any person who is responsible for operating and sailing the craft, including skipper and crew, and any person enjoying the use of a pleasure craft, including persons living on board for shorter or longer periods.
- "**Pollution**" means the introduction by man, directly or indirectly, within the framework of pleasure craft activities, of substances or energy into the marine environment, including estuaries and coastal lagoons, which results; or is likely to result, in such deleterious effects as harm to living resources and marine life, hazard to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of seawater and reduction of amenities.
- "**Mediterranean Sea**" means the maritime waters of the Mediterranean Sea proper, including its gulfs and seas bounded to the west by the meridian passing through Cape Spartel lighthouse, at the entrance of the Strait of Gibraltar, and to the east by the southern limits of the Straits of the Dardanelles between the Mehmetick and Kumkale lighthouses.
- "**Sea watching**" means the activities of users of pleasure craft aimed at the observation of marine species and other forms of marine life including coastal landscapes and underwater seascapes.
- "**Biological diversity**" means the variability of living organisms from all sources including *inter alia* terrestrial, marine and other aquatic ecosystems and the ecological complex of which they are part; this includes diversity within species, between species and of ecosystems.
- "**Endangered or threatened species**" means the species listed in Annex 2 to the Barcelona Convention's Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean³⁴.
- "**Authorities**" means the competent national authorities in charge of maritime activities and protection of the marine environment.
- "**Marina**" means any infrastructure intended to service the needs of pleasure craft, including zones reserved for pleasure craft in those ports that are accessible to all types of vessels, as well as mooring areas and shipyards.
- "**Contracting Parties**" means the Contracting Parties to the 1976 Barcelona Convention (Convention for the Protection of the Mediterranean Sea against Pollution), as amended in 1995 (Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean).
- "**The Centre**" means the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC).

³⁴ The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean defines the threatened and endangered species as follows:

- "Threatened species" means any species that is likely to become extinct within the foreseeable future throughout all or part of its range and whose survival is unlikely if the factors causing numerical decline or habitat degradation continue to operate.
- "Endangered species" means any species that is in danger of extinction throughout all or part of its range.

CHAPTER 1. PREVENTION OF POLLUTION FROM PLEASURE CRAFT

11. Pleasure craft, together with other categories of vessels, constitute a major source of pollution. This is particularly visible in the Mediterranean region, and marine and coastal areas hot spots can be identified in those areas where pleasure craft are sailing or mooring. The release at sea of wastes produced by the operation of the craft, deliberate dumping of wastes at sea, emissions of exhaust and noise, disturbance caused to the marine environment by antifouling systems and its contamination during craft maintenance and other operations are all sources of pollution that should be addressed by the Mediterranean coastal States in order to achieve a sustainable use of the sea.

1.1 Waste Management

12. A wide range of wastes can originate from the use of a pleasure craft. Waste includes both the wastes generated by the routine operation of the craft and those generated on board which at times are deliberately dumped at sea. Both categories of wastes are regulated at international level.

1.1.1 Wastes generated by the normal operation of the craft

13. Operational wastes comprise oil, oily mixtures and oily wastes, sewage, grey waters (waste water from sinks and showers) and garbage. These are primarily, with the exception of grey waters, regulated by the International Convention for the Prevention of Pollution from Ships (MARPOL Convention) and its Annexes I (Oil), IV (Sewage) and V (Garbage).

- Guidelines for actions required of Authorities

Oily wastes, sewage, grey water and garbage:

14. Authorities should implement the relevant provisions of MARPOL Convention related to discharges at sea and ensure that suitable regulations, directed at marinas and containing requirements to provide adequate reception facilities for oily wastes, sewage, grey waters and garbage generated by pleasure craft, are adopted.

- Guidelines for actions required of managers of marinas

Fuel:

15. Managers of marinas should make available the appropriate antipollution equipment and relevant information and instructions on the use of these material (absorbent sheets, booms etc.)
16. Bins dedicated to the collection of oily sheets and contaminated absorbent should be provided in the areas where fuel is used, stored and dispensed.

Oily residues, oily mixtures and garbage:

17. Managers of marinas should assess the requirements for reception facilities aimed at collecting oily residues, oily mixtures and garbage and ensure their availability and maintenance.

18. Managers of marinas should also ensure the final treatment and proper disposal of the oily residues, oily mixtures and garbage that is collected.

Sewage (black water):

19. Managers of marinas should ensure that the marina is equipped with sanitary installations, taking into account the capacity of the marina, the estimated number as well as type of users (sailors, visitors, divers, etc.) and peak usage periods.
20. Managers of marinas should ensure that reception facilities for sewage, of adequate capacity, are available, well maintained and regularly disinfected.
21. They should also ensure the sanitary treatment of sewage collected and its final disposal at the marina or via the municipal waste treatment system.

Grey water:

22. Managers of marinas should prepare lists of biodegradable or environmentally sound detergents and make the said list available to users of pleasure craft and recommend the use of the detergents listed.

- Guidelines for actions required of users of pleasure craft

Oil, fuel, oily mixtures and oily wastes:

23. Annex I of MARPOL Convention prohibits all discharges of oil except in certain cases.
24. Users of pleasure craft should comply with MARPOL Annex I, under which the Mediterranean Sea is a special area where the discharge into the sea of fuel oil residues (sludge) and oily mixtures (bilge water) is strictly regulated. They should also comply with any applicable legislation implementing these regulations.
25. Users of pleasure craft should ensure that the craft is properly maintained in order to avoid any fuel spillage and/or leakages and is kept clean from any fuel residues.
26. Utmost attention should also be paid by users of pleasure craft during tank fuelling operations, when connecting and disconnecting the hoses through which the fuel is passing, in order to avoid accidental oil spills at sea.
27. Oil absorbent material should be kept on board of the craft at all times for use in the event of a spill or leakage.

Sewage (black water):

28. Users of pleasure craft should ensure that the craft complies with the applicable regulations of MARPOL Annex IV, which regulates discharge of sewage for ships of 400 gross tonnage and above, and for ships of less than 400 gross tonnage which are certified to carry more than 15 persons (crew and passengers).
29. Users of pleasure craft of less than 400 gross tonnage which are certified to carry less than 15 persons should ensure, irrespective of whether or not the craft is engaged on an international voyage, that the craft has a sewage retention system that can be emptied in port reception facilities. As an alternative the craft can be equipped with a portable toilet or portable holding tank that can be discharged on shore.

30. For small craft into which portable toilets or portable holding tanks cannot fit, onshore toilets are to be used whenever possible and discharge of sewage should be avoided in shallow areas, low tidal-flushing areas and sensitive natural sites.

Grey water:

31. Users of pleasure craft should ensure that grey water, which is waste water from receptacles other than toilets, such as sinks and showers, do not contain substances that have or can have potential effects on the marine environment. They should, as far as possible, make use of bio-detergents.
32. Alternatively, users of pleasure craft should ensure that the craft is fitted with a tank dedicated to the collection of grey waters.

Garbage:

33. Users of pleasure craft should comply with the applicable regulations of MARPOL Annex V which regulates the disposal of garbage at sea. Disposal into the sea of food wastes should be done as far away as is practical from land, but in any case not less than 12 nautical miles from the nearest land.
34. A space of adequate capacity on board the craft should be allocated to store garbage until it can be disposed of to shore reception facilities.
35. The on-board storage of garbage should be done in a way that minimises the amount and volume of the waste.
36. As far as possible, separation of the daily wastes should be undertaken, respecting possible sorting requirements of the reception facilities.
37. Every craft of 400 tons gross tonnage and above and every ship certified to carry 15 persons or more, have to possess a garbage management plan developed according to IMO international standards, as well as a Garbage Record Book.

1.1.2 Dumping of waste

38. Dumping refers to wastes that are deliberately disposed at sea from the craft. Dumping at sea is regulated by the International Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention 1972) and its 1996 Protocol, as well as, at the regional level, by the 1976 Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (Dumping Protocol) to the Barcelona Convention.

- Guidelines for actions required of Authorities

39. Authorities should ensure that legislation implementing the London Convention and its 1996 Protocol is adopted. They should in particular prohibit the dumping of any wastes or other matter in whatever form or condition, except as otherwise specified or authorised by the London Convention.
40. Authorities should ensure that a monitoring system is in place in the area under their responsibility in order to detect violations of the prohibition of dumping.

41. When dumping is required within the area under their responsibility, Authorities should verify that the craft has the necessary permit.
 - Guidelines for actions required of managers of marinas
42. Managers of marina should report to the Authorities any violation to the dumping Convention in areas under their responsibility.
43. Managers of marinas should recommend to the Authorities upon alternative solutions to dumping into the area under their responsibility.
 - Guidelines for actions required of users of pleasure craft
44. Users of pleasure craft, unless duly authorised, should not dispose at sea or on land outside specifically designated reception facilities, of waste, substances that are toxic, persistent and bio-accumulative such as paints, pesticides, hydrocarbons, or products which contain such substances, such as components of electrical appliances, batteries, and any other substance or product that has or can have potential effects on the marine environment.
45. Users of pleasure craft should not dump into the sea the craft, or any of its components, appliances or structure, for the purpose of its deliberate disposal.

1.2 Air Pollution and Nuisance

46. Engines of pleasure craft produce exhaust emissions which affect the environment and human health. Pleasure craft are also a source of noise pollution which affects marine life and hinder the legitimate use of the sea.

1.2.1 Exhaust emissions

47. At international level, MARPOL Annex VI regulates the release from craft into the atmosphere or sea of substances that contribute to the pollution of the air.
 - Guidelines for actions required of Authorities
48. Authorities should ensure that legislation implementing the international regulations related to the air pollution generated from ships, including pleasure craft, is adopted, and in particular to;
 - .1 prohibit the installation in pleasure craft of any equipment of system containing ozone depleting substances as defined in regulation 2(6) of MARPOL Annex VI;
 - .2 require that new diesel engines installed in pleasure craft with a power output of more than 130 kW meets the limits of Nitrogen oxides (NOx) emission set out in MARPOL Annex VI regulation 13; and,
 - .3 set appropriate limits on sulphur levels in fuel sold to and used by pleasure craft.
49. Authorities should in particular prohibit the incineration on board craft of residues, PCBs (polychlorinated biphenyls), garbage containing traces of heavy metals, refined petroleum products containing halogen compounds and polyvinyl chloride (PVCs). They should also prohibit any incineration of sewage sludge and sludge oil inside ports, harbours and estuaries.

50. Authorities should ensure that pleasure craft berthed or using areas under their responsibility comply with the air pollution regulations.
- Guidelines for actions required of managers of marinas
51. Managers of marina should report on any violation detected in areas under their responsibility.
- Guidelines for actions required of users of pleasure craft
52. Users of pleasure craft should ensure, as far as possible, that their craft comply with the applicable regulations of MARPOL Annex VI and/or the relevant national and/or European legislation which regulate the release from craft into the atmosphere or sea of substances that contribute to the pollution of the air.
53. Unbalanced gas-to-oil ratio mixture during the fuelling process of outboard two-stroke engines results in incomplete combustion of lubricating oil and thus contributes to the pollution of the sea and air by hydrocarbons. Users of pleasure craft should pay particular attention to the gas-to-oil ratio when fuelling the engine.

1.2.2 Noise emission

54. Like any other kind of boats, pleasure craft generate sound emissions that can cause nuisance and disturbance for the natural environment, including the marine environment. The issue of the impact sound emissions have on marine life has frequently been raised, and some countries and organisations have elaborated regulations and guidelines to reduce sound emissions at sea and thus their effect on marine life.
- Guidelines for actions required of Authorities
55. Authorities should establish maximum levels permitted for sound emissions from engine-powered pleasure craft. Measurements of sound emissions should be made according to ISO Standard 14509 concerning "Measurement of airborne sound emitted by powered recreational craft".
- Guidelines for actions required of users of pleasure craft
56. Users of pleasure craft should ensure that the technical specifications of the pleasure craft's engine comply with the standards for noise emissions required by the relevant national and/or European legislation.
57. When navigating in populated areas or areas with significant populations of wild fauna, the users of the pleasure craft should take the necessary steps (including speed reduction) to minimise noise disturbance and nuisance.

1.3 Maintenance and Recycling of Craft

58. During the life cycle of the craft, various operations related to its maintenance have to take place. When the craft reaches the end of its operative life, it has to be scrapped. All these operations should be carried out in a manner that is compatible with the environment.

1.3.1 Anti-fouling systems

59. Anti-fouling systems refer to marine craft coating, paint, surface treatment, surface or device that is used on a ship to control or prevent the attachment of unwanted organisms. Harmful anti-fouling systems are regulated by the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, adopted in 2001 (AFS 2001), which is applicable to pleasure craft.

- Guidelines for actions required of Authorities

60. The Authorities should ensure, as far as practicable, the requirements of the AFS 2001 Convention are transposed into domestic law, violations prohibited and sanctions for violations established.

61. The Authorities are encouraged to propose, approve, register or license anti-fouling systems in compliance with the process set out in the AFS 2001 Convention.

62. Inspections by authorized officers should take place to verify that the craft complies with the requirements of the AFS 2001 Convention and national rules.

- Guidelines for actions required of managers of marinas

63. The managers of marinas should ensure that wastes from the application or removal of an anti-fouling system are collected, handled, treated and disposed of in a safe and environmentally sound manner.

- Guidelines for actions required of users of pleasure craft

64. Users of pleasure craft should only use the anti-fouling systems which have been approved by the Authorities.

65. As an alternative, in case there is no anti-fouling systems approved at national level, only those anti-fouling systems which do not contain organotin compounds which act as biocides, or are recognised to be environment-friendly products, should be used.

1.3.2 Maintenance of craft

66. Craft maintenance and cleaning operations can generate toxic paint chips and debris, sanding dust and contaminated rinse waters.

- Guidelines for actions required of Authorities

67. Authorities should regulate the release of contaminants and hazardous wastes produced during the operations related to the maintenance and repair of the craft.

68. Particularly, Authorities should prohibit the disposal on land or into the water of hazardous solid and liquid wastes generated by the maintenance of the craft unless the conditions related to the environmentally sound management of these are satisfied. Some operations should be subject to the delivery of a special permit.

- Guidelines for actions required of managers of marinas

69. Dedicated hull cleaning areas should be designated by the managers of marina. The waste water collected from washing and rinsing should be discharged to water treatment systems or to a wastewater treatment facility.

70. As far as is possible, these underwater hull cleaning, repairing and maintaining operations should be avoided when the craft are in the water.
71. Similarly, whenever possible, indoor areas where the craft can undergo painting and hull maintenance should be identified by the managers of marinas. Alternatively, managers of marinas should provide equivalent options.
72. Managers of marinas should ensure that paint and coatings, sanding dust and debris are collected in appropriate receptacles for disposal at an authorised landfill.
 - Guidelines for actions required of users of pleasure craft
73. Cleaning, repairing and maintaining the craft should be carried out, in a yacht yard or dedicated areas equipped or fitted out so as to avoid pollution of the sea and the air.
74. Where possible, users of pleasure craft should proceed to the washing and rinsing of craft in an area designated to collect and contain rinse water.
75. Application of paint and of coating or their removal from the craft hull and top sides should be carried out indoors. If these operations are performed over water, every effort should be made to avoid contamination of the water.
76. Pleasure craft users are encouraged to use paints and coatings that do not contain environmentally harmful solvents.

1.3.3. Recycling of craft

77. Craft that have reached the end of their operational life are a severe concern for the environment. It is recognised that recycling of ships, including pleasure craft, contributes to sustainable development. In this regard, IMO has adopted Guidelines on ship recycling³⁵ and is currently working on the preparation of a draft International Convention for the Safe and Environmentally Sound Recycling of Ships.
 - Guidelines for actions required of Authorities
78. Authorities should ensure, as necessary, the availability of appropriate technology, equipment and recycling facilities for an environmentally sound decommissioning and recycling of pleasure craft.
79. Authorities should also ensure that the craft is dismantled in controlled conditions at an authorized recycling facility in order to recover those components and materials that are harmful for the marine environment.
80. In doing so, Authorities should whenever necessary duly take into account the IMO Guidelines on ship recycling and take into consideration the ongoing developments related to the draft International Convention for the Safe and Environmentally Sound Recycling of Ships.
81. Authorities should ensure that the recycling equipment and facilities that may be available or are to be made available, as necessary, comply with their legislation, regulations and standards.

³⁵ Resolution A.962(23) - IMO Guidelines on Ship Recycling, adopted on 5 December 2003. Resolution A.980(24) – Amendments to the IMO Guidelines on Ship Recycling, adopted on 1 December 2005.

- Guidelines for actions required of users of pleasure craft

82. Users of pleasure craft should ensure that when the craft has reached the end of its operational life, it is recycled at an authorized recycling facility.

1.4 Information Requirements

83. The provision of adequate information on the location and use of facilities and equipment, as well as on amenities and services available to users of the marinas is crucial to prevent pollution of the marine environment. The same requirement should also be applied on board the craft.

1.4.1 Information on the facilities and services available at the marinas

84. In order to enable users of pleasure crafts to dispose their wastes safely and comply with prevention of pollution requirements, information on the location of facilities and dedicated areas of the marinas should be available.

- Guidelines for actions required of Authorities

85. Authorities should, in cooperation with authorities of other Mediterranean coastal States, adopt environmental symbols to be used in marinas.

- Guidelines for actions required of managers of marinas

86. Managers of marinas should ensure that clear information is given, by using placards, post signs and other appropriate signage means, of the location of the reception facilities and other facilities like fuel storage and dispensing installations as well as the areas dedicated to cleaning, repairing and maintaining pleasure craft.

87. Where necessary, instructions related to description of pollution preventive measures and requirements for waste management and disposal should be provided.

- Guidelines for actions required of users of pleasure craft

88. Users of pleasure craft should enquire about the availability of facilities for receiving solid and liquid waste in the areas and marinas to be visited.

1.4.2 Information on board the craft

89. Information related to waste management and the use of related equipment and devices on board the craft should also be clearly visible.

- Guidelines for actions required of Authorities

90. Authorities should ensure that when inspections are carried out on-board the craft, requirements related to the provision of clear information about the procedures for waste management is checked.

- Guidelines for actions required of users of pleasure craft

91. Users of pleasure craft should ensure, when applicable, that placards, signs, notices and stickers are placed on board the craft and clearly show the requirements for the management of the waste and the location of storage and holding tanks.

CHAPTER 2. MITIGATING THE IMPACT OF PLEASURE CRAFT ACTIVITIES ON BIODIVERSITY AND SITES OF PARTICULAR IMPORTANCE

92. Some pleasure craft activities and practices can harm and damage fauna and flora as well as habitats. Therefore, it is important to mitigate, as far as possible, the negative impacts these activities may have on the elements that make up marine biodiversity in the Mediterranean and on sites of cultural importance.

2.1 Conservation of Habitats and Endangered Species

93. The main direct harm occasioned by the activity of pleasure craft activities to habitats and species particularly concerns the use of anchors as well as the destruction of species via the taking of rare and endangered or threatened species. Using pleasure craft to watch marine species and landscapes and seascapes can also harm the environment if certain rules are not respected.

2.1.1 Mooring of craft

94. Anchoring of pleasure craft, if not done properly, may cause considerable damage to the assemblages of the seabed, particularly meadows and coralligenous beds. A pleasure craft anchor can also harm the seabed over long distances when a drifting boat drags its anchor along the bottom.

- **Guidelines for actions required of Authorities**

95. Authorities should list the sites frequently used as mooring areas by pleasure craft and/or with a high density of pleasure craft during peak seasons and fit these areas out with a sufficient number of mooring buoys. These sites are usually sheltered bays, shores with great landscape value, diving areas, or recreational or harpoon fishing grounds.

96. Authorities should also list the sites that contain biological formations that are sensitive to anchoring (meadows, coralligenous beds, underwater archaeological sites, etc.) and forbid pleasure craft from mooring in these areas.

97. Authorities should ensure during inspections undertaken in accordance with their national legislation, that the pleasure craft is equipped with an anchor corresponding to its size.

- **Guidelines for actions required of users of pleasure craft**

98. Users of pleasure craft should ensure that the craft is fitted only with anchors suitable to its size, taking into consideration strong winds, in order to minimise the risk of the anchor and its chain dragging on the seabed,. Nautical charts should be referred to for any anchorage prohibit area.

99. Before envisaging casting anchor, users of pleasure craft must be sure that the area does not contain marine biological formations that are particularly important for the Mediterranean. These are, in particular, *Posidonia* meadows and coralligenous formations.

2.1.2 Taking and transfer of species

100. Taking specimens of threatened or endangered species contributes to the decline of those species. As for the Mediterranean Sea, more than one hundred species are classified as endangered or threatened species and listed in Annex 2 to the SPA Protocol of the Barcelona Convention. The Convention on the Conservation of European Wildlife and Natural Habitats (Berne, 1979) protects endangered and vulnerable species, including endangered and vulnerable migratory species. In addition, the cross-border transfer of endangered species is regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES Convention)³⁶.
101. Introducing new species in marine areas may cause serious ecological disturbance, particularly in cases when these species prove to be invasive, dominate other species and shatter the biological inter-species balance. The International Convention for the Control and Management of ship's Ballast Water and Sediments, 2004 (BWM Convention, not yet in force) addresses the transfer of harmful aquatic organisms and pathogens caused by the discharge of ballast waters and sediments from ships, and is applicable to pleasure crafts.
- Guidelines for actions required of Authorities
102. Authorities should ensure that the taking, possession, destruction and harassment of threatened or endangered species are regulated at national level and that the law also applies to users of pleasure craft. When implementing the relevant provisions of the CITES Convention, they should also look at cross-border transfer of endangered species by mean of pleasure craft.
103. Authorities should, as far as possible, determine equivalent compliance with the BWC provisions for pleasure craft less than 50 metres in length overall and with a maximum ballast water capacity of 8 cubic metres, taking into account the Guidelines for ballast water management equivalent compliance (G3), adopted by IMO (MEPC resolution MEPC.123 (53) refer to Annex 1 of MEPC 53/24/Add.1).
104. Authorities should elaborate and provide the users of pleasure craft and managers of marinas with information material about the endangered or threatened species and the presence of invasive species, including clear guidance about how to avoid propagating invasive species and disturbing or harming endangered or threatened species.
- Guidelines for actions required of managers of marinas
105. Managers of marinas, under the guidance of Authorities, should regularly undertake monitoring activities of the seabed within their marinas to detect the occurrence of invasive species.
106. Managers of marinas should cooperate with the relevant authorities to provide the users of pleasure craft with information about endangered or threatened species and the presence of invasive species using panels in marinas and leaflets.

³⁶ The Convention on International Trade in Endangered Species of Wild Fauna and Flora, adopted in Washington DC (United States of America) on 3 March 1973 aims at ensuring that international trade in specimens of wild animals and plants does not threaten their survival.

- Guidelines for actions required of users of pleasure craft

107. The users of pleasure craft should not destroy, take or possess on board of their pleasure craft endangered species or threatened species, their eggs, parts or products. They should comply with the legal measures applicable for these species, including the provisions of the CITES concerning the international transfer of species.
108. Users of pleasure craft should ensure that there is a total absence of plant or animal matter still clinging to the anchor, particularly in areas where the presence of invasive species is indicated. This will help avoid the propagation of invasive marine species. This precaution also applies to the propellers of outboard engines.
109. Users of pleasure craft should not take and keep on board marine species and release them in areas other than those where these species were taken.
110. In the event of detection of invasive species, users of pleasure craft should report to managers of marinas and/or to the Authorities.

2.1.3 Sea watching

- 111 Watching species and other forms of marine life is a leisure activity that is becoming increasingly common in the Mediterranean region. In addition to its recreational aspect, it is likely to increase pleasure craft users' awareness of the need to protect marine life and the environment. However, watching species must be done in a way that does not disturb the biological cycle and the behaviour of the species, and does not harm either species or habitats.

- Guidelines for actions required of Authorities

112. The authorities should identify areas suitable for sea watching (diving sites, snorkelling sites, wrecks, archaeological sites, sites that are suitable for cetacean watching, etc.) and take the necessary steps to mitigate the impact such activities have on species and habitats.
113. These measures should specifically include:
 - Regulating access to such areas (number of craft present at the same time in the site, mooring buoys set out, and mooring bans);
 - setting-up of speed limitation for sailing.

- Guidelines for actions required of users of pleasure craft

114. Users of pleasure craft should avoid harassing marine animals by trying to get too close to them and should never persist in following them when they try to move away from their craft.
115. Users of pleasure craft should not feed cetaceans, monk seals, marine turtles and sea birds since this changes their natural behaviour, makes them less wary and alters their wild character. Also, they should not attract these marine animals and fish for sightseeing purposes by feeding them.
116. Users of pleasure craft should not get within 50 metres of a marine mammal. If there are calves present, the appropriate distance is 100 metres.

117. In areas where it is probable that there are monk seals, users of pleasure craft should avoid going near the caves, and should sail slowly in coves and narrow inlets.
118. Users of pleasure craft should avoid swimming with cetaceans since, as well as the risk to human health and the danger of accidents, this practice changes their natural behaviour.
119. When approaching an individual or group of marine mammals, users of pleasure craft should follow the precautions appearing in Appendix 2 to the present Guidelines.³⁷
120. Scuba diving requires both safety rules for divers and a certain number of rules to prevent this activity harming marine species and habitats. Diving Charters have been drawn and applied on a voluntary basis by several divers in the Mediterranean. Users of pleasure craft are invited to find out about these charters and comply with them when using their craft for scuba diving operations.

2.1.4 Rescuing animals in distress

121. Sometimes at sea one meets animals that are in difficulty because they are sick, wounded, accidentally caught up in fishing gear or coated by oil or other pollutants. Users of pleasure craft can help relieve such animals in distress. But it is important to have a minimum of knowledge to be able to act effectively in such situations.

- Guidelines for actions required of Authorities

122. Authorities are invited, if this has not yet been done, to adopt documents such as codes of conduct, guidelines or similar documents containing a list of the precautions to be taken when rescuing an animal in distress.

- Guidelines for actions required of managers of marinas

123. Managers of marinas should make available to pleasure craft users information material regarding the precautions that should be taken when rescuing animals in distress.

- Guidelines for actions required of users of pleasure craft

124. Users of pleasure craft may find animals in distress that are wounded or heavily coated by pollutants (especially oil) or caught in fishing nets or on hooks. When rescuing animals, users of pleasure craft should take a certain number of precautions not to worsen the situation or be involved in an accident.

2.1.5 Recreational and sport fishing

125. In several Mediterranean coastal States, non-commercial fishing and the keeping of fishing gear on board are regulated and/or subject to the delivery of a permit. To carry out such activities, users of pleasure craft must comply with the regulations in force in the concerned area, and seek out information about this from the local competent authorities.

³⁷ Appendix 2 provides recommendations for approaching cetaceans.

2.2 Conservation of Sites of Natural or Cultural Interest

126. In the Mediterranean, several sites are of special interest naturally (presence of particularly important, rare, endangered or threatened species and habitats), or culturally (presence of historical and/or archaeological remains, aesthetic or educational interest, etc.). Some such sites are protected areas in that they enjoy special protection status to protect the natural and/or cultural heritage they contain.

2.2.1 Conservation of sensitive natural sites and Specially Protected Areas

127. Several users of pleasure craft use their craft to visit and stay in natural sites, to enjoy the sites' beauty, tranquillity and seawater quality. It is vital that this practice follows adequate rules of conduct so as not to cause harm to the natural sites and their natural wealth, particularly those that are sensitive to an unsupervised human presence. Often the damage done to such sites by users of pleasure craft is not intentional but is caused by lack of information.

- Guidelines for actions required of Authorities

128. Authorities should assist users of pleasure craft in following good practices by:

- providing them with leaflets and other means containing information about the preventive measures to be taken not to harm these;
- setting up suitable signs showing where the sensitive biological formations are located.

- Guidelines for actions required of managers of marinas

129. Managers of marinas should ensure that information boards are available to draw the attention of the users of pleasure craft to the sensitive biological formations present in the area surrounding the marina, and contain precautions to be taken.

- Guidelines for actions required of users of pleasure craft

130. Users of pleasure craft should enquire about the presence of sensitive biological formations and natural monuments in the areas visited.

131. Users of pleasure craft should avoid disembarking on shores containing marine biological formations that are vulnerable to trampling or may be harmed by the pleasure craft's hull. Particular attention should be paid to the marine formations considered natural monuments³⁸.

2.2.2 Conservation of the underwater archaeological heritage

132. The very rich history of the Mediterranean and the great civilisations that have succeeded one after another in this part of the world have left traces in several Mediterranean areas which constitute particularly important elements of the Mediterranean heritage. Some such heritage elements are today found under the surface of the Mediterranean Sea and attract users of pleasure craft. Authorities should, as far as possible, take into consideration the relevant provisions of UNESCO Convention on the Protection of the Underwater Cultural Heritage, 2001.

³⁸ The following marine formations are particularly sensitive and deemed to be natural monuments in the Mediterranean:

- Barrier reefs of *Posidonia*;
- *Litophyllum* rims;
- *Vermidid* terraces.

- Guidelines for actions required of Authorities

133. Authorities should take all necessary steps to prevent any impact, by pleasure craft, on the underwater heritage. They should in particular adopt and enforce legislation to protect sites with archaeological and/or historical heritage elements.

134. Where necessary, information about the exact location of archaeological or historical heritage elements should not be communicated to the general public.

- Guidelines for actions required of users of pleasure craft

135. When visiting sites with underwater archaeological and/or historical heritage elements, users of pleasure craft should refrain from any action that might affect the underwater heritage and act in accordance with international, regional and national legislation.

CHAPTER 3. SOUND ENVIRONMENTAL MANAGEMENT AND IMPLEMENTATION MEASURES

136. To achieve the objectives of the present Guidelines, it is important that suitable measures be introduced to both ensure the wise management of the marinas and, via information and awareness, get the support of the general public and the various stakeholders, and to make sure that pleasure craft and marinas are controlled and monitored.

3.1 Environmental Management and Strategies

137. The environmental management of pleasure craft activities requires, in addition to the measures advocated in Chapter 1 and 2 of these Guidelines, that marinas be developed and managed in an environment-friendly way, and that awareness and information campaigns be started that particularly target users of pleasure craft but also the general public.

3.1.1 Planning and management of marinas

138. The big growth in the number of marinas along the Mediterranean coast, while playing an important role in the economic and social development of the coastal zones, does bring about environmental impacts that should be mitigated by the planning and environmental management of the marinas. Through the services they provide to users of pleasure craft, marinas play a decisive part in the management of pollution and other nuisances caused by pleasure craft activities.

- Guidelines for actions required of Authorities

139. Authorities should develop a national charter of environmental practice for marinas. This charter must lay down the environmental measures that each marina must implement.

140. Authorities should require by law that managers of marinas carry out environmental audits and adopt environment management plans.

141. The creation of a marina or the extension of an existing one should be subject to the outcomes of an environmental impact assessment. The assessment should cover, among other aspects, possible impacts on the seabed, the shoreline configuration, the landscape features of the area, the water circulation (marine currents) and the socio-economic activities existing in the area.

- Guidelines for actions required of managers of marinas

Environmental management:

142. The marina's environmental performance must be one of the marina manager's main concerns. This must be clearly reflected in the planning of work, budget and performance indicators of the marina. Appendix 4 presents a set of indicators that can be used by marina managers to assess the environmental performance of their facilities.

143. Managers should maintain an environmental management register, which will record all the operations carried out regarding the environmental management of the marina.

144. The financial needs for the environmental management of the marina should be taken into account when preparing the marina's budget.

Waste management plan:

145. Each marina should have a waste management plan addressing all kind of wastes, aiming at minimising the generation of wastes and at ensuring their proper collection, storage, treatment or transfer to dedicated facilities and disposal.

146. The waste management plan should take into account the requirements of the international, regional and national legislation and provide in particular for the sound environmental management and recycling of fuel oil; oily residues oily mixtures; garbage; grey water and sewage (black water)³⁹ and other wastes as well as marina maintenance.

147. The waste management plan should define all the operational procedures for the collection, storage, treatment and disposal of wastes.

148. The waste management plan should be regularly evaluated and where necessary updated with any technical development related to the type of equipment used on board pleasure craft for processing and storing liquid and solid wastes, as well as with any technical development related to reception facilities, waste processing, storage techniques and final disposal options.

Pollution risk assessment:

149. Every marina should undertake a pollution risk assessment and set-up pollution emergency procedures.

150. Managers should ensure that the marina has available and maintain the equipment, including booms and absorbent material, which is necessary to face a local pollution.

151. The personnel of the marina should be trained to use the equipment and regular simulation exercises should be carried out.

³⁹ for further details see Section 1 "Waste management" in Chapter 1 of these Guidelines.

3.1.2 Awareness raising programmes and information campaigns

152. Information, education, outreach and public awareness are essential components of strategies to prevent and reduce marine pollution from pleasure craft activities. These can contribute significantly to the efforts aiming at bringing a change in the behaviour of all users.

- Guidelines for actions required of Authorities

153. Authorities should develop and implement training programmes, targeting the personnel of their administrations or agencies involved in the management and monitoring of pleasure craft activities and the prevention of marine pollution. These programmes should include sound knowledge on applicable international, regional or national regulations, including any sanctions incurred in case of violations.

154. Authorities should also develop, individually or in co-operation with other Mediterranean coastal States, raising-awareness programmes and information campaigns targeting the general public and particularly the users of pleasure craft.

155. These programmes should clearly describe the various sources of pollution and environmental impacts that may originate from pleasure craft activities, applicable regulations as well as measures that users should implement in order to comply with the relevant requirements.

156. The following information should as a minimum be made available:

- lists of areas suitable for sea watching (diving sites, snorkelling sites, wrecks, archaeological sites, sites that are suitable for cetacean watching, etc.) and the regulations applicable to these areas;
- lists of endangered and threatened species and their location;
- codes of conduct, guidelines or similar documents containing a list of the precautions to be taken when rescuing a marine animal in distress;
- lists of the sites that contain biological formations that are sensitive to craft anchors (meadows, coralligenous beds, underwater archaeological sites, etc.).

- Guidelines for actions required of managers of marinas

157. Managers of marinas should, as far as possible, develop and implement information campaigns targeting users of pleasure craft, especially during peak seasons.

158. Managers of marinas should also make available at any time to the users of pleasure craft information on, *inter alia*:

- biodegradable or environmentally sound detergents;
- authorized anti-fouling systems, including guidance to collect, handle, treat and dispose of them in a safe and environmentally sound manner;
- restricted anchoring zones in the areas around the marina;
- sensitive biological formations and endangered or threatened species present in the area surrounding the marina, including the required precautions to avoid harming them;
- invasive species type and location.

3.2 Implementation Measures

159. Checking and monitoring marinas, pleasure craft and their crew helps master the environmental aspects linked to pleasure craft activities.

3.2.1 Regulating and controlling pleasure craft activities and operation of marinas

160. Authorities should carry out a comprehensive assessment of their national legislation relating to pleasure craft activities and to marinas, with a view to identifying possible gaps and promulgating, where necessary, new regulations or amending existing regulations, in conformity with international applicable law.
161. Authorities should require that crafts and marinas operated under their jurisdiction comply with the requirements set forth in the applicable legislation.
162. When enacting national legislation relating to pleasure craft and the protection of the marine environment, authorities should also establish sanctions for violations.
163. Authorities should set up a system to monitor and control of pleasure craft activities and operation of marinas in the context of the present Guidelines.

3.2.2 Administrative measures

164. Systems to identify pleasure craft and control the qualifications of their crews, as well as appropriate insurance provisions, are administrative measures that are likely to facilitate the management of pleasure craft activities.

Craft identification:

165. The authorities should, as far as is reasonable and practicable, introduce into their legislation, if they have not already done so, a system by means of which pleasure craft falling under their jurisdiction may be identified by permanent markings.
166. Authorities should compile and keep up to date a register of pleasure craft containing relevant data pertaining to the craft.

Crew qualification:

167. Authorities should, as far as is reasonable and practicable, taking into account the characteristics of the pleasure craft, introduce in their legislation standard requirements related to qualification of the skipper or any other person in charge of the operation of a pleasure craft. The qualification should as a minimum ensure that they are able to operate the craft safely and have good knowledge of the rules and practices related to the protection of the marine environment.

Craft insurance:

168. Authorities should, as far as possible and practicable, ensure that pleasure craft calling in their internal waters are covered by appropriate and valid third party liability insurance. When considering imposing such insurance, Authorities should take into consideration the relevant international Conventions and give appropriate publicity to such requirements.

3.2.3. Communications and reports

169. The competent authority should communicate to the Centre their legislative and statutory texts regulating pleasure craft activities and the modifications made thereto, as well as the state of implementation of the present Guidelines. The Centre should in turn transmit such information to other Contracting Parties.
170. The competent authority should report on the implementation of these Guidelines within the reporting system of the Barcelona Convention.

APPENDIX 1

LIST OF RELEVANT CONVENTIONS AND OTHER INSTRUMENTS

International and regional instruments:

- United Nations Convention on the Law of the Sea (UNCLOS), 1982.
- International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL).
- IMO Guidelines for the Implementation of Annex V of MARPOL.
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention), and its 1996 Protocol.
- International Convention on the Control of Harmful Anti Fouling Systems on Ships, 2001.
- International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004.
- Resolutions and other decisions of the 24th Assembly. Resolution A.980(24) – Amendments to the IMO Guidelines on Ship Recycling (Resolution A.962(23)). Adopted on 1 December 2005 (Agenda item 11).
- Convention on Limitation of Liability for Maritime Claims (LLMC), 1976.
- UNESCO Convention on the Protection of the Underwater Cultural Heritage, 2001.
- Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, 1995.
- Protocol for the Prevention of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft, 1976.
- Protocol for the Prevention and Elimination of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea, 1995.
- Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, 2002.
- Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities, 1996.
- Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean, 1995.
- Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft.

- Directive 2003/44/EC of the European Parliament and of the Council of 16 June 2003 amending Directive 94/25/EC on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft.
- Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues.
- Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic area (ACCOBAMS, 1996).

Reference document and other tools:

- MARPOL - How to do it. (IMO, 2002 Edition).
- Code of Conduct for the Prevention of Pollution from Small Ships in Marinas and Anchorages in the Caribbean Region, Sept. 1997.
- Le management environnemental des ports de plaisance: Guide à l'attention des gestionnaires et exploitants. (RAMOGE).
- Préservation et conservation des herbiers à *Posidonia oceanica*. (RAMOGE, 2006).
- Guidelines for the Management of Dredged Material. (MAP Technical Reports Series No 129, 2000).
- Clean Marina Action Plan Workbook. (Florida Department of Environmental Protection, 2005).
- Guidelines for Commercial Cetacean-Watching Activities in the Black Sea, the Mediterranean Sea and Contiguous Atlantic Area. (UNEP/CMS/ACCOBAMS-UNEP/MAP/RAC/SPA, November 2004).
- Sea Turtle Handling Guidebook for Fishermen, (UNEP/MAP/RAC/SPA, 2001).
- Action Plan for the Conservation of Marine Vegetation in the Mediterranean Sea, (UNEP/MAP/RAC/SPA, 1999).
- Action Plan for the Management of Mediterranean, Monk Seal, (UNEP/MAP/RAC/SPA, 1987).
- A Handbook for Measuring the Progress and Outcomes of Integrated Coastal Management. IOC Manuals and Guides, 46; ICAM Dossier, 2. Paris, UNESCO, 2006 (English).

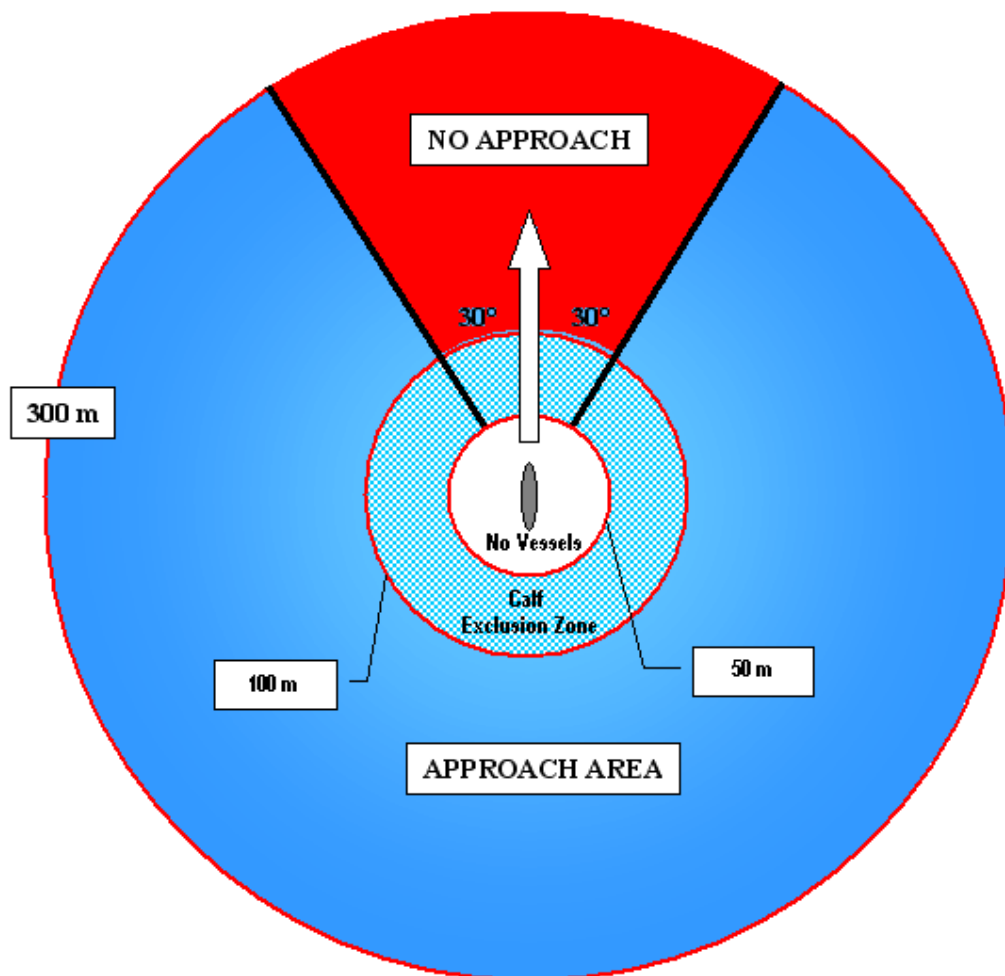
APPENDIX 2

GUIDANCE FOR APPROACHING CETACEANS

When a pleasure craft approaches an individual or group of marine mammals, the following recommendations should be followed⁴⁰:

- pleasure craft should be operated so as not to disrupt the normal behaviour of marine mammals;
- contact with marine mammals should be abandoned at any stage if they show signs of becoming disturbed or alarmed;
- particular care should be taken when calves are present;
- users should refrain from feeding the animals or throwing food to attract them;
- if more than one craft is in the approach zone, coordinated movements of the boats around cetaceans should be ensured using radio communication;
- a dedicated observer should be on duty wherever possible, in addition to the captain of the pleasure craft;
- care should be taken such that no marine mammal should be separated from a group, or a mother from her calf, or a group be dispersed;
- under no circumstances should marine mammals be driven forward or their movements blocked by the pleasure craft;
- sudden or repeated changes in the speed or direction of your leisure boat should not be made except in the case of an emergency;
- pleasure craft should not drift towards cetaceans;
- if cetaceans approach the pleasure craft or bow ride, a slow, steady speed (for guidance, 6 knots or under) should be maintained without changing direction (if unsure of their movements, operators should slow down gradually and put the engine into neutral);
- where a pleasure craft stops to enable the users of pleasure craft to watch a cetacean, the engines should be placed in neutral;
- when departing from watching cetaceans, it is important to determine where the animals are located to avoid collisions or coming too close to the animals. In some circumstances it may be necessary to wait for the animals to return to the surface from a dive to be certain of their position;
- cetaceans should never be approached head-on but from the rear or the side, nor should the craft sail alongside.

⁴⁰ Listed recommendations are taken from the Guidelines for Commercial Cetacean-Watching Activities in the Black Sea, the Mediterranean Sea and Contiguous Atlantic Area, developed by the Secretariat of ACCOBAMS (Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area) and RAC/SPA (Regional Activity Centre for Specially Protected Areas of the Mediterranean Action Plan).



Distances are from the animals (centre of the drawing)⁴¹.
Boat speed should be constant in the approach area.

⁴¹ Drawing prepared in accordance with the Guidelines for Commercial Cetacean-Watching Activities in the Black Sea, the Mediterranean Sea and Contiguous Atlantic Area.

APPENDIX 3

**SELF-EVALUATION OF THE ENVIRONMENTAL MANAGEMENT
OF PLEASURE CRAFT**

	Not applicable	Yes	If no	
			Planned for (month/year)	Main hindrance(s) or difficulty (ies)
1. Is the pleasure craft fitted with tank(s) dedicated to the collection of oily wastes?				
2. Is the pleasure craft fitted with tank(s) dedicated to the collection of sewage?				
3. Is the pleasure craft fitted with tank(s) dedicated to the collection of grey water?				
4. Are the equipment and space allocated to store garbage onboard adequate?				
5. Is garbage sorted on board?				
6. Is there a garbage management plan developed according to IMO international standards? ⁴²				
7. Is there a Garbage Record Book?				
8. Are the rules requiring that substances that are toxic, persistent or bio-accumulative (paints, pesticides, hydrocarbons, etc.) should not be disposed of at sea applied?				
9. Is the ratio (fuel/oil) of the fuel mixture of the two-stroke outboard engines used by the pleasure craft carefully controlled?				
10. Is the information on the procedure to follow if the pleasure craft causes an accidental fuel spillage clearly indicated?				
11. Are the hull maintenance operations carried out in areas fitted with appropriate antipollution equipment?				
12. Are the anti-fouling systems used recognised as environment-friendly?				
13. Is the pleasure craft fitted with an appropriate anchoring system?				
14. Is the information about endangered or threatened species, sensitive natural sites and invasive species available onboard?				

⁴² The garbage management plan and the Garbage Record Book are required for every craft of 400 tons gross tonnage and above and every ship certified to carry 15 persons or more.

APPENDIX 4

**SELF-EVALUATION OF THE ENVIRONMENTAL MANAGEMENT
OF MEDITERRANEAN MARINAS**

	Yes	If no		
		Planned for (month/year)	Estimated cost	Main hindrance(s) or difficulty (ies)
1. Is the location of the waste reception facilities well indicated?				
2. Are the facilities for wastewater reception equipped with pumps and/or vacuum extraction systems, and can the pleasure craft easily discharge their sewage water?				
3. Are your reception facilities compatible with the best available techniques for waste storage and processing?				
4. Are your fuelling facilities designed in a way that minimises the risks of spillage?				
5. Are your solid waste reception facilities compatible with waste sorting systems?				
6. Is the procedure to follow in case of an accidental fuel spillage, clearly indicated?				
7. Is the size/capacity of your reception facilities adapted to the size and number of pleasure craft frequenting the marina, including during the peak seasons?				
8. Is the information on the sensitive biological formations located in the areas surrounding the marina available?				
9. Are the financial needs of the environmental management of your marina clearly stated in the marina budget allocation?				

	Yes	If no		
		Planned for (month/year)	Estimated cost	Main hindrance(s) or difficulty (ies)
10. Do you have a waste management plan for your marina?				
11. Are operations related to waste management in your marina recorded?				
12. Are you keeping records of pollution incidents?				
13. Have you set-up emergency procedures in case of pollution?				
14. Is the equipment for implementing the emergency procedures available?				
15. Are you conducting regular simulation exercises to you're your emergency procedures?				
16. Are you regularly cleaning up your marina from waste, including oil?				

15th Meeting of the Contracting Parties

Decision IG 17/9: Guidelines on the decision making process for granting access to a place of refuge for ships in need of assistance

The 15th Meeting of the Contracting Parties,

Recalling Article 16 (Reception of Ships in Distress in Ports and Places of Refuge) of the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea ("Prevention and Emergency" Protocol) of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona in 1995,

Recalling also Specific Objective 12 of the Regional Strategy for Prevention of and Response to Marine Pollution from Ships, which identifies the issue of places of refuges for ships in need of assistance as an important element to minimize the risks of widespread pollution from ships and requests States to draw up plans to deal with ships in need of assistance,

Decides to adopt the Guidelines on the Decision Making Process for Granting Access to a Place of Refuge for Ships in Need of Assistance as endorsed by the Eight Meeting of REMPEC Focal Points (Malta, 7 – 11 May 2007), and contained in the Annex to this Decision;

Further decides that the Guidelines on the Decision Making Process for Granting Access to a Place of Refuge for Ships in Need of Assistance shall complement and supplement the "Aspects to be considered when receiving a request for entry in a safe haven" contained in section VI of the "Principles and Guidelines Concerning Cooperation and Mutual Assistance", adopted by the Contracting Parties at their Seventh Ordinary Meeting (Cairo, October 1991);

Calls upon the Mediterranean coastal States, when requested to grant access to a place of refuge, to take in due consideration those Guidelines.

ANNEX

GUIDELINES ON THE DECISION MAKING PROCESS FOR GRANTING ACCESS TO A PLACE OF REFUGE FOR SHIPS IN NEED OF ASSISTANCE

Introduction

1. It is a long-standing good practice and good seamanship for a master of a ship whose passengers and/or crew and/or vessel are in grave and imminent danger to seek a place of shelter or safety, now commonly referred to as "place of refuge". Indeed and because of the long-standing custom, seafarers often perceive this to be a "right of access" to a place of refuge. It is, however, clear that this was a custom and never a right enshrined in international law.

2. Maritime Custom has evolved and changed over time, and Coastal State Authorities are increasingly reluctant to allow ships in need of assistance access to their coastal or territorial waters.

3. In 2001, the then IMO Secretary General reminded us: *"When dealing with ships in distress, the requirement is to find them an area of sheltered water where the situation can be stabilized, the cargo made safe and the salvors and authorities can evaluate what further steps are necessary without the pressure of a crisis hanging over their heads. The concern of port authorities that they should not be exposed to the risks of pollution, fire or explosion is well understood and is not in any way challenged. But equally, this is an issue which will not go away and must be addressed. We cannot continue to permit a situation to unfold in which salvors dealing with a damaged vessel containing a potentially hazardous cargo have nowhere to go."*⁴³

4. And in December 2003, in his opening address to the 23rd Assembly⁴⁴, the IMO Secretary General highlighted that a rational view should be taken of any situation that might give rise to a request for a place of refuge and that facts should guide the decision rather than emotion. During the same IMO Assembly, on the 5 December 2003, two IMO Assembly resolutions were adopted namely, resolution A.949 (23) on Guidelines on Places of Refuge for Ships in Need of Assistance; and resolution A.950 (23) on Maritime Assistance Services.

Purpose

5. The Guidelines on the decision making process for granting access to a place of refuge for ships in need of assistance ("the Guidelines") are intended to assist the National Maritime Administration in identifying places of refuge suitable to deal with maritime emergencies that cannot be dealt with at sea. The Guidelines can also assist in the appropriate decision making process in deciding to grant or refuse a request for access to a place of refuge.

6. The Guidelines recognise that a distinction has to be made between emergency situations where maritime safety is concerned as opposed to emergency situations where

⁴³ Mr. W. O'Neil, Secretary General, IMO, Keynote address, 22nd World Ports Conference of the IAPH, Montreal, Canada, May 2001

⁴⁴ IMO Document A23/SR1, 7. June 2004

the national security is concerned. The Guidelines have been designed to protect and prevent harm to the marine environment, to protect citizens, coastlines and maritime industries, including commercial ports.

Application

7. The Guidelines are intended to apply to any maritime incident which might give rise to circumstances where the National Maritime Administration may need to consider a request for granting access to a place of refuge in waters within its jurisdiction.

8. The Guidelines intend to ensure that decisions on granting access to places of refuge are made in a consistent manner, within the boundaries of international and national maritime law. The Guidelines emphasise that it may be necessary to balance the interests of a ship in need of assistance and the National interest.

9. The Guidelines aim to take into account a wide variety of causes and circumstances that might arise in the case of a vessel in distress being in need of assistance.

10. The Guidelines propose a case-by-case approach to analysis and decision making.

11. The Guidelines recognise that a cooperative and consensual approach is often necessary to successfully resolve a distress situation where vessel might be in need of assistance.

12. The Master or the person in charge of a ship which is in need of assistance should contact the MAS of the coastal State and seek permission to access a place of refuge. Such a request could also come from a salvage master already engaged to tackle the situation on board or from the owner or the manager of the ship in need of assistance.

13. The need to access a place of refuge might arise for the ship as a consequence of:

- a maritime disaster, e.g. a fire, a collision, a grounding or an explosion,
- a technical defect, e.g. breakdown of vital machinery items or navigational aids
- a stability incident, e.g. shifting or liquefaction of cargo on board
- a pollution incident
- *force majeure*, that is an Act of God; or a force or an event beyond reasonable human control such as storms, hurricanes or other natural disasters
- any other incident not listed here, which might give rise to a ship being in need of assistance

14. Requests for access to a place of refuge may also be submitted where a ship is exercising her right of innocent passage through the territorial sea in accordance with UNCLOS Article 18(2) or Article 39.1(c) or Article 54 and seeks to stop and anchor in a case of *force majeure* or distress.

15. These Guidelines are not intended to apply in cases where warships or other vessels owned and operated by a Government and solely engaged on governmental purposes are requesting a permission to access a place of refuge.

Definitions

16. **Ship in need of assistance** means a ship in a situation, apart from one requiring rescue of persons on board, that could give rise to loss of the vessel or an environmental or navigational hazard.

17. **Place of Refuge** means a place where the ship in need of assistance can take action to enable it to stabilize its condition and reduce the hazards to navigation, and to protect human life and the environment.

18. **MAS** means a maritime assistance service as defined in IMO resolution A.950(23), responsible for receiving reports in the event of incidents and serving as the point of contact between the shipmaster and the authorities of the coastal State in the event of an incident.

19. *The terms "place of refuge" "ship in need of assistance" and "MAS" are used in these Guidelines with the same definitions as used in the IMO resolution A.949(23):*

20. **Competent Authority** means any relevant body charged with the decision making process in the case of a ship in need of assistance making a request for permission to access a place of refuge. This could also be an ad-hoc committee or a body set-up purely in the event of such an incident and exclusively tasked to assess the request and make a decision on granting or refusing the request.

Why seek or provide a place of refuge?

21. When assessing the request for access to a place of refuge, it should be borne in mind that it is rarely possible to deal swiftly, successfully and effectively with a maritime distress situation with the ship being solely out in the open sea. Cases have been experienced where the condition of a ship forced to remain at sea over a prolonged time and at the mercy of the elements has significantly deteriorated, thereby becoming an even greater potential (or real) hazard to the coastal environment of the State concerned.

22. These Guidelines advocate that a place of refuge should be provided with the intention of protecting and safeguarding:

- the safety of human life and health in the immediate vicinity of the vessel which is in need of assistance
- the marine, coastal and/or terrestrial environments, incl. fish stocks and aquaculture, both in the immediate vicinity of the vessel and in the vicinity of the envisaged place of refuge
- ecological and marine resources both in the immediate vicinity of the vessel and in the vicinity of the envisaged place of refuge
- economic infrastructure and installations, both in the immediate vicinity of the vessel and in the vicinity of the envisaged place of refuge, but also in ports or estuaries
- the vessel as a piece of property
- the ship's cargo as a piece of property

International Law

23. It has to be pointed out that at present there is no international instrument granting ships a right to seek refuge in the territorial waters of a coastal State. There is a long-established custom of granting refuge to ships, including warships, which are in distress, whatever its cause. Such access to national territorial waters was always limited by its purpose, to resolve the distress situation, e.g. by swiftly carrying out repairs to the ship's hull or her machinery.

24. If the coastal State applying these Guidelines is a signatory to the International Convention on Salvage, 1989, then the obligations placed on the signatory State by Art. 11 of the convention may have to be observed: *"A State Party shall, whenever regulating or deciding upon matters relating to salvage operations such as admittance to ports of vessels in distress or the provision of facilities to salvors, take into account the need for co-operation between salvors, other interested parties and public authorities in order to ensure the efficient and successful performance of salvage operations for the purpose of saving life or property in danger as well as preventing damage to the environment in general."*

25. If the coastal State applying these Guidelines is a signatory to the International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974), as amended, then the obligations imposed on signatories in Chapter V of the SOLAS Convention may have to be observed. Likewise, if the coastal State applying these Guidelines is a signatory to the International Convention on Maritime Search and Rescue (SAR), 1979 (as amended), then the obligations imposed on signatories in Chapter 2 of the SAR Convention may have to be observed. Both conventions request signatory States to render assistance to ships in distress, albeit both restrict it to the saving of life aboard the ship.

26. If the coastal State applying these Guidelines is a signatory to the United Nations Convention on the Law of the Sea (UNCLOS), then Articles 2 and 25(2) should be observed, which grant the signatory State the right to regulate entry into her ports.

27. UNCLOS also grants signatory States the right to protect their coastlines or related interests from pollution or the threat of pollution following a maritime casualty (*vide* Articles 194, 195, 198, 199, 211, 221 and 225).

28. If the coastal State applying these Guidelines is a member to the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, (the Intervention Convention), as amended by the Protocol of 1973, the State may: *"take such measures on the high seas as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat of pollution of the sea by oil following upon a maritime casualty or acts related to such a casualty, which may reasonably be expected to result in major harmful consequences."* (Art. 1 of the Intervention Convention), but it should be noted that two conditions have to be satisfied before the coastal State can intervene: there has to be a "maritime casualty" and there must be grave and imminent danger of a pollution. The wording of the Intervention Convention is such that an intervention is also justified, if grave and imminent danger results from the "acts related to such a casualty", e.g. in a case where the salvage attempts are going wrong.

29. It should be noted that intervention powers in internal waters of a coastal State, i.e. ports and harbours, estuaries or canals, etc. may already have been enshrined in national laws and other legal instruments. If this is the case, then these Guidelines should be extended and amended to reflect the existing national legal regime for internal waters.

Who has the authority to grant access to a place of refuge?

30. A State applying these Guidelines should enact national legislation which clearly mandates an existing or newly created body or official, to have powers to decide upon a request for access to a place of refuge. Such a body could be the National Maritime Administration or the National Administration for Ports and Harbours or the Admiral of the Fleet (the Coastguard) or another governmental body. It is important that legislation be clear and precise on who can take the decision, and in what manner. Decisions on a request for access to a place of refuge often have to be taken on the spot. Throughout these Guidelines, the decision maker is referred to as "Competent Authority" and it is recommended to nominate an official who will, after the necessary consultation process has been duly completed, take the final decision on whether to grant or refuse access to a place of refuge.

31. It is possible that the national laws already in force allocate the authority and divide the responsibilities between different bodies, depending on the location of the ship in need of assistance, i.e. waters within its jurisdiction. In such instances different officials may have to be appointed, who have the final decision-making authority, taking into account the extent of their jurisdictions.

Procedures to be employed when deciding on a request for access to a place of refuge

32. As a first step, national administrations should prepare a detailed inventory of their national coastline, compiling information as listed in Appendix 1 to these Guidelines. Preferably, such information should be made available referenced to sea charts of the coastline.

33. These Guidelines advocate the approach to decide on a suitable place of refuge on a case-by-case basis as opposed to pre-designated places of refuge. The presumption here is that a place of refuge is not a strictly defined fixed location but always depends on the type and characteristics of the ship in need of assistance, the type of incident that led to the distress situation, the prevailing wind and weather conditions and finally the potential consequences of admitting a particular ship to a particular place of refuge. A place of refuge that may be totally unsuitable in one incident may be the ideal place of refuge in another incident.

34. The Competent Authority should as a rule explore the feasibility of dealing with the maritime emergency situation while the ship is at sea, rather than automatically granting permission to access a place of refuge.

35. The Competent Authority should in the first instance request the MAS to compile basic information on the ship in need of assistance, as outlined in Appendix 2 to these Guidelines. Almost all of this information would be provided by the Master of the ship in need of assistance or the person requesting access to a place of refuge, e.g. the Salvage Master of the operation.

36. As a second basis for exploring all options, the Competent Authority should aim to compile, review and analyse all relevant available information. Thus it would be possible to compare all options available and compare between the hazards posed by the ship if she remains at sea as opposed to the hazards she poses if she were admitted to a place of refuge on the coastline or in internal waters.

37. In order to come to an informed decision that a response to the casualty can be made while the vessel remains at sea, the Competent Authority should consider additional

information, which is listed in Appendix 3 to these Guidelines. Some of the information may be furnished by the ship in need of assistance, other information will have to be procured from other, relevant government departments/ agencies/ organizations.

38. In any case, it may be helpful to request that qualified expert staff of the national administration carry-out an on-scene inspection of the ship and an evaluation of the situation on board. If it is not too dangerous, then the Competent Authority might consider placing on board the ship a liaison officer, who can provide advice to the Competent Authority on actions and developments on board and actions or procedures either proposed or undertaken by the Master of the ship or the salvage team. Such a liaison officer would probably best be an experienced marine surveyor with extensive knowledge of ship structures, ship stability and some experience in salvage operations. Appendix 4 to these Guidelines provides a flowchart of procedures to be employed when deciding on a request for access to a place of refuge.

The decision making process

39. It is preferable that all communication with the ship requesting access to a place of refuge should be carried out between the MAS and the ship. In cases where other national agencies receive such a request, they should immediately alert the MAS, who will in turn follow their contingency plans detailing which agency or department or authority should be alerted. This could include the port authority / corporation if they are likely to be a place of refuge.

40. Responsibility for the decision making process rests with the Competent Authority appointed in accordance with paragraphs 30 and 31 of these Guidelines.

41. An assessment of the request for granting access to a place of refuge should be made in accordance with these Guidelines. The process of assessing requests for granting access to a place of refuge will in all cases involve detailed consultation with the various agencies named and listed in the contingency plan for places of refuge decisions. Agencies involved should also include port authorities/ corporations involved, local or regional conservation agencies, and/ or other government agencies who bear responsibility for the areas which are or are likely to be affected.

42. The final decision on granting or denying the request rests with the official named in the national legislation, who was appointed as recommended in paragraphs 30 and 31 of these Guidelines.

43. Once a decision has been made on whether to grant or deny access to a place of refuge, this decision should be immediately communicated to the MAS, who in turn will communicate the decision to the person who requested the permission. The MAS will also inform the national or regional Maritime Rescue Co-ordination Centre (MRCC). The MAS will inform neighbouring States, whose territories or coastlines might be affected by the casualty of the decision and the reasons for granting or denying the request.

Implications of denying a request for granting access to a place of refuge

44. When assessing the request for access to a place of refuge, the Competent Authority should assess the other options available to the ship. These may be limited, because of the remoteness of the location of the ship, the prevailing weather conditions at the time of the accident or even the level of traffic in the area of the casualty.

45. The Competent Authority should also take into account the effect a denial of the request could have on the maritime coastal environment of other, neighbouring coastal States. The decision has to balance the right of the coastal State to protect her coastline or internal waters versus the duty of the coastal State as outlined in UNCLOS Article 195 not to transfer directly or indirectly damage or hazards from one area to another.

46. In the case of a denial, the Competent Authority should, as far as possible, attempt to consider other alternative arrangements that could be made to assist the vessel in need of assistance.

Handing over the communication and decision making process to another jurisdiction

47. During the response to a distress situation with a request for granting access to a place of refuge, there is the possibility that the coordination process may have to be handed over to a neighbouring jurisdiction. For example, a disabled ship without propulsion may, while in the EEZ and not yet in reach of a salvage tug, be drifting along the coastline and leave the jurisdiction of one coastal State. But it is also possible that there may have been a decision to seek refuge in a different, more suitable place.

48. In such cases, there should be a clear and unambiguous procedure in place, how the communication and coordination process can be handed over to another, neighbouring State. As a general rule, neighbouring States should always be alerted through their MAS about the fact that a ship is in need of assistance and has requested permission to seek refuge. When the situation develops further, the MAS of the State into whose territory the casualty might or is drifting or moving, should be alerted as early as possible to the fact that the casualty might enter their territorial waters or EEZ.

49. Once the casualty is no longer within the jurisdiction of the State applying these Guidelines, the MAS should formally contact the MAS of the neighbouring State and hand-over all available information so far collected.

50. Neighbouring States, which are in the vicinity of a heavily trafficked shipping lanes, where the probability of a request for access to a place of refuge is high, might consider setting up a Memorandum of Agreement, which outlines, how such cases should be handled, when the neighbouring State should be contacted and which procedures should be followed in the "hand-over" process.

Liability and compensation

51. The IMO has developed a number of conventions regulating the liability and compensation following a pollution incident. When applying these Guidelines, the coastal State should undertake a comprehensive review of which convention the State has acceded to and as a consequence which liability regime(s) apply. The relevant conventions all contain provisions detailing the geographical boundaries, within which the respective convention applies as well as the type of ship and / or cargo. Such convention would continue to apply if a pollution incident were to occur in a place of refuge.

52. However, a prudent administration would seek to verify that the ship carries a valid insurance cover which would be available should a pollution incident occur. In addition, a State granting access to a place of refuge may consider requesting the owner or managers of the ship which is in need of assistance to provide an indemnity or a letter of undertaking or a security in form of a bond or a guarantee to cover necessary costs and compensation claims associated with the ship accessing the place of refuge. However, the absence of such insurance cover or undertaking or security should not hamper or delay the decision making process for granting access to a place of refuge.

53. The contingency plans should contain background information on the various insurance covers or bonds available to assist during the decision making process. Likewise, a proper procedure should be developed and be part of the contingency plans outlining what form the indemnity should have which might be requested.

Appendix 1

Inventory of the National Coastline to identify potential Places of Refuge

<p>Natural and Physical Conditions Weather and sea conditions precluding or favouring the use of the area, i.e. during which weather is the area sheltered from wind, waves or currents Sea surface conditions at different weather conditions Bathymetry Seasonal effects Seabed conditions (anchoring ground) On-shore conditions Shoreline conditions Accessibility, both from sea and land Impediments to handling large ships with restricted manoeuvring capabilities</p>	<p>Ecology Plankton Benthos Fish species Seabirds Waterfowl</p>	<p>Socio-economic factors Coastal conservation areas Marine conservation areas Underwater archaeology Fishing grounds Aquaculture Other sea users Stakeholder concerns Existing shipping lanes through the area or nearby Seabed cables Proximity to local residential areas Military use Coastal recreation and tourism Vulnerable installations, e.g. cooling water inlets of power plants Availability of contingency plans for the area Availability of emergency response equipment Availability of tugs, lighters, salvage equipment, storage facilities, etc. Availability of waste disposal facilities Availability of repair facilities Impact of potential closure of the port on the local or national economy</p>
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Appendix 2

Initial Information to be supplied with a Request for granting Access to a Place of Refuge

A vessel requesting a place of refuge should supply the following information to assist in the decision making process:

- Name of the vessel
- Flag of the vessel
- IMO number of the ship
- Call sign
- MMSI number
- Type of vessel
- Number of passengers on board the vessel
- Classification of cargo(es) carried on board
- Cause of damage and the nature and extent of damage
- Nature and quantity of hazardous or harmful substances carried
- Type and quantity of bunker fuel on board
- Actual pollution or potential for pollution
- Risk/ presence of fire, explosion or emission or discharge of dangerous substances; and if so, the source, nature and quantity of those substances
- Does vessel have ballast on board (loaded tanks/ballast tanks)
- Size (tonnage), length, beam and draft of vessel
- Engine power and type and number of propellers
- Vessel afloat or aground, anchor(s) ready for use
- Whether disabled or fully in control of manoeuvring, whether auxiliary power is available, whether rudder is functioning
- Crew data (size of crew, nationality, etc.)
- Name(s) of the registered owner(s), the registered bareboat charter(s) and their registered address(es)
- Name of the company registered as managers within the definitions of the ISM Code, its registered address and the address(es) from where it carries out the safety management activities and its contact details
- Name(s) and contact details of the "Designated Person Ashore" (DPA)
- Name and address of the local agent (if any)
- Identification details of the ship's P&I Insurers
- Identification details of the ship's Hull and Machinery Insurers
- Name(s) and contact details of the local P&I Club representative
- Position of vessel (and how determined: GPS, dead reckoning, best guess)
- Course and speed (steaming, adrift or at anchor)
- Is a pilot or escorting assistance required
- Weather and sea conditions prevailing at the position of the ship
- Details of any casualties on board or in the vicinity of the ship
- Nature of immediate assistance required
- Whether evacuation of the crew is necessary or not
- Whether ship has to be abandoned or not, are there alternatives
- Response actions/ precautionary measures initiated by the vessel's crew for example: whether salvors have been contacted or engaged; who will be the contractor; what is the ETA of the salvage contractor
- Have these response actions/ precautionary measures been successful or not
- What are the next steps planned
- How is the operational safety situation on board

- Details of place of refuge request (area, coordinates, etc.)
- Distance to preferred place of refuge, limitations
- Person on the ship making request
- Preferred language for communications
- Details of all vessels' satellite communication numbers (e.g.: INMARSAT C / Satphone / mobile / fax, etc., numbers)
- Date and time of request
- A priority ranking of assistance measures requested
- The anticipated time frame for decisions
- The type of expertise and equipment needed for response measures
- Any further assistance required to be on stand-by

Appendix 3

Issues to be Considered in Continuing to Respond to a Maritime Casualty at Sea

The Competent Authority should initially consider and pursue the option of continuing to respond to a marine casualty at sea.

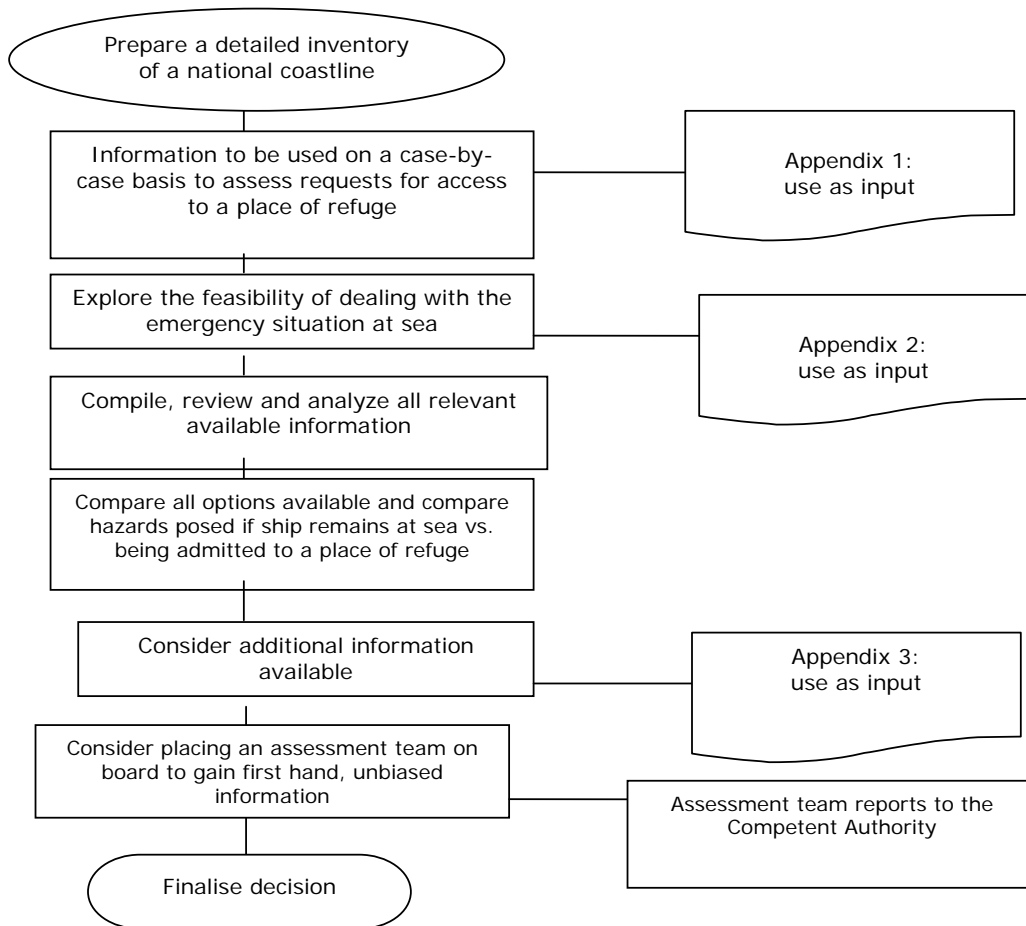
In these situations, the following aspects should be considered:

- Prevailing and forecast weather conditions for the time the vessel is expected to remain at sea.
- Structural integrity of the vessel, in particular of the hull in the vicinity of cargo tanks or holds.
- Seaworthiness of the vessel, in particular buoyancy and stability.
- Availability of means of propulsion and power generation.
- If the vessel is without own propulsion, is it possible to stabilize her sea position using tugs or other assisting vessels.
- Adequate sea room and depth of water available to allow ship to drift
- Traffic density in the incident area
- Possibility to anchor the vessel at the current location
- Current and tidal conditions at sea
- Adequate persons (in number and qualifications) on board to fulfil all functions on board and an assessment of human factors including fatigue. If not, is it safe to supply such personnel from shore and can they safely be placed on board?
- Is a salvor at the scene and has a commercial salvage contract been concluded between the relevant parties?
- Is salvage equipment available and can it be transported to the casualty while at sea?
- If salvage equipment is available, can this be used to stabilize the condition of the ship so as to reduce the hazard of pollution?
- Can the vessel be reached by helicopter?
- Availability of sufficient tugs and support vessels and where are they stationed
- Are there additional safety measures that have to be taken to ensure the ship can safely remain at sea?
- How will all imposed prevention and pre-cautionary measures such as navigation instructions, bridge complement, manning of engine room, number of tugs, etc, be complied with (e.g. representatives, inspectors or salvors on board) ?
- Possibility of lightering at sea and availability of appropriate equipment (barges, cranes, cargo gear, etc.) and personnel
- Availability of fire fighting, oil and chemical pollution combating equipment and sufficient qualified personnel
- Can such combating equipment be used in an at sea environment or is its use restricted to near-shore/ internal waters?
- Can such combating equipment, if suitable, be transported in a reasonable time frame to the casualty location?
- Option to restrict or prohibit access of ships/craft and personnel and to enforce it, if circumstances so require (establishment of sea safety zones)
- Requirement for restrictions regarding the use of the sea area in the vicinity of the vessel and the use of air space above or in the vicinity of the vessel – have these been imposed by the competent authorities and how are they enforced
- Sustainability/availability of an anchorage or berth in a port and any potential environmental or other effects

- Which financial indemnities/bonds have been or have to be requested to cover personal injuries and other damages such as damages to the environment, port channels and installations, costs for combating the incident, costs for entering a port (pilot, tugs, crew, etc.), port dues, delays to other vessels/cargoes in the port, leased berth usage, cargo handling, repairs, disposal of any types of wastes, wreck removal, etc. ?
- Is there a need for financial bonds, etc., to cover costs associated with environmental / socio-economic / cultural assessments?
- How and up to which amount have these indemnities been secured (e.g. bonds, bank guarantee, letter of indemnity, etc.). ?

Appendix 4

Flowchart: Procedures to be employed when deciding on a Request for Access to a Place of Refuge



15th Meeting of the Contracting Parties

Decision IG 17/10: "Action Plan for the Conservation of Mediterranean Marine Turtles", the revised implementation timetable of the "Action Plan for the conservation of Bird species listed in Annex II of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean", and the revised implementation timetable of the "Action Plan concerning species introductions and invasive species in the Mediterranean Sea"

The 15th Meeting of the Contracting Parties,

Recalling Article 11 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean hereinafter referred to as the "Protocol", on national measures for the protection and conservation of species,

Recalling Article 12 of the Protocol, on cooperative measures for the protection and conservation of species, and in particular its paragraph 3 on the formulation and implementation of action plans for their conservation and recovery,

Considering the previously revised version of the "Action Plan for the conservation of Mediterranean Marine Turtles" adopted by the Eleventh Meeting of the Contracting Parties to the Barcelona Convention (Malta, October 1999),

Recalling the recommendation adopted by the Fourteenth Meeting of the Contracting Parties (Portoroz, November 2005) to propose, as appropriate, an update of the Action Plan for the Conservation of Mediterranean Marine Turtles, taking into consideration the results of the Regional IUCN Red List Assessment of *Caretta caretta*, *Chelonia mydas* and *Dermochelys coriacea* prepared by IUCN's Marine Turtle Specialist Group (MTSG), and other relevant inputs,

Noting with satisfaction the work accomplished by the meeting of the ad hoc group of Mediterranean experts, nominated in consultation with the Contracting Parties and relevant partner organisations (Misurata, Libya in November 2006) for drafting the updated version of the Action Plan,

Considering the "Action Plan for the conservation of Bird species listed in Annex II to the Protocol" adopted by the Contracting Parties in Catania, November 2003, and more particularly its section 5.4 concerning assessment and revision, and the "Action Plan concerning Species Introductions and Invasive Species in the Mediterranean Sea" (adopted by the Contracting Parties in Catania, November 2003), and more particularly its paragraph 10 on the evaluation and follow-up of the Action Plan,

Noting the work accomplished by the Regional Activity Centre for Specially Protected Areas (SPA/RAC) in close collaboration with the Contracting Parties, in evaluating the implementation of both previously-cited Action Plans and proposing new timetables for their implementation,

Decides to adopt the revised and updated version of the "Action Plan for the Conservation of Mediterranean Marine Turtles", the revised implementation timetable of the "Action Plan for the conservation of Bird species listed in Annex II to the Protocol", and the revised implementation timetable of the "Action Plan concerning Species Introductions and Invasive Species in the Mediterranean Sea", as contained respectively in Annexes I, II and III to this Decision;

Requests the Contracting Parties to take the necessary measures for the implementation of the updated Action Plans within the time limits set out in their implementation timetables, and report on their implementation according to the cycle and format of the MAP reporting system.

ANNEX 1

Draft Action Plan for the conservation of Mediterranean Marine Turtles

I Introduction

1. The Parties to the Barcelona Convention included among their priority targets for the period 1985-1995 the protection of Mediterranean marine turtles (Genoa Declaration, September 1985). To this purpose and as a response to growing international concern about the status of Mediterranean marine turtles, which encounter various threats, including mortality in fishing gear and loss of vital habitats on land (nesting beaches), they adopted in 1989 the Action Plan for the Conservation of Mediterranean Marine Turtles. In 1996, the Parties confirmed their commitment to the conservation of marine turtles by including the 5 species of marine turtle recorded for the Mediterranean in the List of Endangered and Threatened Species annexed to the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (Barcelona, 1995). The Protocol calls on the Parties to continue to cooperate in implementing the Action Plans already adopted.

2. The Action Plan for the Conservation of Marine Turtles was revised in 1998-1999 and the revised Action Plan was adopted at the 11th Meeting of the Contracting Parties to the Barcelona Convention in Malta, in October 1999. Following the request of the Contracting Parties to the Barcelona Convention (Portoroz, 2005), RAC/SPA has prepared the present update of the Action Plan for the Conservation of Marine Turtles in the Mediterranean. **The draft Action Plan was presented, discussed and approved by the Eighth Meeting of Focal Points for SPAs in Palermo, Italy, 6-9 June 2007.**

3. Two species of turtle nest in the Mediterranean, the Loggerhead turtle (*Caretta caretta*) and the Green turtle (*Chelonia mydas*). The Leatherback turtle (*Dermochelys coriacea*) is recorded fairly regularly in this sea, while the other two species (*Eretmochelys imbricata*, *Lepidochelys kempii*) are very rarely encountered. Loggerhead turtles also enter the Mediterranean from the Atlantic as juveniles in their oceanic stage and return to the Atlantic.

4. Marine turtles are reptiles and reptiles evolved on land. Though they have adapted well to living in the sea, their ties to their ancestors, leads them back to land to lay their eggs and reproduce. The intensive exploitation of turtles during much of last century has led to a virtual collapse of the turtle populations in the Mediterranean. Relatively new threats such as incidental catches and mortality in fishing gear and loss of nesting habitats face the remaining populations. The conservation of turtles, as a result of their biology, needs to address threats and issues both on land and in the sea. Marine turtles are long living reptiles and the recovery of populations is therefore a long process. Their reproduction on land poses threats to them, but it also provides opportunities, in a practical way, to help the species recover, for example by reducing predation. Good knowledge of their biology and needs is essential if this opportunity is to be used properly. Turtles do not nest every year and significant fluctuations from year to year in nesting activity are common, especially in green turtles. As a consequence long term data are needed in studying populations and in drawing conclusions.

5. The wider issues of biodiversity conservation need to be taken into consideration in conserving any species, such as sea turtles. Threatened species are components of an ecosystem and the interdependence of the implementation of the various RAC/SPA Action Plans for endangered species and biodiversity conservation is stressed here.

6. There is clear evidence of important negative impacts on the populations of Mediterranean marine turtles by human activities. The most serious current threats/effects to turtles are:

- deterioration of the critical habitats for the life cycle of marine turtles, such as nesting, feeding and wintering areas, and key migration passages
- direct impacts on turtle populations of incidental capture in fisheries, intentional killing, consumption, egg exploitation and boat strikes
- pollution, which can have impacts on both habitats and species

7. Knowledge of the genetic stocks, status, biology and behaviour of marine turtles is increasing rapidly in the Mediterranean and though gaps still exist, sufficient information is available for conservation purposes. This information has been used in updating and improving the provisions of the present MAP Action Plan for the Conservation of the Mediterranean Marine Turtles⁴⁵. Sufficient information is also available in most cases to draw up National Action Plans for the conservation of marine turtles.

8. Information from various sources has been taken into account in this Action Plan. Effective protection and management of nesting areas, practical measures to reduce turtle by-catches, as well as the management of feeding grounds, based on scientific information, are some of the key elements that can help to ensure the survival and the recovery of populations of marine turtles. These elements have been paid due attention. Scientific information on population dynamics, tagging, biology, physiology, public awareness etc have also been given due attention in this plan.

9. The effective and sustainable protection of the Mediterranean marine turtles implies management of the Mediterranean as a whole, taking into account the ecosystem approach, and should take advantage of the actions of all the concerned stakeholders and be carried out in cooperation with organisations, programmes and plans, at the supranational and national level such as the Mediterranean Action Plan (MAP); Fisheries Management Plans (FAO/GFCM); the Marine Turtle Specialist Group (IUCN/SSC); International Commission for the Conservation of Atlantic Tunas (ICCAT); International Commission for the Scientific Exploration of the Mediterranean Sea (ICSEM); relevant NGOs, Research institutions, Universities etc.

10. This Action Plan outlines objectives, priorities, and implementation measures in different fields as well as their coordination. The different components of the Action Plan are mutually reinforcing and may act synergistically.

11. The progress in implementing the Action Plan will be reviewed at each meeting of the National Focal Points for SPAs, on the basis of national reports and of reports by RAC/SPA on the regional aspects of the Action Plan. The Action Plan will be assessed and revised and updated as necessary, every five years, unless the SPA Focal Point Meetings deem otherwise.

⁴⁵ As understanding the status of sea turtles is fundamental to their conservation, the present Action Plan takes into account the Marine Turtle Specialist Group status assessment of the three species concerned in the Mediterranean Sea. For *Dermochelys coriacea* this it can be found at: http://www.iucn-mtsg.org/red_list/regional/Dermochelys_MTSG_Mediterranean_Assessment.pdf
For *Chelonia mydas* and *Caretta caretta*, the draft Regional Assessments are expected to be ready by the end of June 2007. For *Chelonia mydas* the global red-list assessment can be found at: http://www.iucn-mtsg.org/red_list/cm/MTSG_Chelonia_mydas_Assessment_April-2004.pdf

II Objectives

12. The objective of this Action Plan is the recovery of the populations of *Caretta caretta* and *Chelonia mydas* in the Mediterranean (with priority accorded to *Chelonia mydas*, wherever appropriate) through:

- Appropriate protection, conservation and management of marine turtle habitats, including nesting, feeding and wintering areas and key migration passages.
- Improvement of the scientific knowledge by research and monitoring.

III Priorities

13. Acknowledging the progress achieved over the past years and the proliferation of projects, activities and actions in many countries in the region, it is considered an overarching priority action to continue and enhance such ongoing projects and activities related to marine turtle conservation, research and monitoring. The following priorities have been identified for each component of this Action Plan:

III.1. Protection and management of the species and their habitats

- Development, implementation and enforcement of legislation;
- Protection and effective management of nesting areas (including the adjacent sea);
- Protection and management of feeding, wintering and mating areas and key migration passages;
- Minimization of incidental catches and elimination of intentional killings.
- Restoration of degraded nesting beaches

III.2. Research and monitoring

Knowledge needs to be improved in the following topics:

- Identification of mating, feeding and wintering areas and key migration passages;
- Identification of new nesting areas;
- Biology of the species, in particular aspects related to life cycles, population dynamics and population trends and genetics;
- Assessment of fisheries interactions and associated mortalities, including modification of fishing gear and related socioeconomic issues;
- Assessment and improvement of nesting beach management techniques;
- Data collection through stranding networks;
- Assessment of population trends through long term monitoring programmes, both on nesting beaches and at sea.
- Impact of climate change.

III.3. Public awareness and education

For the implementation of this action plan, public support is needed. Information and education campaigns on relevant turtle conservation issues should target groups such as:

- Local residents and visitors to nesting areas;
- Fishermen and other stakeholders;
- Tourists and tourism-related organizations;
- Schoolchildren and teachers;
- Decision makers at national, regional and local levels.

- Appropriate training/education of stakeholders can be given (e.g., to fishermen and tourism workers)

III.4. Capacity building/Training

Training of managers and other staff of protected areas in conservation and management techniques and of scientists, researchers and other staff in conservation, research and monitoring in the priority issues covered by the Action Plan

III.5. Coordination

Promote and enhance cooperation and coordination among the Contracting Parties, as well as cooperation and networking among the relevant organisations and experts in the region. Priority should be given to the regular assessment of the progress in the implementation of this Action Plan.

IV Implementation Measures

14. The implementation of the measures recommended in this Action Plan will only be possible with the appropriate support by the Parties and by competent international organizations, particularly as regards the provision of adequate financial support, through national and regional funding programmes and through support for applications to donors for projects. Much progress has been achieved over the past years, with the proliferation of projects, programmes, activities and actions in many countries around the Mediterranean. The implementation of such ongoing activities related to marine turtle conservation, research and monitoring is expected to benefit from the provisions of this Action Plan.

IV.1. Protection and Management

15. With regard to protection and management, the following measures are recommended:

(a) Legislation

16. The Contracting Parties that have not yet extended legal protection to marine turtles should do so as soon as possible.

17. Each Contracting Party should develop and implement as soon as possible the necessary legislation for the protection, conservation and/or management of areas important for marine turtles, such as nesting (including the adjacent sea), feeding, wintering and mating areas and key migration passages.

18. In pursuing the above the Contracting Parties should take into account the provisions of the relevant international conventions and supranational legislation as well as the RAC/SPA "Guidelines to Design Legislation and Regulations Relative to the Conservation and Management of Marine Turtles Populations and their Habitats".

(b) Protection and Management of Habitats

19. Integrated management plans should be elaborated and implemented for terrestrial and marine areas critical for nesting, feeding, wintering and mating, as well as key migration passages.

20. Measures and management rules aimed at protecting critical habitats, on land and at sea, should be developed and implemented. In the case of nesting areas, such measures

should cover issues such as public access, use of vehicles and horse riding, use of artificial lights, nautical activities, minimization of predation, inundation, disturbance during nesting, disturbance in adjacent waters, etc. In the case of marine areas such measures should address boat traffic and fishing.

Training of the staff involved in protection and management activities is a prerequisite to good management.

21. Restoration to natural conditions of degraded nesting beaches.

(c) Minimisation of Incidental Catches and Elimination of Intentional Killings

22. A reduction of incidental catches and mortality can be achieved by:

- Applying appropriate regulations concerning fishing depth, season, gear, etc, especially in areas with a high concentration of turtles;
- The modification of fishing gear, methods and strategies proven to be effective, and as appropriate, their introduction in fisheries legislation and fishing practices;
- Education/training of fishermen to correctly haul, handle, release and record incidentally caught turtles. Use of appropriate methods are described inter alia in the RAC/SPA publication "sea turtle handling guidebook for fishermen"

23. Deliberate killing and exploitation of marine turtles can be eliminated by:

- Applying and enforcing appropriate legislation;
- Carrying out campaigns among fishermen in order to urge them to release marine turtles caught incidentally and to participate in the information networks on turtles (report sightings of turtles, of tags, participation in tagging programmes, etc.);
- Carrying out campaigns for fishermen and local populations to facilitate the implementation of legislation to ban the exploitation/consumption and trade/use of all products derived from marine turtles.
- The above will help also in reducing mutilations and killing of turtles due to ignorance and/or prejudice.

(d) Other Measures to Minimise Mortality

24. The setting up and proper operation of Rescue Centres and First Aid Stations is suggested as an additional means to minimise individual turtle mortality. Rescue Centres may also play an important role for the conservation of the populations by contributing to activities such as awareness, education, and data collection. The use of the RAC/SPA "Guidelines to Improve the Involvement of Marine Rescue Centres for Marine Turtles" is recommended. Training of the staff involved is necessary. In addition, a Mediterranean-wide rescue network should be set up, to assist the exchange of knowledge and experience among those who work with turtles in facing difficulties. The network should include already existing rescue centres and promote the establishment of new rescue centres in countries, which are currently lacking adequate structures.

IV.2. Scientific Research and Monitoring

25. The development of research and monitoring programmes and the exchange of information, should focus on the priority fields for the conservation of marine turtle populations, by using various methods, such as beach surveys and monitoring of nesting beaches - especially long term monitoring, tagging (keeping in mind the provisions of the RAC/SPA tagging guidelines), data logging, satellite telemetry, Geographic Information Systems (GIS), genetics, on-board observers and modelling.

(a) Scientific Research

For research these should cover inter alia the following (not in order of priority):

- Identification of mating, feeding and wintering areas and key migration passages;
- Identification of new nesting areas;
- Biology of the species, in particular aspects related to life cycles, population dynamics and population trends and genetics;
- The assessment of turtle by-catch and respective mortality rates from different fishing gear, including small scale and artisanal fisheries;
- Data on the effects of gear modifications (new hooks etc) and fishing strategies should be collected to evaluate the effects of these on turtle mortality and catch rates as well as the effects on other species;
- The socioeconomic effects of the implementation of turtle conservation measures that can impact fisheries need to be evaluated;
- Development of management techniques for nesting beaches and foraging areas;
- Impact of climate change on marine turtles;

(b) Monitoring

For monitoring, programmes should cover inter alia the following (not in order of priority):

- Encourage long term monitoring programmes for important nesting beaches. All Contracting Parties that have nesting beaches should encourage the uninterrupted and standardized monitoring of their nesting beaches. Where such programmes do not exist, the Parties should set up such programmes or encourage them. Surveys of nesting beaches of lesser importance and of scattered nesting need also to be undertaken occasionally if possible, so that a more complete picture of populations can be formed.
- Encourage long term monitoring programmes for important foraging areas. All Contracting Parties that have foraging areas should encourage their uninterrupted monitoring. Where such programmes do not exist the Parties should encourage or help establish such programmes.
- For monitoring of populations a standardised collection of data on nesting beaches should be aimed at. This should be supplemented by onboard observation programmes to gather precise data on species biology and fisheries induced mortality;
- Data collection through existing or new stranding networks;

26. For some Contracting Parties there is still little information on turtle nesting beaches and size of breeding populations. These Parties should undertake urgently more comprehensive surveys and encourage the setting up of long term monitoring programmes.

IV.3 Public Awareness and Education

27. Public-awareness programmes, including appropriate multiple information tools (special documentary information material, electronic media etc), should be developed for fishermen, local residents, tourists and tourism-related organizations, to help reduce the mortality rates of marine turtles, to induce respect for nesting, feeding and wintering and mating areas, and to promote the reporting of any useful information concerning sea turtles. Appropriate training/education of stakeholders can be given (e.g., to fishermen, tourism workers)

28. Information campaigns directed at local authorities, residents, teachers, visitors, fishermen, decision makers at local, regional and national levels and other stakeholders, are urgently needed in order to enlist their participation in the efforts for the conservation of marine turtles and for their support for conservation measures.

IV.4. Capacity Building/Training

29. Existing training programmes should be continued, particularly for those Parties that need more expertise and/or experts with specialized knowledge of marine turtles, and for managers and other staff of protected areas, in the conservation and management techniques needed (these include inter alia beach management, tagging and monitoring). Also training programmes in the setting up and operation of Rescue Centres should be continued. Training programmes to be elaborated for other fields, as needed, especially where fisheries managers are concerned.

IV.5. National Action Plan

30. Contracting Parties should establish National Action Plans for the conservation of marine turtles.

31. National Action Plans should address the current factors causing loss or decline of turtle population and their habitats, suggest appropriate subjects for legislation, give priority to the protection and management of coastal and marine areas, the regulation of fishing practices and ensure continued research and monitoring of populations and habitats. The lists of Recommended Actions at National Level, appended to the 1999 Action Plan for the Conservation of Marine Turtles in the Mediterranean, may be taken into consideration, as, when and where appropriate, in preparing National Action Plans.

IV.6. Regional Coordination Structure

32. It is necessary to develop cooperation and exchange of information among the Contracting Parties for the implementation of the Action Plan and to improve the coordination of activities within the region.

33. RAC/SPA is considered to be the most appropriate existing mechanism for this coordination. The implementation of the Action Plan may be carried out, in cooperation with other bodies concerned, through establishing MoUs, as necessary.

34. The major function of the coordinating mechanism with regard to marine turtles would be to:

- Assess the progress achieved in implementing this Action Plan. RAC/SPA will request at regular intervals, not exceeding two years, update reports from the Parties and, on the basis of these ongoing national reports and of its own assessment of the progress in the regional component of this Action Plan, prepare reports to be submitted to the SPA National Focal Point meetings, which will make follow-up suggestions to the Contracting Parties.
- Collect and evaluate the data at Mediterranean level
- Prepare inventories of networks of protected areas for marine turtles in the Mediterranean and facilitate the operation of such networks and of networks on such issues as marine turtle habitats, ecology, conservation etc
- Prepare a timetable of activities and financing proposals for the Contracting Parties' meetings;

- Contribute to the dissemination and exchange of information;
- Assist and/or organize expert meetings on specific topics regarding marine turtles
- Continue to support the organisation of the Mediterranean Marine Turtle Conferences
- Assist and/or organise, training courses and support and catalyse the participation of appropriate scientists and other staff in such courses.

35. Complementary work carried out by other international bodies and NGOs aiming at the same objectives should be encouraged, promoting coordination and preventing possible overlapping.

36. Coordinate the activities needed for the revision/updating of this Action Plan every six years, or earlier, if this is deemed necessary by the SPA National Focal Point meetings, or on the basis of important new information becoming available.

37. An inventory of marine turtle critical habitats, including key migrations passages, in the Mediterranean, should be prepared urgently by RAC/SPA, and should be regularly reviewed in the light of increased knowledge.

IV.7. Participation

38. Any interested international and/or national organisation is invited to participate in actions necessary for the implementation of this Action Plan

39. Links with other bodies responsible for Action Plans dealing with one or more species of marine turtles should be made, to strengthen co-operation and avoid duplication of work.

40. The co-ordination structure shall set up a mechanism for regular dialogue between the participating organisations and where necessary, organise meetings to this effect.

IV.8. "Action Plan Partners"

41. To encourage and reward contributions to the work of applying the Action Plan, the Contracting Parties may at their ordinary meetings grant the title of "Action Plan Partner" to any organisation (governmental, nongovernmental, economic, etc.) that has to its credit concrete actions likely to help the conservation of marine turtles. Conditions for the awarding of the Partner title shall be adopted by the Contracting Parties following advice given by the meeting of National Focal Points for SPA.

V Annex I - Implementation Timetable

ACTION	Deadline/period/ periodicity	By Whom
A. PROTECTION AND MANAGEMENT		
A.1 Legislation		
a. Protection of turtles – general species protection	As soon as possible	Parties
b. Enforce legislation to eliminate deliberate killing	As soon as possible	Parties
c. Habitat protection and management (nesting, mating, feeding, wintering and key migration passages)	As soon as possible	Parties
A.2 Protection and Management of habitats		
a. Elaborate guidelines for the management of protected areas including key habitats	1 year after adoption	RAC/SPA
b. Setting up and implementing management plans	2 years after adoption	Parties
d. Restoration of damaged nesting habitats	3 years after adoption	Parties
A.3 Minimisation of incidental Catches		
a. Fishing regulations (depth, season, gear) in key areas	3 years after adoption	Parties
b. Modification of gear, methods and strategies	4 years after adoption	RAC/SPA, Partners & Parties
A.4 Other Measures to Minimise individual Mortality		
a. Setting up and/or improving operation of Rescue Centres	Ongoing	Parties
B. SCIENTIFIC RESEARCH AND MONITORING		
B.1 Scientific Research		
a. Identification of new mating, feeding and wintering areas and key migration passages;	Ongoing	Parties
b. Elaboration and execution of cooperative research projects of regional importance aimed at assessing the interaction between turtles and fisheries	As soon as possible	RAC/SPA, Partners & Parties
c. Tagging and genetic analysis (as appropriate)	As needed or requested	RAC/SPA and Parties
d. Facilitate the networking between managed and monitored nesting sites, aiming at the exchange of information and experience	As needed	RAC/SPA

B.2. Monitoring		
a. Guidelines for long-term monitoring programmes for nesting beaches and standardisation of monitoring methods	1 year from adoption	Parties
b. Setting up and/or improving long-term monitoring programmes for nesting beaches, feeding and wintering areas	Ongoing	Parties
B.2. Monitoring		
c. Elaboration of protocol for data collection on stranding	2 years from adoption	RAC/SPA
d. Setting up stranding networks	3 years	Parties
e. Standardization of methodologies to estimate demographic parameters for population dynamics analysis, such as population modelling.	4 years from adoption	RAC/SPA
C. PUBLIC AWARENESS AND EDUCATION		
Public awareness and Information campaigns in particular for fishermen and local populations	As needed	Parties and/or RAC/SPA
D. CAPACITY BUILDING		
Training courses	As needed	RAC/SPA
E. NATIONAL ACTION PLANS		
Elaboration of National Action Plans	As soon as possible	Parties
F. COORDINATION		
a. Assessment of progress in the Implementation of the Action Plan	Every two years	RAC/SPA and Parties
Cooperation in organising the Mediterranean Conferences on marine turtles	Every three year	RAC/SPA
Updating the Action Plan on Marine Turtles	Five years from adoption	RAC/SPA

Note: The deadlines mentioned are not intended in any way to postpone or delay the drafting and/or the implementation of legislation or management plans or of monitoring programmes etc. that already exist and/or are ongoing.

Annex II - Recommendations and Guidelines on Tagging in the Mediterranean

VI.1. General Recommendations:

- It is stressed to all prospective tagging projects that **tagging is not a conservation measure** and that it is not an alternative to conservation. All it can do, at best, is to help get information on which to base conservation policy and actions
- Encourage enforcement, at national level, of permitting legislation for tagging. This is to ascertain that **aimless tagging** does not take place and that tagging teams/persons or organizations have well thought out plans and aims and adequate training for what they are intending to do
- There is a need for **training courses** in planning and undertaking tagging projects and/or support in training in the field (with the provision of experts), particularly for new projects
- There is a need for **support** for tagging, with equipment, materials etc for projects that are qualified for such work (having undertaken adequate planning, training etc)
- Tagging equipment should if possible be provided after a request and the tags provided should carry the **return address** of the project or country
- There is a need in the countries for **advice and guidelines**, given inter alia through RAC/SPA and its website www.rac-spa.org, on tagging issues, providing links to key websites such as www.seaturtle.org and its **Tag Finder** site, as well as to the **ACCSTR Sea Turtle Tag Inventory** www.accstr.ufl.edu, encouraging visitors to register their tag series in this database. Duplication of effort will be avoided this way
- Tagging is not to be taken lightly and minimum guidelines are needed to ensure the wellbeing of turtles (the basic **Guidelines to minimize damage/disturbance to turtles by tagging** were drafted by the relevant RAC/SPA WG - see below)
- The development of simple practical materials (stickers etc) for **awareness** campaigns for fishermen and other stakeholders (e.g., coastal communities) will be useful.
- A **Regional Inventory of Tagging Projects** is needed and is in fact a priority issue. This should be updated as new information becomes available and should be available on line. (A **questionnaire** was drafted by the working group and was submitted to the participants of the workshop for completion. It is available from RAC/SPA for anybody who wishes to be included in the Inventory).

VI.2. Guidelines to minimize disturbance/damage to turtles by tagging

Metal tags

- Do not use Style 1005-49 metal tags (National Band and Tag Company (NBTC) USA)
- Use size 681C (National Band and Tag Company (NBTC) USA) - for turtles over 30 cm CCL (i.e., do not tag turtles smaller than 30cm CCL)
- Do not use tags in juvenile turtles in such a way as to constrict the growth of the flipper

Plastic tags

- Do not use Jumbo tags (Jumbotag - Dalton supplies Ltd, UK) for turtles smaller than 50cm CCL
- Do not use Rototags (Rototag - Dalton supplies Ltd, UK) for turtles smaller than 30 cm CCL

Pit tags

- Do not use PIT tags (Passive Integrated Transponder tags) in turtles smaller than 30 cm CCL
- If you use PIT tags, then apply them under the scales or between the digits, in the muscle, on the front left flipper.

General

- Do not use tagging methods proven to be unsatisfactory
- Do not tag a turtle on her way up the beach or during egg-laying. Tag after the egg chamber is covered or if the turtle is on her way back to the sea.
- Do not turn turtles over for tagging

NOTE: Though explicit mention is made in the Guidelines above of specific trade names (Dalton and National Band and Tag Company), the guidelines are applicable to similar tags (material, size etc) made by other manufacturers. Specific mention was made of these manufacturers and tags, as these are the tags most commonly used for tagging turtles and are hence well known.

ANNEX 2

Draft Implementation Calendar of the Action Plan for the Conservation of Bird Species listed in Annex II to the SPA/BD Protocol

Action	Deadline	By Whom
1. Development guidelines to assist countries in their efforts to afford adequate legislative protection to endangered species	By year 2008	RAC/SPA
2. Protect legally all bird species in Annex II.	By year 2008	Contracting Parties
3. Adding new species to Annex II ⁴⁶	By year 2009	Contracting Parties and RAC/SPA
4. Public awareness and Information campaigns	Starting from Year 2008	RAC/SPA , Partners and Parties
5. Organise specific training courses and workshops in coordination with international and/or national NGOs.	Starting from Year 2008	RAC/SPA and Contracting Parties
6. Pursue the setting up of a regional network for monitoring populations and distribution of Mediterranean threatened bird species, in co-ordination with other organisations.	By year 2011	RAC/SPA & Partners
7. Pursue and enforce research programmes to fill gaps in knowledge of threatened species.	By year 2008	Contracting Parties
8. Pursue the Establishment of National Action Plans for the conservation of endangered and threatened bird species in the Mediterranean.	By year 2012	Contracting Parties
9. Identification and mapping of areas important for birds on land and at sea -(of breeding, feeding, moulting and wintering areas)	By year 2012	Contracting Parties
10. Legal establishment protected areas with adequate management plans at breeding sites.	By year 2012	Contracting Parties
11. Preparation of a report on progress in the implementation of this Action Plan.	By year 2013	RAC/SPA

⁴⁶ The implementation procedure of this action will be started once the common criteria for the modification of the Annexes II and III of the SPA/BD Protocol, presented as document UNEP(DEPI)/MED WG.308/13, is being adopted by the fifteenth Contracting Parties Meeting.

ANNEX 3

Draft Implementation Timetable for the Action Plan concerning Species Introductions and Invasive Species in the Mediterranean Sea

Action	Deadline	Responsible
1. Preparation of National Reports (paragraph 15)	2008	Contracting Parties
2. Setting up a mechanism to promote and coordinate the actions listed in paragraph 18	2008	Contracting Parties
3. Inventorying introduction vectors (paragraph 18)	2008	Contracting Parties
4. Establishing a directory of relevant specialists and organisations (see paragraph 18)	2008	Contracting Parties
5. Elaborating education and awareness material (paragraph 25)	2008	RAC/SPA
6. Developing programmes to raise the awareness of the general public and target groups, including decision-makers, concerning the risks associated with species introduction (paragraph 18)	2009	Contracting Parties
7. Setting up a group of experts who will be responsible for assessing suggestions for introduction, and analysing risks and possible consequences (paragraph 18)	2009	Contracting Parties
8. Compiling an inventory of introduced species. Identifying and inventorying public and private actors whose activity could introduce marine non-indigenous species (paragraph 18)	2009	Contracting Parties
9. Setting up the Regional Mechanism for collecting, compiling and circulating information on invasive non-indigenous species (paragraph 22)	2009	RAC/SPA
10. Launching the procedures for enacting or strengthening national legislation governing the control of non-indigenous species introduction (paragraph 17)	2010	Contracting Parties
11. Developing programmes for data collection and monitoring (paragraph 16)	2011	Contracting Parties
12. Strengthening and where necessary setting up systems to control the intentional import and export of non-indigenous marine species (paragraph 18)	2011	Contracting Parties
13. Developing and implementing risk-assessment techniques (paragraph 18)	2012	Contracting Parties
14. Elaborating the National Plans (paragraph 19)	2012	Contracting Parties

15th Meeting of the Contracting Parties

Decision IG 17/11: Procedure for the revision of the areas included in the Specially Protected Areas of Mediterranean Interest (SPAMI) List

The 15th Meeting of the Contracting Parties,

Recalling Article 9 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the Protocol, concerning the procedure for the establishment and listing of SPAMIs and specifically its paragraph 6 concerning the possibility of revision of the SPAMI List,

Having regard to Annex I to the Protocol related to the Common Criteria for the choice of protected marine and coastal areas that could be included in the SPAMI List,

Recalling the recommendation adopted by the 14th Meeting of the Contracting Parties (Portoroz, November 2005) that asked the Regional Activity Centre for Specially Protected Areas (SPA/RAC) to pursue its assessment of the procedure for the evaluation of SPAMIs and to proceed with a test to evaluate two voluntary SPAMIs using this procedure in collaboration with IUCN,

Noting the work undertaken by SPA/RAC and IUCN for the revision and adjustment of the Procedure for the revision of the areas included in the SPAMI List, based on the evaluation of two voluntary SPAMIs from Italy and Spain,

Decides to adopt the Procedure for the revision of the areas included in the SPAMI List, as contained in the Annex to this Decision;

Requests the SPA/RAC to implement the adopted Procedure.

ANNEX

Proposed procedure for the revision of the areas included in the SPAMI List

The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (hereafter the 'Protocol') came into force in 1999. Annex I of the Protocol lists mandatory criteria for eligibility for inclusion within the SPAMI list.

The purpose of this procedure is to evaluate SPAMI sites in order to examine whether they meet the Protocol's criteria (Annex I).

I Ordinary review

1. The ordinary review procedure consists in two different sources of information about the status of SPAMIs:

- a) A Periodic Review, following the Format proposed herein after, entrusted every six years to a mixed national/independent Technical Advisory Commission; and
- b) The biannual National Reports from the NFP/SPA, serving as an early warning.

a) Periodic Review

2. A regular in depth review of the SPAMIs shall take place every six years, counting from the date of the inclusion of the site in the SPAMI List. Following the Format proposed ahead, this Periodic Review will assess the degree of conformity with the criteria defined in the Protocol. The Format concerns the existing threats, regulations, management, protection measures, resources, means, knowledge, cooperation and networking. Stakeholders should agree to the proposed sub-questions in the format before they are used in the evaluation. The Technical Advisory Commission (TAC) / evaluation team should receive the completed Format for Periodic Review and supporting documentation prior to the site visit.

3. The Periodic Review would be entrusted to a mixed TAC integrated by:
- The NFP/SPA concerned and/or the person responsible for the SPAMI management;
 - A national expert on the particular biology and ecology of the area;
 - Two independent experts, who would have all the necessary qualifications among scientific rigor, regional experience in protected area management, independence and impartiality, and should not be national of the country in which the review is carried out.
 - At least one member of the evaluation team involved in the country visit must have a working knowledge of the language of that country (should not assume the PA staff can speak English, although this would be desirable).
 - The evaluation team should receive key SPAMI documents and prescriptive list of threats prior to the field site visit.
 - The evaluation team should make a preliminary assessment of SPAMI compliance based on the documents prior to the site visit.

4. To cover the costs of such Technical Advisory Commission a SPAMI Fund could be established, possibly allocating resources from the ordinary MAP budget, plus voluntary contributions from the States or other donor agencies. Expenses incurred by the experts during this visit shall be met by this Fund, as to ensure the appraisal is completely objective.

5. The Periodic Review will be based in an official format, for which a proposal is presented at the end of this document. The PA manager completes the *Format for Periodic Review* prior to the site visit by the evaluation team and that his/her responses to the sub-questions are crossed reference to supporting documentation. The completed format should be endorsed by signature from all the members of the Technical Advisory Commission. However, the format includes a final field in which each member can add his /her own comments, if deemed necessary.

6. The results of the review shall be forwarded to the Centre, to be surveyed and presented in the next NFP/SPA biannual Meeting for endorsement. In the case of a negative recommendation (see Format) the NFP/SPA will recommend the Meeting of the Parties to include the SPAMI in a period of provisional nature.

b) National Reports

7. According to Art. 21.2. in the Protocol, the Parties must, at the earliest opportunity, communicate any situation that might endanger the ecosystems of specially protected areas or the survival of protected species to the other Parties, to the States that might be affected, and to the SPA/RAC. Article 23 states the three basic items that the reports from the Parties should consider.

8. As an early warning procedure, it is proposed that the existing National Report formats include three additional questions in Section 15, concerning the mandatory criteria of Annex I to the Protocol. This would be a simple means to allow a frequent review highlighting any relevant changes in the initial conditions within the SPAMI. Section 15 of the National Report format may be completed as follows:

15. SPAMI list:

- a) Any relevant modification in the status of populations of protected species (according to Annex II of the Protocol) inside the SPAMI, in the status of its habitats or any adverse changes or potential changes in the functioning of its ecosystems (following Article 8.2.)
- b) Any modification in the management plan officially adopted, in the legal and institutional framework or in the management and protection measures (following Article 7.2.a).
- c) Any modification in the management body, in its powers and means or in its human resources (following Annex I D.6.)

9. A significantly adverse change in any of the six items in the biannual National Report shall be presented at the NFP/SPA Meeting and –should the seriousness of the threat to the SPAMI recommend it- a decision by the NFPs would be taken on whether to inform the Meeting of the Parties, and/or require early support from other Parties or from the Centre, in taking any possible measures to solve the detected deficiencies. The assignment of an Extraordinary review, in order to objectively establish the sources and seriousness of the problem, is one of these possible measures.

10. In case of an ecological catastrophe, serious adverse event or emergency anytime within a SPAMI, the NFP may wish to request the Centre, anytime within the biannual period between two successive NFP Meetings, to proceed with an Extraordinary Review of the SPAMI as detailed ahead.

II Extraordinary review

11. The Parties must be immediately informed of any important threat affecting the SPAMIs and of any relevant change in their legal, management or ecological status. The sources of this information may be any of the following:

- a) A Periodic Review report declaring that the SPAMI presents severe deficiencies about which the Technical Advisory Commission recommends to take action (see para.3).
- b) A biannual National Report recognizing relevant modifications in any of the questions already mentioned for point 15 (see para.8.).
- c) A request from the NFP to the Centre anytime within the two years between two NFP Meetings, based on a serious emergency, change or event in the SPAMI (see para.10).
- d) External sources (partner organizations, other international or national NGOs, or other interested bodies) (see para.12).

12. In the latter case d), should there be a threat or serious damage to the area, and subject to the approval of the government concerned, and also on case c) upon extraordinary request from the Party concerned, the Executive Secretary may appoint an independent expert to assess, in the company of a representative of SPA/RAC, the reality and seriousness of the threat to the SPAMI objectives, in which case it would recommend the NFP/MAP to proceed with a detailed appraisal in accordance to the procedures laid down in this proposal.

13. In any of the cases a) b) c) or d), should the adverse situation prove a real threat to the SPAMI objectives, the NFP/MAP may recommend the Meeting of the Parties to request the responsible authorities to take any appropriate corrective measures, while the SPAMI would enter into a provisional period of three years in which the necessary recommendations and measures must be taken and implemented.

III The period of provisional nature

14. A SPAMI would enter the period of provisional nature either

- a) After an ordinary -or an extraordinary- review recommends it, or
- b) It has been provisionally accepted as a new SPAMI in the List without fully complying with all the necessary criteria.

15. In fact, candidate sites to the SPAMI List, for which the selection criteria required under the Protocol are not completely but close to be met, pending the provision of assistance to the country concerned (V Meeting of the NFPs, para. 97) should also fall into this provisional period. The aim would be *“to stimulate Mediterranean solidarity and cooperation, and to encourage countries to identify and nominate relevant areas while awaiting assistance to finalize dossier”* (para.94).

16. A SPAMI can stay within the period of provisional nature for a maximum of six years. The Party concerned must inform in the next NFPs Meeting, within 2 years time, about the identification and launching of the adequate corrective measures.

17. SPAMIs in this provisional period, when the Party concerned asks for it, shall constitute a priority for cooperation and sponsorship from:

- a) Other Parties;
- b) Other SPAMIs, particularly those with a Diploma;
- c) Any tools specifically established for the case, such as expert commissions or the support from a SPAMI Fund.

18. Before the end of the six year period, an Extraordinary Review will be developed. Two options are envisioned for this review:

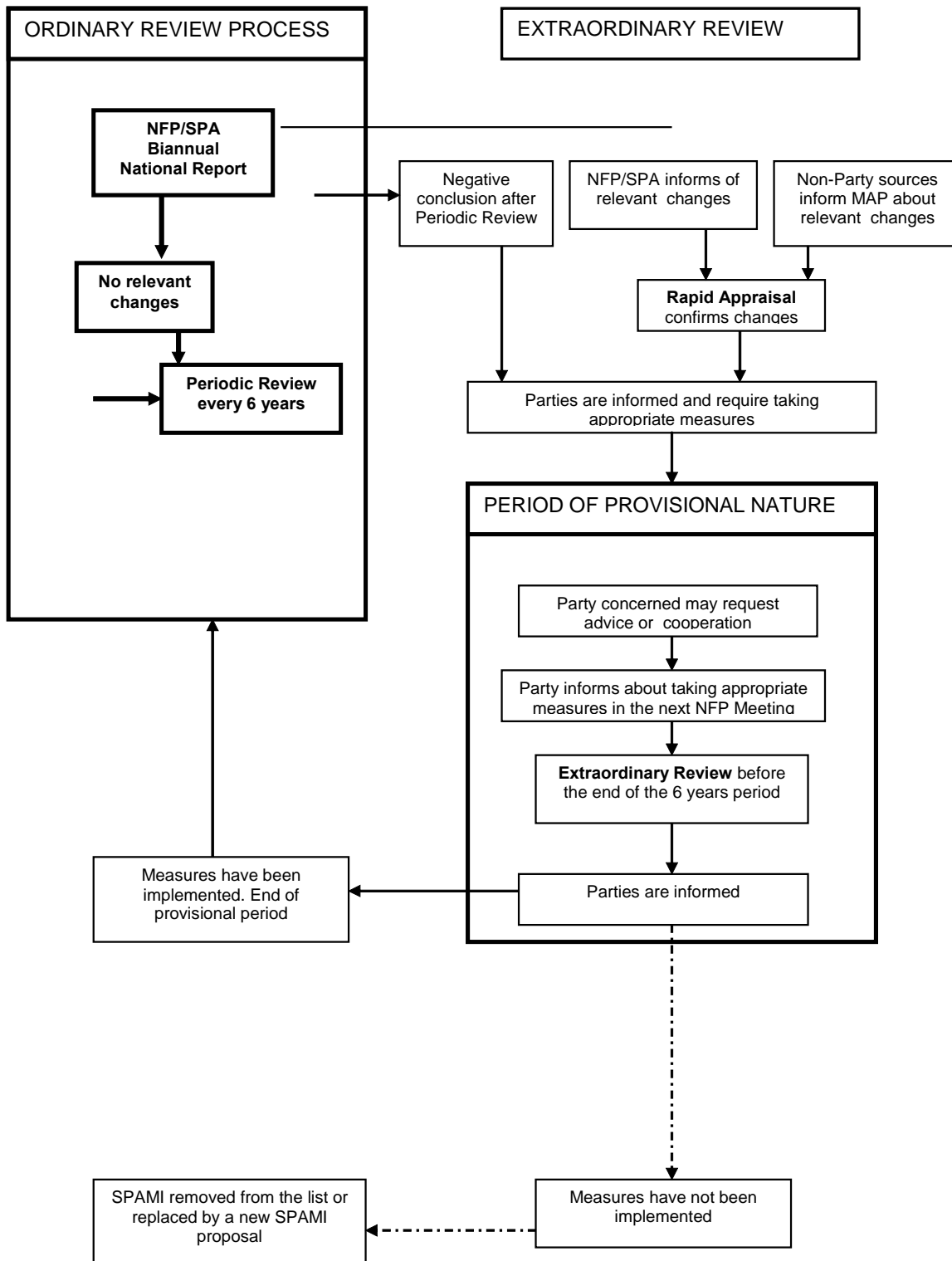
- Following the same procedure as for the Ordinary Review, or
- A rapid assessment (e.g. 2 days) entrusted to a simplified mission from the national SPAMI manager and an independent non-national expert

The results of this appraisal will be transmitted through the Centre to the next NFP/SPA Meeting.

19. If the Extraordinary Review concludes that the recommended measures were implemented and the legal, protection or ecological status has improved during the six years period (see Scoring and Resolution in the Format ahead), the SPAMI will leave the period of provisional nature and enter again into the regular review process.

20. Should the Extraordinary Review conclude that the damage is irremediable or that the necessary measures have not been implemented within the provisional period, the Parties may suggest the State concerned to remove the SPAMI from the List, considering -as established in Art.10 to the Protocol- that important reasons for doing so still remain. For this part of the procedure, a choice should be done between two options:

- a) The Party concerned would be invited to compensate the loss of a SPAMI with another site proposed within the same country. The final decision would rest in the Party concerned; or
- b) As provisionally set by the VI Meeting of the NFP/SPA (2003) in the "Draft Criteria and Procedures for Awarding the Mediterranean Diploma for SPAMIs" (Art.10.4), the decision for withdrawal *"shall be taken by the Meeting of the Parties by a two-thirds majority of the votes cast. It shall be notified by means of a resolution, and the reasons for such a decision shall be transmitted to the government concerned and the authorities responsible for managing the area"*.



IV Format for the Periodic Review

4.1. Objectives

21. The purpose of the Format is to assess in a way as objective and homogeneous as possible, the degree of conformity that the sites included in the SPAMI list keep with the criteria provided in the Protocol, and to appraise the evolution of the SPAMIs by comparing the results obtained through consecutive reviews.

22. The Format shall be completed every six years by the Technical Advisory Commission (see para. 3 in previous Section).

23. The resulting completed format shall be signed by all the members of the Technical Commission. At the end of the format there is a blank space in which the individual members, if deemed necessary, may add his/her own comments.

4.2. Criteria set in the Protocol

24. The proposed Format responds to the pertinent Articles in the Protocol and Annex, and keeps a cross coherence and constant reference with the document "*Annotated Format for the presentation reports for the areas proposed for inclusion in the SPAMI List*" (UNEP(DEC)/MED WG.172/3). At the end of each question, a reference is given to the corresponding part in the Annotated Format (AF) in order to facilitate the search of the information.

25. Following the Protocol, two kinds of criteria have been considered in the Format:

Section I: Characteristics/features that the site must necessarily comply to be included in the SPAMI List. These features are specified in Article 8 of the Protocol, and in the Common Criteria of the Annex I. For these selected 9 features, a yes/no answer is requested.

Section II: Characteristics/ features considered as a value-added for the SPAMIs (according to B.4. in Annex I and Articles 6 and 7 in the Protocol). These features receive 0-3 values. Their accumulative scoring provides an indication of the global performance of the SPAMI, permits comparative assessments with previous situations, and identifies thematic fields of strength and weaknesses allowing to objective recommendations.

4.3. TAC Conclusion

26. At the end of the format, the Technical Advisory Commission (TAC) will draw a Conclusion of consensus, signed by all of its members, including, if necessary, recommendations for improvement.

27. This Conclusion shall be forwarded through the SPA/RAC to the NFPs ordinary Meetings. The Meeting will decide whether the SPAMI remains in the ordinary review process or is considered for incorporation into the extraordinary review procedure.

**SECTION I: CRITERIA WHICH ARE MANDATORY FOR THE INCLUSION
OF AN AREA IN THE SPAMI LIST**

(Art. 8.2. of the Protocol and General Principles and C and D of Annex I)

In each question, crossed references to the Annotated Format (AF) are given.

1. CONSERVATION STATUS

1.1. Does the SPAMI fulfill one of the criteria related to Mediterranean interest as presented in Protocol's Annex I section B paragraph 2 ?strictly maintain the status of populations of its protected species (those in Annex II to the Protocol), the status of its habitats and no adverse significant changes in the functioning of its ecosystems? (Article 8.2.) (See 3.4. and 4 in the AF)

Y	N
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If "no", indicate the reasons that have motivated the deficiencies, their relative seriousness and, if possible, the date in which they are expected to be overcome.

1.2 If "yes", are the objectives set out in the original SPAMI application for designation actively pursued ?

Y	N
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2. LEGAL STATUS

2.1. Does the area maintain or has improved its legal protection status from the date of the previous report? (A-e and C-2, Annex I) See 7.1.2 in the AF

Y	N
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2.2. Does the legal declaration of this area consider the conservation of natural values as the primary objective? (A-a and D1 in Annex I) See 7.1.3 in the AF

Y	N
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2.3. Are competencies and responsibilities clearly defined in the texts governing the area? (D4 in Annex I) See 7.4.3 in the AF

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

2.4. Are external influences/threats been taken into account in the legal framework of the SPAMI Does the legal text clearly establish coordination means between land and sea authorities ? (D4 in Annex I, Art.7.4. in the Protocol) . In case there is no sea within the SPAMI, this question would be non-applicant. See 7.4.3. in the AF

Indicate measures that have been adopted to address these influences/threats case of any "no" answer, indicate the reasons that have motivated the deficiencies and the date in which they are expected to be overcome.

3. MANAGEMENT METHODS (General principles « D » in Annex 1)

3.1. Does the area have the same or an improved management body/authority as when the SPAMI was established and/or last evaluated ? Existence of a management body with sufficient powers (Art. 7.2.d, 7.2.f). D6 in Annex I: *To be included in the SPAMI List, a protected area must have a management body, endowed with sufficient powers as well as means and human resources to prevent and / or control activities likely to be contrary to the aims of the protected area* See 8.1. in the AF

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

3.2. Is the management plan in force ? Has the management plan been officially adopted?

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

(D7 in Annex I) See 8.2.1, 8.2.2. in the AF

3.3. Does the management plan address the requirements set out in article 7 of the Protocol and Section 8.2.3 of the Annotated format ?

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

More details useful for the evaluation of the management plan are addressed in question 7.1 of this questionnaire. In case of any "no" answer, indicate the reasons that have motivated the deficiencies and the date in which they are expected to be overcome.

4. AVAILABILITY OF RESOURCES AND INFORMATION

4.1. Is there basic equipment, human and financial resources ensured to the management body?

Y	N

(Art. 7.2.d, 7.2.f). D6 in Annex I: *To be included in the SPAMI List, a protected area must have a management body, endowed with sufficient powers as well as means and human resources to prevent and / or control activities likely to be contrary to the aims of the protected area* See 9.1, 9.2. in the AF

4.2.. Does the area have a monitoring program?

Y	N

(D8 in Annex I: *The program should include the identification and monitoring of a certain number of significant parameters for the area in question, in order to allow the assessment of the state and evolution of the area, as well as the effectiveness of protection and management measures implemented, so that they may be adapted if need be..* See 9.3.3. in the AF

If yes, what are the monitoring parameters and the management objectives being addressed by these parameters ?

4.3 Is there a feedback mechanism that establishes an explicit link between the monitoring results and the management objectives, and which allows adaptation of protection and management measures ?

Y	N

In case of any "no" answer, indicate the reasons that have motivated the deficiencies, their relative seriousness, and the date in which they are expected to be overcome.

**SECTION II: FEATURES PROVIDING A VALUE-ADDED
TO THE AREA**

(Section B4 of the Annex I, and other obligatory for a SPA (Arts. 6 and 7 of the Protocol))

5. THREATS AND SURROUNDING CONTEXT

5.1 Assess the level of threats within the site to the ecological, biological, aesthetic and cultural values of the area (B4.a of the Annex I)
See 5.1., consider also 3.5.2.b, 6.3 & 6.4. in the AF

In particular: (0 means “no threats”; 3 means “very serious threats”):

Unregulated exploitation of natural resources
(e.g. sand mining, water, timber, living resources)
See 5.1.1. in the AF

0	1	2	3
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Serious threats to habitats and species
(e.g. disturbance, desiccation, pollution, poaching, introduced alien species) See 5.1.2. in the AF

0	1	2	3
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Increase of human presence
(e.g. tourism, boats, building, immigration...) See 5.1.3. in AF

0	1	2	3
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Historic and current conflicts
(between users or user groups) See 5.1.4., 6.2. in the AF

0	1	2	3
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(0 = no threats; 3 = very high level of threats)

Please include a prescriptive list of threats that are of concern and are evaluated individually

5.2 Assess the level of external threats to the ecological, biological, aesthetic and cultural values of the area (B4.a of the Annex I) See 5.2. in the AF

(0 = no threats ; 3 = very high level of threats)

0	1	2	3
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Please include a prescriptive list of external threats that are of concern and are evaluated individually. **In particular:**

Pollution problems from external sources (including solid waste and those affecting waters up-current) See 5.2.1. in the AF

Significant impacts on landscapes and on cultural values See 5.2.2

Expected development of threats upon the surrounding area See 6.1. in the AF

5.3. Is there an integrated coastal management plan or land-use laws in the area limiting or surrounding the SPAMI? (B4.e in the Annex I) See 5.2.3.

Y	N
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5.4. Does the management plan for the SPAMI have influence over the governance of the surrounding area ?.
(D5-d in Annex I)
See 7.4.4. in the AF

Y	N
---	---

6. REGULATIONS

6.1. Assess the degree of legal regulations See 7.4.2. in the AF

In particular, within the national framework:

a) Regulations concerning the strengthening of the application of the other Protocols to the Barcelona Convention, particularly dumping, passage of ships and modification of the soil (Art. 6b, 6c, 6e in the Protocol, D5-a in the Annex I)

Y	N
---	---

b) Regulations on the introduction of any species not indigenous to the specially protected area in question, or of any genetically modified species, (Art. 6 d in the Protocol, D5-b in the Annex I)

Y	N
---	---

c) Regulations concerning the Environmental Impact Assessment for the activities and projects that could significantly affect the protected areas (Art. 17 in the Protocol)

Y	N
---	---

In particular, within the SPAMI framework:

d) Regulations for fishing, hunting, taking of animals and harvesting of plants or their destruction, as well as trade with animals, parts of animals, plants, parts of plants, which originate in the area (Art. 6 g in the Protocol, D5-c in the Annex I)

Y	N
---	---

7. MANAGEMENT

7.1. Assess the degree of detail of the management plan

(e.g. zoning, regulations for each zone, competencies and responsibilities, governing bodies, management programs as protection, natural resource management, tourism, public use, education, research, monitoring, maintenance, services and concessions....) See 8.2.3. in the AF

SCORE: 0 = No Mgmt.Plan / 1= Weak / 2 = Adequate / 3= Excellent

0	1	2	3
---	---	---	---

7.2. Assess to what extent is land ownership well determined

(undetermined land tenure regimes and registrations are a common source of conflicts in most protected areas world-wide) See 7.3. in the AF

SCORE: 0 = Undetermined / 1= Weak / 2 = Adequate / 3= Excellent

0	1	2	3
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7.3. Is there a body representing the public, professional and non-governmental sector and the scientific community linked to the management body? (B4b, B4c of the Annex I) See 8.1.2. & 8.1.3

Y	N
---	---

7.4. Assess the quality of the involvement by the public, and particularly of local communities, in the planning and management of the area (B4.b of the Annex I)

(e.g. adequate planning involves local stakeholders and accommodates within appropriate management regimes a spectrum of possible multiple uses and regulated human activities, within the primary objective of conservation of marine and coastal environments)

See 8.1.4. in the AF

0	1	2	3
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SCORE: 0 = No involvement / 1= Low / 2 = Adequate / 3= Excellent

7.5. Is the management plan binding for other national/local administrations with competencies in the area?

See 8.2.2 in the AF

Y	N
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8. PROTECTION MEASURES

8.1. Assess the degree of enforcement of the protection measures

In particular:

Are the area boundaries adequately marked on land and, if applicable, adequately marked on the sea? <u>See 8.3.1. in the AF</u>	<input type="checkbox"/> Y <input type="checkbox"/> N
Is there any collaboration from other authorities in the protection and surveillance of the area and, if applicable, is there a coastguard service contributing to the marine protection ? <u>See 8.3.2. 8.3.3. in AF</u>	<input type="checkbox"/> Y <input type="checkbox"/> N
Are third party agencies also empowered to enforce regulations relating to the SPAMI protective measures ?	<input type="checkbox"/> Y <input type="checkbox"/> N
Are there adequate penalties and powers for effective enforcement of regulations and is the field staff empowered to impose sanctions? <u>See 8.3.4. in the AF</u>	<input type="checkbox"/> Y <input type="checkbox"/> N
Has the area established a contingency plan to face accidental pollution or other serious emergencies? (Art. 7.3. in the Protocol, recom. 13 th Parties Meeting)	<input type="checkbox"/> Y <input type="checkbox"/> N

9.HUMAN RESOURCES

9.1. Adequacy of the human resources available to the management body (Art.7.2-f in the Protocol, D6 in Annex I) (e.g. enough number of employees to ensure adequate management and protection of the area) See 9.1.1. in the AF

Is there a permanent field administrator of the area?
See 9.1.2. in the AF

 Y N

Are there other permanent staff in the field?
(e.g. technicians, wardens, guides, ...) See 9.1.2. in the AF

 Y N

9.2. Asses the adequacy of the training level of available staff

(Art.7.2-f in the Protocol, D6 in Annex I) (e.g. enough training level to ensure protection of the area) See 9.1.2. in the AF

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0	1	2	3

SCORE training level: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

10. FINANCIAL AND MATERIAL MEANS

10.1. Assess the degree of adequacy of the financial means (Sufficient resources for the development and implementation of the management plan, including e.g. interpretation, education, training, research, surveillance and enforcement of regulations) See 9.2.1. in the AF

SCORE: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

0	1	2	3
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10.2. Assess the basic infrastructure (Art.7.2-f in the Protocol)

Administrative premises in the site, visitors' facilities (reception centre, trails, signs...), specific information, education and awareness materials

SCORE: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

0	1	2	3
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10.3. Assess the equipment. *Guard posts and signs on the main accesses, means to respond to emergencies, marine and terrestrial vehicles, radio and communications equipment. See 9.2.3. in the AF*

SCORE: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

0	1	2	3
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11. INFORMATION AND KNOWLEDGE

11.1. Assess the extent of knowledge about the area and its surrounding zones. (D3 of the Annex I)(*considering at least specific maps, habitat distribution, species inventories, and socio-economical factors*)
See 9.3.1. in the AF

SCORE: 0 = Very Insufficient / 1= Low / 2= Adequate / 3= Excellent

0	1	2	3
---	---	---	---

11.2. Assess the adequacy of the program for data collection and the monitoring program See 9.3.2. in the AF

SCORE: 0 = Inexistent / 1= Insufficient / 2= Adequate / 3= Excellent

0	1	2	3
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12. COOPERATION AND NETWORKING

12.1. Are other national or international organizations collaborating with human or financial resources? (e.g. researchers, experts, volunteers..)

See 9.1.3. in the AF

SCORE: 0 = No / 1= Weakly / 2 = Satisfactory / 3= Excellent

0	1	2	3
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12.2. Assess the level of cooperation and exchange with other SPAMs (especially in other nations) (Art. 8, Art. 21.1, Art. 22.1., Art. 22.3, A.d in Annex I)

SCORE: 0 = No / 1= Insufficient / 2= Adequate / 3= Excellent

0	1	2	3
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COMMENTS by the Technical Advisory Commission

CONCLUSION

RECOMMENDATIONS

SIGNATURES

National Focal Point

Independent Experts

SPAMI Manager(s)

(ADDITIONAL PAGES MAY BE ADDED FOR EACH MEMBER'S COMMENTS)

15th Meeting of the Contracting Parties

Decision IG 17/12: Inclusion in the SPAMI List of: the Miramare Marine Protected Area (Italy), the Plemmirio Protected Area (Italy), the Tavolara - Punta Coda Cavallo Marine Protected Area (Italy) and the Marine Protected Area and Natural Reserve of Torre Guaceto (Italy)

The 15th Meeting of the Contracting Parties,

Recalling Article 8 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the Protocol, on the establishment of the List of Specially Protected Areas of Mediterranean Importance (SPAMIs),

Having regard to Annex I to the Protocol, related to the Common Criteria for the choice of protected marine and coastal areas that could be included in the SPAMI List,

Taking into account the request made by Italy pursuant to Article 9 paragraph 3 of the Protocol, to the Eighth Meeting of National Focal Points for Specially Protected Areas (Palermo, June 2007),

Considering the examination by the Regional Activity Centre for Specially Protected Areas (SPA/RAC) focal points meeting, in accordance with the requirements of Article 9 paragraph 4.a of the Protocol, on the conformity of the proposal with the criteria provided for in Article 16 of the Protocol, as contained in the Annex to this decision,

Decides to include the following sites in the SPAMI List:

- the Miramare Marine Protected Area (Italy),
- the Plemmirio Protected Area (Italy),
- the Tavolara - Punta Coda Cavallo Marine Protected Area (Italy), and
- the Marine Protected Area and Natural Reserve of Torre Guaceto (Italy);

Requests the Party concerned to take the necessary protection and conservation measures specified in its proposals in accordance with Article 9 paragraph 3 and Annex I to the Protocol;

Requests SPA/RAC to inform the competent international organisations of the newly adopted SPAMIs including the measures taken in these SPAMIs, as provided for in Article 9, paragraph 5 of the Protocol.

ANNEX

Synthesis of the documents submitted by Italy, for the inclusion of the Miramare Marine Protected Area, the Plemmirio Protected Area, the Tavolara - Punta Coda Cavallo Marine Protected Area and the Marine Protected Area and Natural Reserve of Torre Guaceto the SPAMI List.

MIRAMARE MARINE PROTECTED AREA

Main Criteria for consideration on the SPAMI list

The MPA **contains ecosystems specific to the Mediterranean area or the habitat of endangered species**, and **is of special interest at the** scientific, aesthetic, cultural and, in particular, **educational level**

Protection Regime

The MPA has an adequate legal status.

The management objectives are clear. There are a Management body and a management plan including monitoring program

Conclusion

This area fills the minima criteria requested and is eligible for the inscription on the SPAMIs list.

PLEMMIRIO MARINE PROTECTED AREA

Main Criteria for consideration on the SPAMI list

The MPA **is of importance for conserving the components of biological diversity in the Mediterranean area and is of special interest at the** scientific, aesthetic, **cultural and educational level**

Protection Regime

The MPA has an adequate legal status, since 2004.

The management objectives are based on zoning. There is a Management body but little information concerning the Management plan.

Conclusion

This area fills the minima criteria requested and is eligible for the inscription on the SPAMIs list.

TAVOLARA – PUNTA CODA CAVALLO MARINE PROTECTED AREA

Main Criteria for consideration on the SPAMI list

The MPA **contains ecosystems specific to the Mediterranean area or the habitat of endangered species**, and **is of special interest at the scientific, aesthetic, cultural and educational level**

Protection Regime

The MPA has an adequate legal status, since 1997.

The management objectives are clear. The management objectives are based on zoning. There are a Management body and a management plan

Conclusion

This area fills the minima criteria requested and is eligible for the inscription on the SPAMIs list.

TORRE GUACETO MARINE PROTECTED AREA

Main Criteria for consideration on the SPAMI list

The MPA **is of importance for conserving the components of biological diversity in the Mediterranean area and contains ecosystems specific to the Mediterranean area or the habitat of endangered species.**

Protection Regime

The MPA has an adequate legal status, since 1987.

The management objectives are clear and based on zoning. There is a mixed Management body. The Management plan has been approved by the Ministry of Environment in June 2007.

Conclusion

This area fills the minima criteria requested and is eligible for the inscription on the SPAMIs list.

15th Meeting of the Contracting Parties

Decision IG 17/13: Common Criteria for proposing amendments to Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean

The 15th Meeting of the Contracting Parties,

Recalling Articles 14 and 16 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the Protocol, on the adoption of common criteria for the inclusion of additional species in Annexes II and III to the Protocol, hereinafter referred to as common criteria,

Desiring to supplement article 16 (paragraph b) of the Protocol with the establishment of common criteria for the exclusion of species, listed in the annexes to the Protocol, that no longer need the status of protection and conservation measures conferred by this Protocol,

Taking into account the recommendation adopted by the 14th Meeting of the Contracting Parties (Portoroz, November 2005) that approved the principle of modifying the lists of species included in Annexes II and III to the Protocol on the basis of criteria to be established, and to this end, requesting the Regional Activity Centre for Specially Protected Areas, herein after referred to as the SPA/RAC, to prepare guidelines for future amendments to Annexes II and III to the Protocol, based on the contribution of all Parties, including the scientific, legal and procedural aspects,

Being aware of the need to ensure that the lists of species appearing in Annexes II and III to the Protocol are updated, taking into account both the evolution of the conservation status of species and the emergence of new scientific data,

Emphasising the importance of ensuring harmonisation between Annexes II and III to the Protocol and the relevant annexes to other international and/or regional conventions and agreements pertaining to the preservation of species,

Stressing further that, if the conservation status of a species is deemed unlikely to ensure its survival, the lack of scientific certainty should not be invoked as a reason for postponing its inclusion in one of the two Annexes (II or III) of the Protocol,

Recognizing the important role played by some specialised organisations in monitoring and assessing the conservation status of species,

Noting the work undertaken by SPA/RAC for the preparation of draft Common Criteria, taking into account the results of the Regional IUCN Red List Assessment,

Taking into account also the respective recommendations of the meeting of the Focal points for SPA/RAC held in Palermo, 2007 on the approval of the draft Common Criteria,

Decides to adopt Common Criteria to be applied in evaluating proposals for amending, according to the procedure provided for in Article 14 of the Protocol, Annexes II and III to the Protocol as contained in the Annex to this decision;

Requests SPA/RAC to evaluate the status of the species listed in Annexes II and III to the Protocol, using the adopted Common Criteria, with a view to submitting an evaluation report and related recommendations for the consideration of the next meeting of the SPA/RAC Focal points in 2009;

Invites the Contracting parties to provide the necessary information to SPA/RAC in view of the preparation of the abovementioned evaluation report and the related recommendations.

ANNEX

Common Criteria for proposing amendments to Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean

General principles

1. The present criteria will apply to the evaluation of proposals for:
 - inclusion of new species in Annexes II and III of the Protocol;
 - removing species from these annexes;
 - transferring species from one of the said lists to the other;
 - modifying the names of species, as a result of changes occurred in taxonomy
2. No limit is set either on the total number of species included in Annexes II and III of the Protocol, nor on the number of species that an individual Party can propose for inclusion in these annexes. However, Parties agree that species will be selected on a scientific basis and will be included in the Annexes based on their conservation status; they will therefore have to conform to the conditions laid out in the Protocol and to one or several of the following criteria.
3. The IUCN Red List⁴⁷ categories and criteria developed for assessing the conservation status of species are used by most international conventions. It is recommended that they be used for assessing the status of species when examining proposals for amending Annexes II and III of the Protocol.
4. A species that is threatened outside the Mediterranean region and is known to be occasionally or marginally present in the Mediterranean may be considered for inclusion in the Annexes to the Protocol unless it is a potential invasive species.
5. The criteria listed below do not figure either in order of importance or of priority.

Common Criteria to be applied in evaluating proposals for inclusion of species in Annex II of the Protocol

1. A species can be included in Annex II to the Protocol if, on the basis of reliable scientific data, it is demonstrated that :
 - the species is in decline with a substantial reduction in its numbers (observed, estimated, inferred or suspected); or that
 - important reductions (including fragmentation) of its habitats have been observed in the Mediterranean or that
 - the species or its Mediterranean population figures on the IUCN red list as critically endangered, endangered or vulnerable or appears in the IUCN-ACCOBAMS cetacean Red List.

⁴⁷ (a) IUCN 2001. IUCN red list Categories and criteria. Version 3.1. Species Survival Commission, Gland. (b) IUCN 2003. Guidelines for the Application of IUCN red list Criteria on the regional level. Version 3.0 Species Survival Commission. Gland. The two documents can be downloaded from:
http://www.redlist.org/info/categories_criteria.html.

2. Habitat building species and those at the basis of important biological formations for the Mediterranean may be included in Annex II of the Protocol if important regressions of the said habitats or of the areas covered by the said formations have been observed, inferred or suspected over the last 10 years.
3. A species endemic to a country, or a group of countries, may be included in Annex II of the Protocol at the proposal of the country, or of the group of countries in question.
4. The inclusion of a species in Annex II of the Protocol may be decided if it proves necessary to the adequate implementation of conservation measures advocated for a species already included in the said annex.

Common Criteria to be applied in evaluating proposals for the inclusion of species in Annex III of the Protocol

5. A species may be included in Annex III of the Protocol if:
 - statistical data show a regression of more than 50% of landings over the past 5 years; or
 - unless its exploitation is regulated, it is likely to fall into the category of endangered or threatened species as defined by the Protocol.
6. A species may be included in Annex III of the Protocol if the techniques used to exploit it are destructive to biological formations or habitats listed on the reference list of habitats of conservation interest adopted within the MAP framework.

Common Criteria to be applied in evaluating proposals for removing species from Annexes II and III of the Protocol

7. A species may be removed from Annexes II or III of the Protocol if reliable data, especially better available scientific data, indicate that the reasons that led to its initial inclusion no longer exist.
8. However, removal can only be considered if the said species runs no risk, in the short or medium term, of finding itself in the condition that originally warranted its inclusion in the said annexes.

Procedures to be followed in proposing amendments to Annexes II and III of the Protocol.

With a view to facilitating the implementation of Article 23 of the Convention and articles 14 and 16 of the SPA and Biodiversity Protocol, the following procedure is proposed to be followed:

- (a) The Parties submitting proposals for inclusion of species or their removal from an Annex will submit a proposal to the Regional Activity Centre for Specially Protected Areas, in conformity with the attached model, at least 90 days before the Meeting of Focal Points for SPAs. The proposal must be submitted either in English or in French;
- (b) The Centre will immediately forward the proposal, in its original version, to the other Parties and to the Coordinating Unit;
- (c) The proposal will be submitted to the meeting of Focal Points for SPAs, which will proceed to evaluate it in the light of the above common criteria. To this end, SPA/RAC will proceed to the translation of the original version so that the proposal may be sent to the Focal Points for SPAs and to the relevant international

organisations in English and in French at least a month before the Focal Points meeting;

- (d) The proposal, by the concerned Party, accompanied by the recommendation of the meeting of SPA/RAC Focal Points, will be submitted to the Contracting Parties for their consideration and adoption according to paragraph 2 letter (ii) of Article 23.

Furthermore, the Contracting Parties may instruct SPA/RAC to undertake evaluation exercises about the status of species with the view of proposing amendments to Annex II and or Annex III to the Protocol.

15th Meeting of the Contracting Parties

Decision IG 17/14: "Action Plan for the Protection of the Coralligenous and other Calcareous Bio-concretions in the Mediterranean"

The 15th Meeting of the Contracting Parties,

Recalling Article 11 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the "Protocol", on national measures for the protection and conservation of species,

Recalling Article 12 of the Protocol, on cooperative measures for the protection and conservation of species, and in particular its paragraph 3 on the formulation and implementation of action plans for their conservation and recovery,

Recalling further the recommendation adopted by the 14th Meeting of the Contracting Parties (Portoroz, November 2005) to formulate a Programme of work on protecting the coralligenous and other calcareous bio-concretions in the Mediterranean,

Noting with satisfaction the work accomplished by the Meeting of the ad hoc group of Mediterranean experts, held in Tabarka (Tunisia) in May 2006, for drafting the Programme of work on protecting the coralligenous and other calcareous bio-concretions in the Mediterranean,

Confirming the request from the Eighth Meeting of National Focal Points for SPAs (Palermo, June 2007) for establishing a specific Action Plan for the Protection of the Coralligenous and other Calcareous Bio-concretions, distinct from the Action Plan for the conservation of Marine Vegetation,

Decides to adopt the "Action Plan for the Protection of the Coralligenous and other Calcareous Bio-concretions in the Mediterranean", as contained in the Annex to this Decision;

Requests the Contracting Parties to take the necessary measures for the implementation of this Action Plan within the time limits set out in its implementation timetable, and report on its implementation according to the cycle and format of the MAP reporting system.

ANNEX

Draft Action Plan on Protecting the Coralligenous and other Calcareous Bio-Concretions in the Mediterranean

Foreword

An adhoc meeting, organized in Tabarka by RAC-SPA took place during 6th and 7th May 2006 with the aim to propose the guidelines for a Work Programme on the Protection of coralligenous assemblages and other calcareous Mediterranean biotic frameworks. In this document, the content of the Work Programme is developed.

Experts in Tabarka decided not to include bathyal assemblages of white corals, but they considered that it was worthy to include calcareous frameworks from shallow (or even littoral) waters such as the *Dendropoma petraeum* rims or the *Lithophyllum byssoides* rims. Nevertheless, not the project of the Work Programme nor the work made in Tabarka, reflected this intention, as coralligenous assemblages monopolized all the attention. Moreover, it is very difficult to make a common programme devoted to protect habitats or assemblages that (1) thrive in completely different environments, (2) have absolutely different species composition, (3) display different dynamics and (4) are subjected to completely different stressors, even if they are morphologically similar. Therefore, here we will focus exclusively on coralligenous assemblages. Moreover calcareous assemblages such as *Dendropoma petraeum* rims and *Lithophyllum byssoides* "trottoirs" are already included in the Action Plan for the Conservation of the Marine Vegetation and do not need further attention. Deep-water *Cystoseira* species, even if they have also been sometimes included or considered as special facies of coralligenous assemblages, they are also taken into account by the Marine Vegetation Action Plan, and thus will not be considered here again. Maërl beds are in a very different situation, as they are calcareous formations, that even if they lack of a real calcareous framework, carbonate production is their main constitutive characteristic. Moreover, they are not usually considered in the Marine Vegetation Action Plan and, at least in the Mediterranean, they thrive in the same places where coralligenous assemblages are found. Therefore, even if this Work Programme is mainly devoted to the conservation of coralligenous assemblages, maërl beds will be included, not as a special facies of the coralligenous, but as carbonate environments also developing in dim light conditions and meriting almost the same conservation measures and management than coralligenous frameworks.

In this programme of work, the coralligenous is considered as a typical Mediterranean underwater seascape comprising coralline algal frameworks that grow in dim light conditions and in relatively calm waters (Ballesteros, 2006). Mediterranean maërl beds should be considered as sedimentary bottoms covered by a carpet of free-living calcareous algae (Corallinales or Peyssonneliaceae) also developing in dim light conditions.

Current situation of coralligenous assemblages

Current knowledge

Although there is a general knowledge on the composition and distribution of coralligenous assemblages and maërl beds there are several lacks. Regarding the distribution, coralligenous buildups seem to be common all around the Mediterranean coasts, even in the easternmost coasts (Bitar and Ramos, pers. comm.). However this is the picture at a large scale (in the order of hundreds of km) but what is really important is to know the distribution of coralligenous buildups at much smaller scales, which is important for an appropriate management of these structures. Regarding the composition of coralligenous and maërl assemblages, most of the information is based on data obtained in the northwestern Mediterranean, with also some data collected in southern Italy and the Alboran Sea. Therefore the available lists of species, as well as the main engineering species, are known from these areas, and they cannot be considered to be constant in the rest of the Mediterranean. However, nothing is known for sure.

In order to gather all the scientific information available, the first step of this Work Programme would be to make a list of references dealing with coralligenous assemblages and maërl beds, with indication of the topics they cover (e.g. biodiversity and taxonomy, descriptive ecology, functional ecology, composition, environmental factors, cartography, conservation, disturbances).

Distribution

One of the major gaps concerning the current state of knowledge of the coralligenous habitat and maërl beds is the absence of cartographical data. Some cartographical data have been published on given locations, such as the Banyuls sur Mer area (capes l'Abeille and Oullestreil), Medes Islands, Tabarca or Port-Cros. Geographical as well as depth distributional data are essential in order to know the real extent of these assemblages in the Mediterranean Sea as well as to implement appropriate management measures to guarantee their conservation. In order to improve this situation the following actions are proposed:

- To compile all existing information at all levels and scales on the distribution of coralligenous assemblages and maërl beds. Besides easily available (published) information on the distribution of these assemblages in some MPAs (e.g. Gili & Ros, 1987; Belsher *et al.*, 2005; Ramos, 1985; Garcia Carrascosa, 1987; Templado and Calvo, 2002, 2006), other unpublished reports gather a lot of information. Collaboration of MPAs managers is needed. Contacts with main marine agencies (e.g. IFREMER, IEO, ICRAM), universities and marine science research institutes are also suggested, as they have a lot of unpublished information regarding the distribution of coastal benthic communities. In Mediterranean countries lacking long-tradition marine science institutes, collaboration with fishermen and divers (professional/sport) can probably be the only information source.
- Punctual field missions have to be envisaged in potential places to host extensive and mostly unknown coralligenous assemblages and maërl beds. Eastern Mediterranean should be extensively scanned.

Composition

Coralligenous concretions are the result of the building activities of algal and animal builders and the physical as well as biological eroding processes. The final result is a very complex structure composed of several microhabitats. Environmental factors (i.e., light, water movement and sedimentation rates) can vary by orders of magnitude in parts of the same concretion situated very close to each other. This great environmental heterogeneity allows several different assemblages to coexist in a reduced space. Assemblages situated in open waters (from horizontal to almost vertical surfaces) can be easily distinguished from those situated in overhangs and cavities.

Algae usually dominate in horizontal to sub-horizontal surfaces although their abundance decreases with decreasing irradiance. Two main algal communities have been distinguished in the western Mediterranean: an assemblage dominated by *Halimeda tuna* and *Mesophyllum alternans* (*Lithophyllo-Halimedetum tunae*), thriving in relatively high light levels, and an assemblage dominated by encrusting corallines (*Lithophyllum frondosum*, *L. cabiochae*, *Neogoniolithon mamillosum*) and *Peyssonnelia rosa-marina* (*Rodriguezelletum strafforello*), and receiving low light levels. Animal assemblages can greatly differ according to light levels reaching the coralligenous outcrop but also according to current intensity, sedimentation rates and geographical areas. In the richest, relatively more eutrophic zones, with rather constant and low water temperature, gorgonians usually dominate the community, but they are completely absent or rare in the more oligotrophic or low-current areas with rather high or seasonally variable temperature, being replaced by poriferans, bryozoans or ascidians.

Maërl beds are also very diverse. Even if corallines are the main constituents (*Spongites fruticulosus*, *Lithothamnion corallioides*, *Phymatolithon calcareum*, *Lithothamnion valens*, *Lithothamnion minervae*, *Lithophyllum racemus*, *Lithophyllum frondosum*, and others), *Peyssonnelia* species (mainly *Peyssonnelia rosa-marina*) can also be very important. The cover of erect algae depends on each particular site, displaying several facies (*Osmundaria volubilis*, *Phyllophora crispa*, *Kallymeniales*, *Laminaria rodriguezii*). Ascidians can also constitute facies and, in some cases, gorgonians and/or bryozoans can be relatively abundant.

The group of experts in Tabarka suggested using the Reference List of Habitat types appearing in the Standard Data Entry Form (SDF) for National Inventories when looking for the composition of coralligenous assemblages.

The suggestion when describing the composition of the coralligenous assemblages or the maërl beds would be to make these descriptions as accurate as possible, introducing the names of the main species of algae involved in the construction of the algal framework or being the dominant species in the maërl beds, together with the erect algae and invertebrates that are more conspicuous. Probably, the best way to do it would be listing the species in situ by trained biologists, quantified following the Braun-Blanquet (1979) methodology (Cebrian & Ballesteros, 2004). Alternatively, the algal assemblage can be identified considering the two main associations described for the coralligenous assemblages, which are the *Lithophyllo-Halimedetum tunae* and the *Rodriguezelletum strafforello*, and the names of the most prominent sponges, cnidarians or bryozoans. In maërl beds, description is also possible naming the main maërl species and erect algae, as well as the main macroinvertebrates.

Main algal builders to be distinguished are:

- *Mesophyllum alternans*
- *Mesophyllum expansum*
- *Lithophyllum frondosum* (= *L. stictaeforme*)
- *Lithophyllum cabiochae*
- *Neogoniolithon mamillosum*
- *Peyssonnelia rosa-marina*
- *Lithothamnion philippii*
- *Spongites fruticulosus*
- *Lithothamnion corallioides*
- *Lithothamnion valens*
- *Lithothamnion minervae*
- *Lithophyllum racemus*
- *Phymatolithon calcareum*

Main algae and invertebrates that can make facies are, at least, in the western Mediterranean:

Algae:

- *Halimeda tuna*
- *Flabellia petiolata*
- *Laminaria rodriguezii*
- *Phyllariopsis brevipes*
- Laminar Red Algae

Invertebrates:

- *Spongia agaricina*
- *Axinella polypoides*
- *Hexadella racovitzai*
- *Aplysina cavernicola*
- *Agelas oroides*
- Massive sponges (*Faciospongia* spp., *Cacospongia* spp., Ircinidae, Geodididae)
- *Spirastrella cunctatrix*
- *Eunicella cavolinii*
- *Eunicella singularis*
- *Paramuricea clavata*
- *Alcyonium acaule*
- *Corallium rubrum*
- *Leptopsammia pruvoti*
- *Parazoanthus axinellae*
- Large bryozoans (*Hornera frondiculata*, *Pentapora fascialis*)
- Encrusting bryozoans (*Schizomavella* spp., *Parasmittina* spp.)
- Big ascidians

Other facies can also be found.

Data collection and inventories

Specific inventories

The coralligenous habitat includes several assemblages due to its great heterogeneity. There is a small-scale variation in environmental factors throughout the coralligenous outcrops that determine different micro-habitats containing different species. In the surface of coralligenous outcrops, coralline algae usually dominate, together with a variable amount of erect algae and of suspension-feeders. Holes and cavities within the coralligenous structure sustain complex communities without algae and dominated by suspension-feeders. Small crevices and interstices are inhabited by a diverse endofauna, while many vagile species swarm everywhere, thriving also in the small patches of sediment retained by the framework. One of the consequences of this great environmental heterogeneity is the presence of a high biodiversity and a wide array of organisms in each coralligenous outcrop.

Maërl beds are considerably less complex than coralligenous outcrops although they have some epiflora and epifauna that are more related to plants and animals usually found in rocky substrata, but also they harbour typically invertebrates from sedimentary bottoms.

A considerable amount of research has been done on the biodiversity hosted by coralligenous frameworks. Ballesteros (2006) estimates a preliminary account of up to 1666 species at the scale of the Mediterranean Sea that have been reported from these frameworks. However these estimates are far from real and it is, thus, necessary to make a reference list of species that are found in coralligenous outcrops. It is also necessary to evaluate the total number of species of some relatively well known locations, as well as the level of species similarity between these locations in order to have an idea of the amount of large scale variability. The same kind of work has to be done for maërl beds.

There are several ways to proceed in order to obtain this list. We propose the following way:

- To make preliminary lists (global and local scales) considering data obtained after consulting the available literature.
- To circulate the resulting lists amongst specialists of each taxonomic group, who may increase the lists according to the more specific taxonomic literature and his own expertise.
- To compile all the information giving the final species lists.

These lists should contain other interesting information such as:

- Precedence of the citation/citations (bibliography/taxonomist) to check the original source.
- Geographical area.
- Abundance (e.g. very abundant, abundant, common, rare, accidental).
- Fidelity to coralligenous outcrops (e.g. exclusive characteristics, elective characteristics, preferential characteristics, indifferent, accidental) (see Pérès & Picard, 1964; Cormaci *et al.*, 2004).

Another interesting issue is the collection of new data. Several methodologies have been used in sampling rocky benthic systems and maërl beds (e.g. Bianchi *et al.*, 2004) and all of them present advantages and disadvantages. Moreover, suitability of each sampling method depends on the purposes of the study and on the taxonomic group considered.

As no sampling methodology can be universally accepted, when making new inventories it is recommended to:

- Use quantitative or semi-quantitative surveys instead of qualitative surveys wherever possible.
- Clearly state the sampling and quantification methodology, including the period of the year, in order that it could be repeated in the future by independent teams for further comparison of data.

- Samples have to be geographically positioned in the most accurate way.
- Sampling has to be representative. Therefore, sampling areas should be larger than minimal sampling areas. It has to be noted that different taxonomic groups must be sampled using completely different representative areas.

Sites of particular interest

The coralligenous and maërl being communities thriving in deep waters it is impossible to have an appropriate cover of all the sites. Thus, it is recommended that inventories and monitoring be performed in sites of particular interest. These sites have to be selected according to previous information on the extension and ecological quality of coralligenous and maërl communities. Amongst the criteria to be used in this selection, it is recommended the following ones:

- Existence of previous information on coralligenous assemblages or maërl beds at the site or, if there is no available information at all, sea bottom geomorphological features suitable for the development of coralligenous frameworks and/or rhodolites.
- Representativity of the coralligenous assemblages/maërl beds at a wide geographical area, whenever it is possible, according to present knowledge.
- Existence of control and/or management of anthropic activities at the site. In this sense, marine protected areas are suitable places to be selected.
- Especially healthy coralligenous and maërl communities are worth to be selected as reference points.
- Coralligenous communities and maërl beds under clearly recognisable direct or indirect anthropogenic disturbances are worth to be selected in order to assess the impact of these disturbances.

Specialized Institutions and researchers

A data base including specialists working in the coralligenous/maërl environments should be obtained. Every specialist should be identified by:

Fields of knowledge:

- Taxonomy, with indication of the group/groups of expertise
- Environmental factors
- Descriptive ecology
- Functional ecology
- Conservation
- Cartography
- Management

Monitoring activities

Even if changes in coralligenous/maërl communities proceed very slowly (Garrabou *et al.*, 2002), at least in the absence of punctual catastrophic disturbances, the study of their dynamics in the long term is of great interest to explain their formation and to foresee their evolution, both naturally or when affected by a disturbance. Thus, monitoring is necessary to understand long-term dynamics and changes in the communities as well as the success in the implementation of management measures.

Types of monitoring

Monitoring should be addressed to answer questions concerning (1) the changes through time in the composition of coralligenous/maërl assemblages, (2) the viability of the populations of plants and animals thriving in these assemblages per se or (3) subjected to natural or anthropogenic

disturbances, or (4) the selection of species that can be used as bioindicators. Every type of monitoring needs different methodological approaches.

Monitoring methods

Monitoring methodologies change according to the objectives of each study. A comprehensive summary can be found in Bianchi *et al.* (2004). Several important limitations are however present when working in coralligenous/maërl assemblages due to the usual deep water environment where diving is performed: time restrictions are severe due to long decompression times and diver performance outstandingly decrease due to nitrogen narcosis (Tetzaff & Thorsen, 2005; Germonpre, 2006). Another problem is the high small scale heterogeneity of coralligenous outcrops which implies a large sampling area to be representative (Ballesteros, 2006). Also, the high medium to large scale heterogeneity makes it difficult comparison among sites. However, the low dynamics of coralligenous assemblages (Garrabou *et al.*, 2002) allow sampling periodicity to be low in long-term studies.

For practical purposes, and when describing assemblages, semi-quantitative evaluations are the most rapid methodology usually providing enough information for a rough characterisation of the assemblages. Coverages or abundances can be easily estimated by indices in a scale of 3 to 6 values. We recommend the use of phytosociological indices (Braun Blanquet, 1979; Cormaci *et al.*, 2004), which can be adequately transformed and used in further statistical ordination analysis.

However, monitoring usually needs the collection of precise quantitative data (e.g. densities, sizes, coverages). Both destructive and non-destructive methodologies are usually used. Destructive methodologies imply the collection of all organisms in an area by scraping a determined surface with a hammer and a chisel, sometimes with the help of a suction sampler (Boudouresque, 1971). This technique, feasible for punctual comparisons, offers excellent results for the flora and sedentary fauna. However it has the drawback of being destructive and, thus, it is not desirable for long term periodical monitorings. Two main methodologies are currently used in non destructive monitoring: photographic sampling and quadrats. Both of them do not require the removal of organisms and, as such, they are very suitable for long-term monitoring.

Photographic procedures consist in the photographic sampling of a defined area, previously delimited in periodical monitorings. Macro-lenses can be used to cover small areas (i.e. 400 cm²) and wide-angle lenses are better used to cover areas of up to 1 m². However, with the introduction of digital cameras, with zoom lenses and auto-focusing, cover areas can be easily changed, even underwater. The use of external strobes greatly increases image quality. Photographs allow the estimation of species densities and abundances (cover) which can also be used to obtain data on community structure. Photographs repeated at regular time intervals in fixed sites allow the collection of information on population dynamics and demography of fauna and flora (Garrabou, 1998, 1999; Garrabou & Ballesteros, 2000; Garrabou & Zabala, 2001). Photography also allows the collection of a great number of samples (photographs) in a reduced period of time, excelling in the ratio between obtained information and diving time. The decrease in diver performance with depth due to nitrogen narcosis and the resulting lack of accuracy of measures is also greatly avoided. However, an important drawback in photography is that whilst it performs very well in 2D organisms and structures, its application in 3D organisms (e.g. gorgonians, some sponges and bryozoans) is far much complicated and usually lacks of enough accuracy.

Quadrats, situated along a transect or haphazardly sampled, are largely used in benthos studies, both in benthic surveys and monitorings. In coralligenous assemblages they have been mainly used to estimate demographic parameters and to study the short and long term changes in gorgonian populations (e.g. Harmelin & Marinopoulos, 1994; Coma *et al.*, 2004; Linares *et al.*, 2005; Linares *et al.*, in press). Quadrats can be portable or can be permanent and fixed in the sea bottom by lines, following a transect. The size of the quadrat changes according to the objectives of the monitoring. Half to one square meter frames are recommended to monitor abundant large-sized organisms growing in coralligenous assemblages. Permanent quadrats are very useful to

study the demography of the main species and the dynamics of the entire community, whilst non permanent quadrats are useful to study changes in sizes or abundances of one to several species. Quantification can easily be performed by individual counting (density measurements) in entire quadrats (e.g. Coma *et al.*, 2006). Quadrats can be subdivided into grids of smaller quadrats and this allows divers to estimate abundances in percentage cover (e.g. Fraschetti *et al.*, 2001), or frequency evaluations (number of sub-quadrats where a species is present; e.g. Sala & Ballesteros, 1997).

Monitoring of individuals/colonies is easily performed when a site is selected, all individuals mapped and/or tagged and identified by a numbered code to facilitate its re-identification (e.g. Ballesteros, 1991; Linares *et al.*, 2005). These permanent sites can be partitioned in quadrats of 10x10 to 50x50 cm (according to the size and distribution of monitored individuals) to facilitate mapping. The corners of each quadrat can be marked using PVC screws or steel climbing parabolas fixed to the substratum by putty (e.g. Linares *et al.*, 2005).

Monitoring of some environmental variables is also needed if we want to relate changes in the coralligenous/maërl assemblages with disturbances. Amongst the most important variables to be monitored are: water temperature, sedimentation rates, nutrient concentration in seawater, particulate organic matter and water transparency.

A specific workshop should be carried out including most specialists currently working in the monitoring of coralligenous/maërl assemblages. Even if it is difficult amongst scientists to propose common standard methods for monitoring, it is always useful to make this kind of workshops in order to know which are the methodologies that are being used and try to adopt techniques that at least can be compared or intercalibrated. Main targets of this workshop should be devoted to methodologies addressed to:

- Large scale comparison of assemblages.
- Medium to long-term changes in assemblage composition and species abundances.
- Monitoring of engineering species (corallines, main algal stands, gorgonians, engineering bryozoans, main sponges).
- Monitoring of vagile species (fish, decapods, gastropods).
- Growth and erosion rates in coralligenous/maërl assemblages.
- Impact of main disturbances affecting coralligenous/maërl assemblages (trawling, mortality events, degradation by waste water, diving activities, invasive species, artisanal fishing, silting).

Research activities

Taxonomy

Coralligenous/maërl assemblages probably are two of the most important hot-spots of species diversity in the Mediterranean, together with *Posidonia oceanica* meadows (Ballesteros, 2006 ; BIOMAERL team, 2003). In comparison to the large amount of literature devoted to the study of *Posidonia oceanica* meadows, studies devoted to strengthen the knowledge of coralligenous/maërl biodiversity are very scarce. Therefore, due to the rich fauna, high heterogeneity at all scales, and complex structure of coralligenous/maërl assemblages, together with the paucity of studies dealing with coralligenous/maërl biodiversity, it can be assumed that at least coralligenous assemblages harbour more species than any other Mediterranean community. The check-list proposed in the second chapter of this Work Programme will probably mention all the species found to date in coralligenous/maërl communities. However research in taxonomy is also needed as a large amount of taxonomic groups absolutely lack not only of a comprehensive study but almost any study dealing with species which can be found in coralligenous outcrops or maërl beds.

Taking into account the current knowledge of biodiversity in coralligenous/maërl communities (Ballesteros, 2006), the following taxonomic groups need an important investment in research:

- Copepods
- Cumaceans
- Isopods
- Molluscs
- Mysids
- Nematods
- Nemertean
- Ostracods
- Phyllocarids
- Polychaeta
- Pycnogonids
- Tanaidaceans

Further research in other groups is also acknowledged as it will surely provide new reports of species for coralligenous outcrops and maërl beds.

Long term evolution

Processes taking place in coralligenous communities usually proceed very slowly (Garrabou *et al.*, 2002). Functioning of outstanding and key species also show low growth rates and low population dynamics (see review in Ballesteros, 2006). Therefore, even if some of the patterns and processes that have been described so far occur in short time periods (*e.g.* mortality events; Cerrano *et al.*, 2000; Garrabou *et al.*, 2001), evolution of coralligenous can only be understood from a long-term perspective. Maërl beds are even less known as there are no comprehensive revisions in this subject regarding Mediterranean rhodolits.

Monitored sites are recommended to be visited once a year. Even if seasonality in coralligenous/maërl communities is not as important as it is in shallower environments (Ballesteros, 2006), the monitoring is recommended to be always performed at the same period of the year in order to facilitate comparisons between years and sites. Summer and the beginning of autumn (July-October) is the best time period to undertake the surveys because diving in deep waters is more secure.

Sites should be selected according to (1) their representativeness at a large geographical scale, (2) their accessibility and (3) the logistical facilities that may contribute to guarantee the monitoring. Selection of reference sites are crucial to monitoring specifically addressed to determine the response of assemblages to particular disturbances.

The monitoring should be designed to be as simple as possible. No standard methods have been proposed and no environmental or ecological quality indexes have been established. A specific methodology for long-term studies devoted to look for the evolution of coralligenous/maërl communities can be suggested in the workshop to be conducted for monitoring activities.

Functioning

Special care is to be taken for the study of the functioning of particular associations and species. Specifically, long-lived plants and animals that usually are the engineering species of the coralligenous or the most abundant calcareous algae in maërl beds, need a detailed knowledge of their growth, demographic patterns, vulnerability to disturbances and recovery capacities. RAC-SPA should encourage these studies. Kinds of studies that merit specific attention are:

- Environmental factors and biological processes that determine specific composition and structure of coralligenous/maërl communities.
- Age determination and growth history of coralligenous concretions and maërl rhodolits.
- Growth requirements carbonate production rates, erosion rates, competence studies in corallines and *Peyssonnelia rosa-marina*. Effects of sewage and silting on these processes.
- Importance of excavating sponges, bivalves and annelids to the bioerosion of the coralligenous/maërl rhodolits. Differences between currently growing and subfossil coralligenous outcrops. Effects of sewage and silting in bioerosion rates.
- Effects of invasive algal species in coralligenous outcrops and maërl beds: changes in biodiversity, functional structure and long-term dynamics of populations and communities.

- Growth rates, ecophysiological features of structurally important soft algae: *Peyssonnelia* spp., *Flabellia petiolata*, *Halimeda tuna*, *Phyllariopsis brevipes*, *Laminaria rodriguezii*, *Osmundaria volubilis*, *Phyllophora crispa*.
- Contribution of bryozoans to coralligenous outcrops. Growth rates and carbonate production.
- Population dynamics of gorgonians and alcyonarians (*Paramuricea clavata*, *Corallium rubrum*, *Eunicella cavolinii*, *Alcyonium acaule* and others). Factors triggering mortality events. Species-specific responses and adaptations to stress and disturbances.
- Growth and population dynamics of specially relevant massive sponges (e.g. *Axinella polypoides*, *Axinella verrucosa*, *Spongia agaricina*, *Spongia officinalis*). Factors triggering mortality events.
- Growth and population dynamics of specially relevant massive ascidians (e.g. *Halocynthia papillosa*, *Pseudodistoma cyrnusense*, *Phallusia fumigata*, *Microcosmus* spp., *Aplidium* spp.). Factors triggering mortality events.
- Dispersion of species/populations and genetic fluxes between populations at the Mediterranean basin level.
- Development of physiological markers providing information about population health in response to different kinds of disturbances.

Conservation activities

Major Threats

Major threats affecting coralligenous/maërl communities roughly coincide with threats affecting Mediterranean marine biodiversity and are listed in the Strategic Action Programme for the Conservation of Biological Diversity (SAP BIO). However, due to its special habitat and features, not all the threats listed in the SAP BIO affect coralligenous/maërl communities, but some of them are specially relevant. It follows a brief description of the main threats.

Trawling

Trawling is probably the most destructive impact currently affecting coralligenous communities. Trawling is also completely destructive in maërl beds, being the main cause of maërl disappearance in large Mediterranean areas. The action of trawling gear over coralligenous/maërl assemblages leads to the death of most engineering, dominant and builder species, completely changing the environmental conditions of the coralligenous microhabitats and from the maërl environment. As most of these species are particularly long-lived, have low recruitment and complex demographic patterns, destruction of the coralligenous/maërl structure is critical as their recovery will probably take several decades or even centuries. Trawling has also a great impact on target species that, although not as vulnerable as most suspension feeders, they also suffer from this indiscriminate method of fishing. Finally, even the performance of trawling close to coralligenous outcrops or maërl beds affects negatively to algal growth and suspension-feeding due to an increase in turbidity and sedimentation.

Artisanal and recreational fishing

Certain fishes, mainly elasmobranchs, are severely decimated by artisanal fishing practices when fishing pressure is outstanding. This is the case, for example, of several small sharks such as *Scyliorhinus stellaris*, *Mustelus* spp. or *Squalus* spp. In several places, other species such as groupers and lobsters need the implementation of adequate fishery management. Special care has to be taken with the commercial exploitation of red coral (*Corallium rubrum*), whose stocks have strongly declined in most areas. Adequate management of this extremely valuable and long-lived species is necessary. It is also important to remember that trammel nets and even nylon threads

can exert an important impact on gorgonians and other erect species (e.g. *Laminaria rodriguezii*, *Axinella* spp., *Hornera frondiculata*) (Tunesi *et al.*, 1991).

Anchoring

Anchoring has a very severe impact in coralligenous concretions, as most of the engineering organisms are very fragile and are easily detached or broken by anchors and chains. Coralligenous concretions of frequently visited sites by recreational fishing or diving activities are degraded by the destructive potential of anchors.

Invasive species

There is an absolute lack of knowledge on the effects that lessepsian species have on coralligenous/maërl communities in the Eastern Mediterranean. Currently, at least three algal species are threatening coralligenous/maërl communities in the Western Mediterranean: *Womersleyella setacea*, *Acrothamnion preissii*, *Caulerpa racemosa* v. *cylindracea* and *Caulerpa taxifolia*. All of them are only invasive in relatively shallow water coralligenous outcrops and maërl beds (<60 meters), where irradiance levels are sufficient to permit their growth. However, they are especially dangerous, because they completely cover the basal stratum of encrusting corallines and increase sedimentation rates which lead to a total shut down of coralligenous growth or the survival of rhodolits.

Global warming

Anomalous high water temperatures seem to trigger large scale mortalities of several suspension feeders growing in coralligenous assemblages (Cerrano *et al.*, 2000; Pérez *et al.*, 2000). Thus, it is expected that if the current pattern of global warming continues, it will surely affect more frequently the populations of gorgonians and sponges thriving in coralligenous communities situated above the summer level of the thermocline, leading to their eventual total demise.

Waste water discharges

Waste waters profoundly affect the structure of coralligenous communities by inhibiting coralline algal growth, increasing bioerosion rates, decreasing species richness and densities of the largest individuals of the epifauna, eliminating some taxonomical groups and increasing the abundance of highly tolerant species (Hong, 1980, 1982; Cormaci *et al.*, 1985; Ballesteros, 2006). Although no information is available on the impact of eutrophication in Mediterranean maërl beds, the effects must be similar to those reported for coralligenous concretions.

Aquaculture

Although there are no studies on the impact of aquaculture facilities situated over or at the proximity of coralligenous outcrops, nor maërl beds, their effects should match those produced by waste water dumping.

Changes in land use and coastal infrastructure construction and urbanization

Most anthropogenic changes in coastal areas or at their vicinity involve an increase in water turbidity and/or sediment removal that affect coralligenous/maërl communities.

Recreational activities (excluding fishing)

Uncontrolled or over-frequentation of divers in coralligenous communities has been described to produce an important effect over certain large or fragile suspension feeders inhabiting coralligenous communities (Sala *et al.*, 1996; Garrabou *et al.*, 1998; Coma *et al.*, 2004; Linares, 2006).

Mucilaginous and filamentous algal aggregates

Blooms of mucilaginous and filamentous algal aggregates can cause severe damage over erect suspension feeders (mainly gorgonians). These blooms are still not well understood but they are apparently caused by eutrophication.

Legislation and regulations

Coralligenous/maërl assemblages should be granted legal protection at the same level as *Posidonia oceanica* meadows. A first step would be the inclusion of coralligenous concretions and maërl beds as a priority natural habitat type in the EU Habitats Directive (92/43/EEC), which would enable EEC countries to undertake surveillance of the conservation status of coralligenous/maërl assemblages and also to set an ecological network of areas of conservation (LICs/ZECs) hosting coralligenous/maërl assemblages, which would ensure their conservation or restoration at a favourable conservation status. Although *Phymatolithon calcareum* and *Lithothamnion corallioides* are present in the Annex V of the Habitats Directive and as such they should be provided by management measures in case of exploitation (which is never the case in the Mediterranean), there is no specific protection for maërl beds. Similar actions should be encouraged in non-EEC countries through the existing tools of the Barcelona Convention.

Regarding again European countries, recently (21 December 2006), it was published a Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 which states that **“Fishing trawl nets, dredges, shore seines or similar nets above coralligenous habitats and maërl beds shall be prohibited”** (Article 4.2) and that this prohibition **“shall apply to all Natura 2006 sites, all special protected areas and all specially protected areas of Mediterranean interest (SPAMI) which have been designated for the purpose of the conservation of these habitats under either Directive 92/43/EEC or Decision 1999/800/EEC”** (Article 4.4).

National legislation for the protection of coralligenous assemblages is recommended to be promulgated as soon as possible.

Engineering and endangered species developing in coralligenous assemblages should get legal protection in order to control and, if necessary, to prohibit any type of destruction or disturbance of these species. Appropriate, scientifically-based, management plans have to be implemented for the exploitation of natural resources (e.g. fish, crustaceans, red coral, commercial sponges).

Anthropogenic activities being performed in or at the vicinity of coralligenous/maërl assemblages should be regulated in order to decrease the level of impact compatible with the sustainability of the assemblages and their populations. Specific measures aimed at protecting the coralligenous/maërl environments might include the following (Ballesteros, 2006):

- Waste water dumping should be banned over coralligenous/maërl bottoms, and in their vicinity.
- Trawling must be completely prohibited in areas with maërl beds and coralligenous outcrops and in their vicinity, the aim being to avoid not only the physical damage caused by trawling over coralligenous/maërl assemblages but also the indirect effects due to increased turbidity and silting.
- Any other anthropogenic activity involving an increase in water turbidity and/or sediment removal (e.g. coastline modification, beach regeneration, dredging, aquaculture projects) should be avoided in the vicinity of coralligenous outcrops or maërl beds.
- Correct management of traditional and recreational fisheries must be implemented in order to prevent stock depletion of target fish and invertebrates. Fishing nets have to be avoided in places with populations of long-lived erect invertebrates (e.g. gorgonians, some sponges) and algae (e.g. *Laminaria rodriguezii*).

- The impact of diving must be compatible with the normal functioning and conservation of the coralligenous environment and their species.
- The enactment of suitable legislation concerning the introduction of alien species is urgently needed.

Guidelines for the assessment of environmental impact on coralligenous/maërl assemblages will have to be elaborated.

Creation of Marine Protected Areas

Most present Mediterranean MPAs are devoted to protect *Posidonia oceanica* meadows and other shallow water assemblages, in such a way that the percentage of coralligenous/maërl habitat currently protected in the Mediterranean is extremely low. Thus, it is necessary to establish marine protected areas (MPA) in order to protect representative coralligenous/maërl assemblages by applying the protection and management measures recommended by Articles 6 and 7 of the SPA/BD protocol. In fact, MPAs have to be established taking into account the seascape diversity and trying to include places with several relevant assemblages, as has been already applied in the creation and zonation of some MPAs (Villa *et al.*, 2002; Di Nora *et al.*, 2007).

Countries have to identify and cartography as soon as possible sea bottoms covered by coralligenous outcrops and maërl beds in order to design a network of MPAs that enables the protection of coralligenous/maërl assemblages.

Seamounts situated far away from the coastline deserve special attention due to its isolated geographical position and, usually, lack of knowledge. In particular the following areas are of regional (Mediterranean) interest:

- Alboran Sea (Spain, Morocco)
- North and West coasts of Eivissa (Spain)
- North Minorca and the Channel between Minorca and Mallorca (Spain)
- Banc Emile Baudot, south of Cabrera (Spain)
- Banks from South East Iberian Peninsula: from Palos to San Antonio Cape (Spain)
- Marseilles region (France)
- Western coast of Corsica (France)
- Northwestern coast of Sardinia (Italy)
- Straits of Messina (Italy)
- Isole Eoli and Ustica (Italy)
- Isole Pelagie (Italy)
- Sicily Channel (Italy)
- Puglia coast (Italy)
- Hallouf Bank (Tunisia)
- Algerian coast (Algeria)
- Kykladhes Islands (Greece)

Those Mediterranean MPAs which contain coralligenous/maërl assemblages and for which management and monitoring plans have not yet been developed and implemented, must be provided with such plans as soon as possible.

Coordination of this Work Programme with other tools and initiatives

The Standard Data Form (SDF), developed by RAC SPA, can be used to identify potentially good sites for the establishment of MPAs devoted to protect coralligenous/maërl assemblages.

However the SDF is not appropriate to be used in the monitoring of coralligenous/maërl assemblages since it has been designed for the inventory of sites and habitats but not for an

accurate assessment of multi-species population densities and their evolution. Annex B (habitat types) from the SDF should be slightly modified in the point IV.3.1 (Coralligenous biocenosis), according to current knowledge. Species appearing in Annex C should be slightly enlarged in order to include several engineering coralligenous species according to the adopted criteria for amendments of the Annexes (II & III) of the Protocol SPA-BD.

This Work Programme for the Conservation of Coralligenous and maërl assemblages should be included in the Action Plan for the Conservation of Marine Vegetation (VAP). Even if the VAP concerns plant dominated assemblages, it doesn't exclude animal assemblages and most of the priorities at national and regional levels as well as some of the objectives are nearly the same.

MPAs classified as SPAMIs and containing coralligenous/maërl assemblages inside their protected areas should develop management and protection plans to ensure their conservation.

Timetable

Taking into consideration all the observations stated above, the following actions can be considered:

Action	Time	who
Definition of what assemblages are to be included in this Work Programme: Coralligenous frameworks and maërl beds or circalittoral rocky bottom communities?	As soon as possible	SPA/RAC & Partners
To provide a check list of all the species that are able to thrive in coralligenous/maërl communities using published literature, unpublished reports and expert assessment. Species names (with authorities), citations, geo-referenced localities, abundances, and habitat features have to be included. This check-list has to be designed as a data base with an incorporated GIS.	1 year from adoption	SPA/RAC & Partners
To create a website as a part of the Mediterranean CHM on marine & coastal biodiversity to help in the taxonomical identification of the main species thriving in coralligenous/maërl assemblages, including : A bibliographic data base with all the information concerning coralligenous/maërl assemblages with indication of the topics they cover (e.g. biodiversity and taxonomy, descriptive ecology, functional ecology, composition, environmental factors, cartography, conservation, disturbances). A Data Base on coralligenous/maërl assemblages. Directory of <ul style="list-style-type: none"> • Taxonomists that could provide information on species thriving in coralligenous/maërl assemblages. • Scientists currently working in the coralligenous/maërl environment. • Research institution 	Ongoing	SPA/RAC
To propose standard methodologies for the inventory and monitoring of coralligenous/maërl communities and their main species.	2 years from adoption	SPA/RAC & Partners
To support and/or encourage field missions devoted to increase the knowledge on the distribution, cartography and biodiversity of coralligenous/maërl assemblages. Special attention is to be paid in the Eastern Mediterranean and North of Africa.	Ongoing	SPA/RAC & Contracting Parties
To provide a geo-referenced list of all the sites known to harbour coralligenous/maërl communities, with indication of depth intervals and (if possible) coralligenous/maërl facies or more conspicuous species.	2 years from adoption	SPA/RAC
To propose the creation of MPAs in areas harbouring well developed coralligenous outcrops or maërl beds.	3 years from adoption	Contracting Parties
Organisation of a periodical Workshop devoted to coralligenous concretions and maërl beds (back to back with the symposium on marine vegetation)	Each 3 years	SPA/RAC
Organisation of practical training workshops in order to acquire good taxonomical skills and to learn monitoring methodologies.	As needed	SPA/RAC
To support and/or encourage taxonomic work to be made in some specially unknown groups.	Ongoing	SPA/RAC & Contracting Parties
To support and/or encourage scientific studies devoted to increase the knowledge on the functioning of coralligenous outcrops/maërl beds.	Ongoing	SPA/RAC & Contracting Parties
To promote the conservation of coralligenous/maërl assemblages	Ongoing	Contracting Parties
To foster the conservation of coralligenous/maërl assemblages situated in international waters (e.g. Alboran Sea, Sicily Channel).	4 years from adoption	SPA/RAC & Parties

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