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ENGLISH



MEDITERRANEAN ACTION PLAN

Third Meeting of the Working Group of Experts designated
by the Contracting Parties on the Draft Protocol on Integrated
Coastal Zone Management (ICZM) in the Mediterranean

Loutraki, Greece, 12-15 February 2007

**WORKING DOCUMENT ON THE
DRAFT- PROTOCOL ON INTEGRATED MANAGEMENT
OF MEDITERRANEAN COASTAL ZONES**

Introduction

Following the submission by Italy of a new proposal on article 8, para. g) (Shipping) and of comments on articles 14-32, the Secretariat has prepared this addendum which contains Annex II and Annex III to the working document on the draft protocol on Integrated Management of Mediterranean Coastal Zones (UNEP(DEPI)/MED WG.305/3).

ANNEX II

New proposal by Italy

Article 8

Economic activities

(g) Shipping

[Shipping activities should be conducted **[as to ensure]**¹ the preservation of coastal ecosystems and endeavouring to minimize pollution from ships [, **including operational and illegal discharge.**]²

[States Parties undertake to promote common approach and measures to control the transfer of harmful alien organisms through the discharge of ballast water into the Mediterranean Sea.]³

¹The substitution has been made as to stress the States responsibility to preservation of coastal areas.

² The integration is needed to clarify the most hazardous and common sources of pollution from shipping.

³ The proposal for this point has been moved as it is intended as a general statement.

Annex III

Comments submitted by Italy

Articles 14-32

PART III entitled "Instruments for integrated coastal zone management", includes Articles 15 and 16 which deal with *latu sensu* "strategies", it is therefore important to clarify and adopt the consistent conclusions to be discussed in Loutraki referred to the following:

- **Strategy/ies**
 - A. if the term *strategy* is referred to a specific Regional Mediterranean strategy for ICZM to be the framework that includes National strategies;
 - B. if the term *strategy/ies* is referred only to National Strategies to be formulated by each State Party in coordination with the others, without the provision of a wider one at Mediterranean level.

- **Contents**
 - A. According to conclusion (A) above, a Regional Mediterranean strategy should be developed in accordance with the prior definition of a plan of action including detailed provisions, on the basis of which it should be expressly formulated and described.

On this purpose, it seems to be suitable to provide guidelines and to set and specify targets, priorities, criteria, standards and consistent timetables progressively formulated and adopted by the Parties, in cooperation with the Secretariat.

- B. According to conclusion (B) above, a coordination mechanism between National strategies should be expressly defined.

National strategies should be developed in accordance with the prior definition of a set of appropriate activities including detailed provisions, on the basis of which it should be expressly formulated and described.

On this purpose, it seems to be suitable to provide guidelines and to set and specify targets, priorities, criteria, standards and consistent timetables progressively formulated and adopted by the Parties, in cooperation with the Secretariat.

It would be proper to reformulate the title of Part III adding the term *strategies*, or to provide another Part on strategies.

It would also be important to refer to the concerning Barcelona Protocols, particularly LBS and SPA/BD, in order to include their contents in the strategy formulation.

Noting that the content of Articles 20, 21 and 22 concerns actions that States should undertake, both at National and International level, in order to achieve cooperation goals, it should be clarified and discussed the opportunity of a recall to such actions in Part III.

Article 14 “Observatories, inventories and network”

- It would be important to designate for each State party concerned a “Coordination System” or a “Competent Body” for the implementation of the Protocol with respect to their National ICZM strategy.
- It would be important to refer to the contents of the 1998 Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters.
- Referring to Paragraph 1, “mechanisms for monitoring and observation and national inventories of coastal zones” established by the Parties should be complementary to the existing ones.

Article 17 “Environmental assessment”

- Aware that the notion of Environmental Assessment is internationally recognised, particularly:
 - the Environmental Impact Assessment is part of the Barcelona System (e.g. Barcelona Convention, Art. 4, para 3 let. c; SPA/BD Protocol, Art. 17);
 - Impact and Strategic Environmental Assessment are both included in the international Convention on Biological Diversity (CBD, Art. 14 and Decision VI/7) and in the UNECE Convention on Environmental Impact Assessment in a transboundary context and in its Protocol on Strategic Environmental Assessment.

It would be important to recall in the Preamble and in the concerned articles the mentioned international instruments and/or their contents and/or to add the definition of the environmental assessment processes in Art. 2 (i.e. taking into account the Decision VI/7 of the CBD and its Guidelines).

Moreover, it would be essential to define the range/object of application of the Environmental Impact Assessment and Strategic Environmental Assessment, carrying out e.g. for proposed project or development determination of which proposals should be subject to impact assessment and for plans and programmes which are set i.e. for agriculture, forestry, fisheries, energy, industry, transport, etc.

PART IV “International cooperation”

- Noting that articles in this part deal with practices of cooperation between States aimed at a virtuous implementation of ICZM it may be preferable to rename the Part: “Cooperation in support of integrated coastal zones management implementation”.

Moreover, on one hand, cooperation actions could be better specified, on the other, it would be better not to distinguish between international and transboundary cooperation, especially in the light of the possible adoption of a Mediterranean Strategy.