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Introduction

1. Pursuant to decision IG 19/10 adopted by the Contracting Parties at their 16th Meeting of the Parties held in Marrakech (Morocco, 2009), in which it was decided to continue the preparation of legally binding regional plans for pollution reduction, three new plans were prepared. These address reduction of inputs of mercury, of organic load (biochemical oxygen demand) in the food industry and the nine persistent organic pollutants recently included in the Stockholm Convention.
2. The meeting of the MED POL Focal Points was held at the Lordos Beach Hotel, Larnaca (Cyprus), on 24 and 25 February 2011.

Participation

3. The MED POL focal points or their representatives from the following countries participated in the meeting: Albania, Bosnia and Herzegovina, Cyprus, European Commission, Croatia, Egypt, France, Israel, Italy, Malta, Montenegro, Spain, Syrian Arab Republic. The Palestinian Authority also participated in the meeting as an observer.
4. Representatives of the World Health Organization (WHO) and of the nongovernmental organization Mediterranean Information Office for Environment, Culture and Sustainable Development (MIO-ECSDE) also participated.
5. The MAP Regional Activity Centre for Cleaner Production (CP/RAC) also took part.
6. The full list of participants is reproduced in **Annex I** to this report.

Agenda item 1: Opening of the meeting

7. The meeting was opened at 9:30 by Mr F.S. Civili, MED POL Coordinator.

Agenda item 2: Scope and purpose of the meeting

8. Mr Civili said that the three draft plans under consideration had been prepared by MED POL in collaboration with CP/RAC. He introduced the new Director of CP/RAC, Mr Enrique de Villamore Martín. Recalling the process of preparing regional plans as part of the implementation of Art 15 of the LBS Protocol, Mr Civili said that priority substances the emissions of which were to be reduced had been set at the meeting in Durrës (Albania, June 2006), and negotiations had continued at a meeting in Barcelona (Spain, March 2007), which had decided to establish a working group to agree on a differentiation mechanism for reaching the agreed pollution reductions. At a meeting in Aix-en-Provence (France, November 2008), negotiations had started on the first three regional plans. The plans were adopted by the Contracting Parties and became legally binding. Progress since the initial negotiations in 2006 had therefore been rapid. The present meeting was being asked to examine the first drafts of three further regional plans. The plans would be revised on the basis of the discussions; they would be presented to the MED POL Focal Points one day before their next meeting in May for further discussion and then finalized during the Focal Point meeting. Thus, three new plans should be ready to be submitted to the Contracting Parties for adoption by the end of 2011.

9. Responding to a comment that countries should have a common view of the way in which the legally binding obligations imposed by the regional plans would be discharged, Mr Civili said that, as no further regional plans would be prepared during next biennium owing to

financial constraints, MED POL would devote its resources to examining the feasibility of implementing the six regional plans, including capacity building in cooperation with CP/RAC.

10. Ms Tatiana Hema, MEDU Programme Officer, reported that the MAP Compliance Committee was considering all obligations under the Barcelona Convention and had identified a list of minimum measures. It was now considering the timelines and financial implications of specific obligations. In June 2011, the Committee planned to assess the regional plans and inform countries about the measures to be taken in order for them to be compliant with their obligations.

Agenda item 3: Organizational matters

11. The meeting noted that the Rules of Procedure for meetings and conferences of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols would apply *mutandis mutandis* to the present meeting (UNEP/IG. 43/6, Annex XI).

(a) Election of officers

12. Following preliminary informal consultations among the participants, the meeting elected its officers as follows:

Chairperson: Ms Chrystalla Stylianou (Cyprus)

Vice-Chairperson: Ms Jelena Knezevic (Montenegro)

Rapporteur: Mr Hassan Hoteit (Lebanon)

(b) Adoption of the agenda

13. The meeting examined the Provisional Agenda proposed by the Secretariat (document UNEP(DEPI)/MED WG. 352/1) and the Annotated Provisional Agenda (UNEP(DEPI)/MED WG. 352/2). It was agreed that the draft regional plan on inputs of mercury be addressed after the other two plans had been discussed. A request was made that a short presentation be made on the Spanish centre for control of mercury. The meeting adopted the agenda as amended. It is reproduced in **Annex II** to this report.

(c) Organization of work

14. Mr Civili said that a draft report of the meeting would be prepared by the Secretariat after the Meeting and submitted to the participants for their observations and amendments before being finalized.

Agenda item 4: Review of draft regional plan on the reduction of inputs of BOD₅ from the food sector in the framework of implementation of Article 15 of the LBS Protocol (UNEP(DEPI)/MED WG. 352.3)

15. Mr Civili, introducing the item, said that draft plan was based on the relevant provisions of Article 15 of the LBS Protocol, the Water Framework Directive and the Marine Strategy of the European Union and national legislation. The proposed text contained limit values that were also based on various relevant texts, including OSPAR. The aim had been to set values that were meaningful, realistic and feasible.

16. Most of the discussion centred on the proposed limit values for BOD and for chemical oxygen demand (COD). A number of speakers suggested that total organic carbon (TOC) was a better measure than COD and could be included at least as an alternative.

17. Mr Michael Scoullos, the representative of MIO-ECSDE, said that the meeting should decide whether to base the plan on best available techniques or impact. In his view, 'population equivalents' were more meaningful for setting a threshold value. Mr George Kamizoulis, MED POL/WHO Senior Scientist agreed that, in view of the diverse economies of the countries surrounding the Mediterranean Sea, a percentage decrease in the input of BOD would be more suitable. As it was difficult to measure BOD in rivers, end-of-pipe limits should be set for effluents from factories.

18. Other delegates said that the plan should be based on concrete measures. Furthermore, the 'best available techniques' should be specified; the term was already defined in the Protocol and should not be redefined. A number of speakers suggested that nutrients were not part of BOD and should be addressed elsewhere. Others suggested that references to 'health' in article I.2 and to 'air' in article III.2 should be removed. Furthermore, eutrophication should not be linked to BOD.

19. It was agreed that Appendix III (In-plant measures for the reduction of wastewater volume and pollution load) should be adopted as guidelines.

20. The Chair commented that it would be difficult to establish legally binding 'best available techniques' for each sector and each country. One delegate responded that 'emission limit values' (ELVs) could be set on the basis of the environmental acceptability of the recipient body. Thus, wastewater should have an ELV that was independent of that of the water body into which it flowed.

21. After informal discussions, including the results of the work of an open-ended informal group of voluntary representatives that briefly met between sessions, it was agreed that the term 'BOD' would be replaced by 'organic load' throughout the plan, with 'BOD' in brackets. There was extensive discussion of the value to be set for BOD in the table in article III.1. One delegate said that the value would depend on the type of production plant, and another commented that a measure that expressed load should be used, rather than volume. It was pointed out that the value was related to the volume of wastewater, sampling frequency and the method of sampling. If it was to be included, two possible values should be given in square brackets, 4000 or 2000 population equivalent.

22. One representative said that mention should be made of the number of times a factory was allowed to fail the limit. Mention was made of the possibility of contaminated wastewater being discharged into the sewerage system, when it would be necessary to ensure that the water in the treatment plant did not exceed the limit value. Rules should be laid down to ensure that food industries treated their wastewater appropriately before discharging it.

23. Mr Civili said that participants would receive the revised version of the plan within 3–4 weeks. Delegates agreed that they would consult their national experts and send their comments to MED POL as soon as they had received the revised plan.

Agenda item 5: Review of draft regional plans on the reduction of inputs of nine chemicals in the framework of implementation of Article 15 of the LBS Protocol (UNEP(DEPI)/MED WG. 352.3)

24. Mr Civili, introducing the draft plan, said that CP/RAC, in charge of the preparation of the assessment on which the regional plan was based, had had substantial difficulties in finding data on use of some of the chemicals in the Mediterranean region, and that therefore international data had been used. The nine chemicals were to be addressed by the meeting, even though they were covered in the Stockholm Convention, because not all the Contracting Parties to the Barcelona Convention were parties to the Stockholm Convention. In addition, the

plan under consideration set stricter deadlines (for example, for exemptions and for identification of stockpiles) than the Stockholm Convention.

25. On representative suggested that the four brominated diphenyl ethers be considered together. Another representative reported that, although none of the chemicals was produced or imported in his country, they remained in the form of environmental contaminants. Another representative proposed that the exemption for lindane for use in human health should be deleted.

26. Although all nine chemicals were included in national plans, countries were at different levels of implementation of those plans; many delegates therefore considered that the deadline for reporting should allow an extension, taking into consideration each country's overall obligations. One representative suggested that the regional plan should use the same reporting format as that for the Stockholm Convention, which would halve the time needed for reporting to the two conventions. The Secretariat pointed out that 2013 was the date fixed for a progress report, while 2015 was the final reporting date.

27. The regional plan would cover not only production but also imports, residual pollution and stocks. Mr Civili said that all exemptions could be removed if the necessary data were received from the countries, and the delegates were urged to supply such information to CP/RAC.

28. After informal discussions, including the results of the work of an open-ended informal group of voluntary representatives that briefly met between sessions, one representative said that Article IV, on reporting, could now include a reference to the reporting format for the Stockholm Convention. He said that if all the Contracting Parties confirmed to the Secretariat that lindane was no longer used in their country, the exemption could be removed.

29. Mr Civili said that participants would receive the revised version of the plan within 3–4 weeks. Delegates agreed that they would consult their national experts and send their comments to MED POL as soon as they had received the revised plan.

Agenda item 6: Review of draft regional plan on the reduction of inputs of mercury in the framework of implementation of Article 15 of the LBS Protocol (UNEP(DEPI)/MED WG. 352.3)

30. Mr Civili, introducing the draft regional plan, commented that the LBS Protocol singled out mercury as a priority. Furthermore, a first round of negotiations had been held in July 2009 in Stockholm on the development of a global legal instrument on mercury, and that had been the basis for the present draft regional plan. There had been considerable support during the negotiations for the principle of common but differentiated responsibilities. Representatives had emphasized the importance of atmospheric emissions of mercury because of the potential for long-range transport. It had been suggested that emissions from chlor-alkali manufacture and from mining should be discussed separately from those from other sources.

31. The draft regional plan was based on the status of the global negotiations, the provisions of Article 15 of the LBS Protocol, the European Union Water Frame Directive and Marine Strategy Directive, the common measures adopted by the Contracting Parties to the Barcelona Convention in 1985 and national regulations on mercury in Mediterranean countries. The text proposed both hard and soft measures for reducing pollution with mercury. The numbers were based on a detailed assessment that had been carried out by CP/RAC. Mr Civili commented that stricter limitations might be considered in the future.

32. The representative of Spain made a presentation of the solutions that had been found in her country for sound management of metallic mercury. The ancient mines in Almadén had been

closed in 2001, and the mining company had accumulated a stockpile of about 4000 t of redundant metallic mercury, not only from the mine but also from chlor-alkali plants, non-ferrous metal industries and recycling plants throughout Europe. The company transported and handled the mercury under safe conditions and had designed a container for temporary storage of up to 50 t of metallic mercury for over 50 years. The container could be manufactured according to the capacity required. The company had also devised a process to stabilize metallic mercury for possible permanent storage, by transforming it into metacinnabar, a concrete-like substance. Both the container and the transformation process had passed stringent safety tests and were continuously monitored and controlled. The company would be willing to share its expertise with other Mediterranean countries.

33. In the discussion that followed, many delegates emphasized the urgency of reducing mercury emissions in the region. The regional plan should be stricter and more progressive than the ongoing international negotiations and should be put into effect before 2013, which was the date proposed for the Stockholm Convention. A ban on mercury mining in the Mediterranean region would send a strong signal to the rest of the world. The plan should set firmer limits concerning chlor-alkali plants and should prohibit the 'dumping' of dirty industries elsewhere. The ELVs should be reviewed to determine whether they were out of date or, on the contrary, over-ambitious. One representative suggested that the limits proposed in the table be considered interim measures for Mediterranean countries to follow until the global negotiations were concluded.

34. Mr Civili said that the 'environment quality objective' (EQO) approach had been used for major parameters in the draft regional plan to conform with use of the ecosystem approach throughout MAP. In answer to a comment by the representative of the European Commission, he said that, as the regional plan had been prepared on the basis of international and European Union practices, European countries would have no problem in applying the proposed limits. The global negotiations had begun only recently, and no targets had yet been set; once the global plan was published, the regional plan might have to be aligned with it. He agreed that the proposed measures could be considered temporary, while following decisions at the global level.

35. Representatives re-emphasized that all means should be used to eliminate mercury emissions from all sources immediately. Some delegates pointed out that the proposed limits were higher than those in force in the region. If countries considered that it would be problematic to meet the deadline of 2015, they should inform the Secretariat, with a detailed explanation of their problems, and could obtain an extension to 2019. One delegate pointed out that European Union legislation from 2008 already included many of the same ELVs and EQOs that were being proposed.

36. One delegate said that the global negotiations covered the life cycle of mercury, whereas the regional plan addressed the supply and demand for products and processes. All mercury-containing processes could be replaced by mercury-free processes, which should be described clearly in the plan.

37. After informal discussions, including the results of the work of an open-ended informal group of voluntary representatives that briefly met between sessions, a number of revisions were proposed to the draft regional plan on mercury. It was proposed that article III.1 should establish measures that had already been agreed tacitly by the industry and by Member States of the European Union. Furthermore, some industries no longer existed in the Mediterranean countries, such as manufacture of vinyl chloride monomer, and could therefore be prohibited with immediate effect. In Europe, it had been agreed that 2020 would be the deadline for phasing out of all mercury-based chlor-alkali plants. That date could therefore be maintained in the plan. Two sub-clauses had been introduced relative to closure of chlor-alkali plants:

environmentally sound management of metallic mercury would ensure that mercury from decommissioned chlor-alkali plants did not find its way onto the market; and, in the meantime, total releases to the air and water would be reduced. The measures would concern the entire country, in view of the airborne spread of mercury.

38. The number of sectors other than chlor-alkali plants had been reduced, because it was not clear whether those applications still existed in the Mediterranean region. The table would be revised once information was received from countries about whether they had any of the industries mentioned. Other sectors in which mercury was used could be addressed during the next intersessional period.

39. The section on decontamination would be completed only when countries had sent the relevant information to the Secretariat. A paragraph stating that the Secretariat would prepare a document on best environmental practices for discussion by the Contracting Parties had been inserted as a reminder only and would not appear in the final version of the plan. In answer to a question from the Chair, Mr Civili said that countries should send an inventory of all mercury-contaminated sites, focusing on decommissioned chlor-alkali plants and old mercury mines sites, to the Secretariat by 2013. The document to be prepared by the Secretariat would be based on the inventories, so as to provide specific, relevant advice.

40. In reference to a paragraph that addressed the collection of mercury-containing products, a number of representatives pointed out that the topic would best be addressed separately, in a plan for the collection and proper disposal of mercury-containing household goods. Such a plan should cover in detail the collection and treatment of wastes and awareness-raising for the general public.

41. Participants agreed to remove the definition of 'new plant' as it had been agreed that no new plants were to be built, with immediate effect. It agreed to the addition of a statement that any reference to the LBS Protocol was to the Protocol of 1996.

42. Mr Civili said that participants would receive the revised version of the plan within 3–4 weeks. Delegates agreed that they would consult their national experts and send their comments to MED POL as soon as they had received the revised plan.

Agenda Item 7: Other business

43. There was no other business.

Agenda Item 8: Conclusions and recommendations

44. Mr Civili reiterated that the draft regional plans as revised during the meeting would be sent to all Focal Points within 3–4 weeks, with a short report of the meeting. Concerning the Regional Plan on mercury, he noted the activities that had been entrusted to the Secretariat: during the next biennium, if the Plan was adopted, the list of non-chlor-alkali sector activities would be updated, and the sectors for which plans were needed would be identified. The Secretariat would also prepare a document on best environmental practices for decontaminating mercury-polluted sites. Awareness-raising and action plans were to be prepared with regard to mercury-contaminated household products.

Agenda Item 10: Closure of the meeting

45. Following the usual exchange of courtesies, the Chairperson closed the meeting on Friday 25 February 2011 at 17:00.

Annex I
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Annexe II

Annex II

Provisional agenda

Agenda item 1. Opening of the meeting

Agenda item 2. Scope and purpose of the meeting

Agenda item 3. Organizational matters

(a) Election of officers

(b) Adoption of the provisional agenda

(c) Organization of work

Agenda item 4. Review of draft regional plan on the reduction of inputs of mercury in the framework of the implementation of Article 15 of the LBS Protocol

Agenda item 5. Review of draft regional plan on the reduction of inputs of BOD from the food sector in the framework of the implementation of Article 15 of the LBS Protocol

Agenda item 6. Review of draft regional plans on the reduction of inputs of nine chemicals in the framework of the implementation of Article 15 of the LBS Protocol

Agenda item 7. Any other business

Agenda item 8. Conclusions and recommendations

Agenda item 9. Closure of the meeting