





## **Introduction**

This report is submitted to the meeting of the Contracting Parties in accordance with Articles 17(iv) 18.2(ii) of the Convention. It presents a summary of findings of the reports submitted by the Contracting Parties in view of implementing Article 26 of the Convention and Decision IG.7/3 of the 15<sup>th</sup> Meeting of the Contracting Parties.

### **1.1 General comments**

- At this stage, only 7 Contracting Parties submitted reports in the current format, out of which 4 in the on line MAP reporting system.
- Contracting Parties did not submit their reports on all legal instruments.
- Some of the reports did not include information on technical and enforcement aspects of application of the protocols.
- Some of the Contracting Parties used the system of ticking boxes with added comments, some of which were substantive, while others only ticked the boxes without additional comment. Some of them did not answer at all.
- Some Contracting Parties provided clear information with regard to difficulties in implementing the Convention and Protocol provisions.

### **1.2 Main conclusions**

Subject to a more detailed examination the following conclusions can be drawn from this analysis of the reports:

- It is essential that all Contracting Parties submit reports, in accordance with Article 26 of the Convention and the relevant provisions of the protocols, so that information on application of the Convention and its protocols is systematic and is available to all partners and so that the Contracting Parties are on an equal footing in this respect.
- The reports show considerable improvement in terms of information on application of the Barcelona Convention and its protocols.
- The new reporting format improves the comparability of information, as it allows quantitative analysis, unlike the previous system. It is essential, however, that each Contracting Party provide comments to clarify their national situations and conditions with regard to application of the Convention and its protocols.
- Many of the reports refer to difficulties in applying the protocols, in particular lack of policy or regulatory framework, limited financial and technical capacity, limited human resources and administrative management and finally inadequate intersectoral coordination.

## **2. Implementation of the Convention and the Protocols**

### **2.1 Barcelona Convention**

- All Contracting Parties provided relevant information on the status of ratifications.
- Overall, Contracting Parties provided clear information on the international, bilateral and multilateral agreements to which they are signatory and which are related to the Convention. Furthermore, most Contracting Parties provided

information on the status of signature, accession to or ratification of multilateral environmental agreements.

- The Contracting Parties appear to have established adequate structures for implementing the Convention and its protocols.
- Contracting Parties have enacted legislation in accordance with the provisions of the Convention.
- With regard to respecting the obligations and principles specified in the Convention, especially in paragraphs 4.3 and 4.4, most of the Contracting Parties report progress. Emphasis was placed on monitoring programmes in the marine environment, which were described in detail. Most of the Contracting Parties had integrated the precautionary principle, the polluter pay principle, and EIA environmental impact assessment and to some extent the principles of public access to information in their legislation. Contracting Parties differed, however, in the extent to which they had introduced integrated management of coastal zones, the application of ICZM tools in physical planning process, the public access to information and public participation into decision making as well as EIA procedures in a trans-boundary context. A number of the Contracting Parties also report the application of SEA for plans and programmes and policies.
- New important developments are reported by a considerable number of Contracting Parties with regard to the establishment of national strategies for sustainable development that take into account the protection of the marine and coastal environment. The use of economic instruments such as fines on permit violators, indicated polluters are charged cleaning expenses, establishment of eco fund or environmental protection and energy efficiency funds, etc is also reported by a number of Contracting Parties.
- Establishment of monitoring programmes on the marine and coastal environment is reported by almost all Contracting Parties. Efforts are being made to update such programmes.
- Most Contracting Parties publish periodical reports on the state of the environment, including information on marine and coastal zones. However for a number of Contracting parties there is a need to establish policy to enhance and encourage public access to information and participation.
- With a view to better assist the Contracting Parties to overcome their gaps with regard to public participation, public access to information and EIA in transboundary context, these are invited to ratify the ICZM protocol and the offshore Protocol which both entered into force on 24 March 2011, and also for those European countries the Aarhus Convention and Espoo Convention.

**Table 1**

<b>COMPLETED REPORTING FORMAT (BASED ON THE NUMBER OF QUESTIONS ANSWERED)</b>							
<b>Total Number of Contracting Parties to have submitted the report</b>	<b>Ratification</b>	<b>Cooperation</b>	<b>Legal Measures</b>	<b>Policy Measures</b>	<b>Resources</b>	<b>Other measures</b>	<b>Challenges</b>
7	6	7	7	12	7	7	7

**2.2 The Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (*Dumping Protocol*);**

Out of the 7 Contracting Parties that reported on the implementation of the Dumping Protocol, not a single Contracting Party addressed all of the above noted six parts. Specifically, The scope of reporting by the 7 Contracting Parties is tabulated below. Three Contracting Parties incorporated some provisions of the requirements of the Protocol into their national legislation even though they have not ratified it yet. Seven Contracting Parties ratified the Protocol, but only five have accepted the 1995 amendments to the Protocol.

Number of Contracting Parties	Completed Reporting Format					
	Part I	Part II	Part III	Part IV	Part V	Part VI
7	6	6	3	1	2	2

The results of the analysis of the present section confirm that the provisions of the Dumping Protocol are incorporated into their national legislation. However, the difficulties and challenges facing the Contracting Parties in addressing all the provisions of the Protocol are not clear and were not specified in the submitted reports. It is recommended that an in-depth investigation is undertaken to pin-point the specific nature of difficulties/challenges facing the Contracting Parties in this domain.

**2.3 The Protocol for the protection of the Mediterranean Sea against Pollution from Land-based Sources (*LBS Protocol*)**

Out of the 13 Contracting Parties that reported on the implementation of the LBS Protocol, 3 Contracting Parties addressed all of the above noted six parts. The scope of reporting by the 13 Contracting Parties is tabulated below. In that respect, it is interesting to note that some Contracting Parties that ratified the LBS Protocol did not submit a report. Other Contracting Parties which did not ratify the Protocol did report.

Number of Contracting Parties	Completed Reporting Format					
	Part I	Part II	Part III	Part IV	Part V	Part VI
7	7	7	6	1	4	1

The results of the analysis of the present section confirm that the provisions of the LBS Protocol are of highest priority to the Contracting Parties (compared to other protocols) as evidenced by the fact that 7 Contracting Parties incorporated a number of its requirements into their national legislation. However, difficulties and challenges facing the Contracting Parties in addressing some of the provisions of the Protocol are not clear and could not be determined from the submitted reports, particularly concerning the regulation of point source discharges, establishment of an inspection system, applying sanctions and common measures to control pollution, in addition to allocation of the necessary resources to establish

institutions and monitoring programs. It is recommended that an in-depth investigation is undertaken to pin-point the specific nature of these difficulties and challenges.

**2.4 The Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (*Hazardous Wastes Protocol*).**

Out of the 7 Contracting Parties that reported on the implementation of the Hazardous Wastes Protocol, only 1 Party addressed all of the above noted six parts; the remaining 7 Contracting Parties submitted partial information as tabulated below. Two Contracting Parties incorporated some provisions of the Protocol into their national legislation even though they have not ratified it yet. Two Contracting Parties ratified the Protocol, but did submit any report.

Number of Contracting Parties	Completed Reporting Format					
	Part I	Part II	Part III	Part IV	Part V	Part VI
7	5	3	2	1	1	1

The results of the present section highlight the fact that only 6 Contracting Parties have incorporated some of the Hazardous Wastes Protocol provisions into their national legislation. Furthermore, analysis of submitted information indicates that minimizing hazardous waste generation takes precedence to controlling flow of waste to external territories. Capabilities to develop necessary legislation that meets the provisions of the Protocol.

**2.5 Implementation of the Protocol concerning the cooperation in preventing pollution from ships, in cases of emergency, combating Pollution of the Mediterranean Sea (*Prevention and Emergency Protocol*).**

Number of Contracting Parties	Completed Reporting Format				
	Part I	Part II	Part III	Part IV	Part V
7	5	6	7	3	0

All 7 Contracting Parties that reported on the implementation of the Prevention and Emergency Protocol, have addressed the part III but none the Part V. In general, the information submitted by the Contracting Parties is partial. Out of the 7 Contracting Parties, two have not yet ratified the Protocol; nevertheless, they have incorporated several provisions of this Protocol into their domestic legislation.

**2.6 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*).**

Number of Contracting Parties	Completed Reporting Format					
	Part I	Part II	Part III	Part IV	Part V	
7	3	2	0	0	0	

Out of the 7 Contracting Parties that submitted a report, only 2 Parties have ratified this Protocol. This situation explains the fact that few parts of this Protocol are concerned by the report exercise of the Contracting Parties.

**2.7.1 Implementation of the Protocol for the Specially Protected Areas and Biodiversity (*SPA and BD Protocol*).**

Number of Contracting Parties	Completed Reporting Format					
	Part I	Part II	Part III	Part IV	Part V	Part VI
7	7	6	6	6	6	4

All 7 Contracting Parties that reported on the implementation of the SPA and Biodiversity Protocol, have submitted complete information on the most parts of the Protocol. 5 of them have ratified this Protocol and the two others have incorporated a large number of requirements into their national legislation.