

Annex V

CATANIA DECLARATION

The Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention), meeting in Catania, Italy, from 11 to 14 November 2003 in the framework of the United Nations Environment Programme/Mediterranean Action Plan (UNEP/MAP),

Reaffirming their commitment to achieving sustainable development at regional, national and local levels, as well as to the issues agreed upon and the decisions taken in the Mediterranean Declaration for the 2002 Johannesburg Summit and its Plan of Implementation;

Aware that the promotion of sustainable development and the protection of the environment require more effective cooperation with international institutions and major groups, and active participation of NGOs and the private sector;

Recognizing the necessity for coherent sustainable development strategies, integrating economic, social and environmental issues and through adequate governance;

Reaffirming that protecting and enhancing the environment is necessary as well as an opportunity for sustainable social and economic development;

Emphasizing the need to further control and prevent all kinds of pollution affecting the quality of the natural resources and the health of the Mediterranean people;

Underlining the importance of the sustainable management of coastal regions and the need for a strategic approach and a coherent framework in this respect; and

Concerned at the asymmetrical development and technological gap among the Mediterranean coastal States;

Agree that:

1. The Mediterranean Partners and Actors in general and MAP in particular should play an active role in the implementation of the Johannesburg Plan of Implementation (JPOI) at the regional level;
2. The Mediterranean Strategy for Sustainable Development (MSSD) to be prepared for 2005, the work programme of the Mediterranean Action Plan (MAP) in general, and the Mediterranean Commission on Sustainable Development (MCSD) in particular, should give due consideration to the global issues that are of major concern to the Mediterranean, in particular the JPOI and the UN-CSD programme of work;
3. Additional and more substantial support from the European Union would help the promotion of sustainable development in the Mediterranean, and particularly the preparation of the MSSD, especially for improving convergence, reducing technological gaps and promoting appropriate institutional and capacity building;
4. The Strategic Action Programme (SAP) adopted under the Land-Based Sources Protocol (LBS Protocol) and the Strategic Action Plan for the Conservation of Biological Diversity in the Mediterranean Region (SAP/BIO), which constitute a major contribution to

sustainable development in the Mediterranean, should be implemented, as appropriate, and followed up effectively with adequate support and resources; in this context the LBS Protocol should enter into force as soon as possible and the procedures for acceptance of the amendments be urgently finalized by the countries that have not yet done so.

5. Regional strategies for Integrated Coastal Area Management (ICAM) together with an appropriate regional legal framework should be prepared, including guidelines for national strategies; in this context each coastal state should participate actively in implementing sustainable development activities and should encourage multilateral actions and avoid any unilateral action with a negative impact on neighbouring coastal states;
6. All concerned partners should be actively involved in the development and implementation of sustainable development policies and activities, in particular the business sector and NGOs, through a participatory approach and operational partnerships for joint programmes/projects;
7. Cooperation should also be strengthened with the European Commission, League of Arab States, United Nations agencies and programmes and other concerned organizations, such as the RA.MO.GE. Agreement and the Adriatic-Ionian Initiative, for the development and implementation of the MSSD and marine strategies with concerned countries.

Moreover,

Considering that the European Community has launched a preparatory process for a European Marine Strategy, taking into account Mediterranean concerns

Emphasizing the strategic importance of the cooperation between MAP and the European Commission, for the MSSD as well as for the marine strategy, in particular through strengthening ties between MAP and the Euro-Mediterranean Partnership, as confirmed in the Athens Ministerial Declaration of 10 July 2002; and

Recognizing the necessity for a contribution from the Mediterranean, as one of the Regional Seas lapping the shores of Europe, to the preparation of this marine strategy;

The Contracting Parties agree that:

8. The initiative of the European Community to develop a European Marine Strategy should be encouraged as it will contribute to prevent, abate and combat pollution of the Mediterranean Sea area and to enhance the protection and conservation of the marine environment in that area;
9. The EU should take full account of the specific features of the Mediterranean marine environment and the concerns of the Mediterranean countries, particularly the most vulnerable and threatened ones, in the development and implementation of the European marine strategy, to the preparation of which, UNEP/MAP will be associated;
10. Cooperation with the European Community in its efforts to develop and implement the European Marine Strategy should be strengthened, both as individual sovereign states bordering a regional sea, and as parties to the Barcelona Convention;

11. Co-operation between actors involved in the protection of the marine environment at regional level should be promoted and implemented, with the aim of drawing synergies and of avoiding duplication of efforts;
12. There are concerns of common interest, such as contamination by hazardous substances and nutrients namely those coming from land-based sources, the losses of biological diversity, the unsustainable management of the coastal areas and fisheries resources, illegal discharges, the introduction of non-indigenous species and the risk of maritime accidents;
13. Joint answers should be fully explored, such as, inter alia, improved national enforcement of existing rules and regulations, the application of the ecosystem approach, taking into consideration the legislation and capabilities of concerned countries, or the elaboration of a common approach on monitoring and assessment;
14. The outcomes of activities and programmes carried out by the Convention and its Parties should be duly recognized and taken into account in the preparation and the implementation of the Strategy;
15. The MAP Co-ordination Unit and the European Commission will jointly facilitate the participation of the Contracting Parties and civil society in this cooperation process.

Finally,

Concerned at the accidents at sea such as the Erika and Prestige cases and the possible pollution risks and impact of similar accidents on the Mediterranean marine environment, as well as at reducing voluntary acts of pollution, and convinced of the importance of protecting all Contracting Parties from the risk of maritime pollution;

Bearing in mind the legal framework at the global and regional levels for the protection of the marine environment; and

Convinced that the new Prevention and Emergency Protocol represents an efficient tool for strengthening cooperation and protecting the marine environment in the Mediterranean;

Aware that close cooperation between Mediterranean countries is essential for preventing and combating maritime pollution;

The Contracting Parties agree that:

16. Every effort should be done to ratify the protocol concerning cooperation in preventing pollution from ships and, in cases of emergency, combating pollution of the Mediterranean Sea and to act jointly in the implementation of its provisions;
17. MAP will prepare a regional strategy for the prevention of and response to marine pollution from ships in view of its adoption at their 14th meeting in 2005, including precise commitments and deadlines, as appropriate, by addressing the following priorities:
 - a) To ensure that each Contracting Party meets its obligations as a Flag State, Port or Coastal State within the framework of international law and in particular, when it applies and as appropriate, the UNCLOS, to which many Mediterranean countries are Parties, as well as in conformity with relevant rules adopted by IMO;

- b) To ensure the enforcement of national legislation related to prosecution of offenders illicitly discharging polluting substances. In doing so, due attention should be paid to the need for achieving even-handed treatment of such offenders throughout the Mediterranean region;
- c) To establish and implement at the national level the procedures for monitoring and surveillance of sea areas under their jurisdiction;
- d) To establish a comprehensive regional network for monitoring, detection and reporting of illicit discharges from ships;
- e) To strengthen the level of enforcement and the prosecution of illicit discharge offenders;
- f) To provide all major ports in the Mediterranean with adequate reception facilities for wastes generated on board ships, including ballast waters, according to the provisions of Annex I and Annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the 1978 Protocol relating thereto (MARPOL 73/78);
- g) To ensure the coherent implementation of the provisions of Annex I to MARPOL 73/78 related to the carriage of heavy grades of oil in single hull tankers and work within IMO to accelerate the phasing out of single hull tankers;
- h) To identify appropriate procedures in order to facilitate the decision when designating a place of refuge for a ship in distress;
- i) To study and identify the areas of the Mediterranean Sea where maritime safety and control of maritime traffic are in need of improvement;
- j) To propose to IMO the establishment of additional Vessel Traffic Separation Schemes deemed necessary for improving the safety of navigation;
- k) To set up additional Vessel Traffic Management and Information Systems (VTMIS) considered necessary as a complementary tool for improved control of maritime traffic, where agreed by all parties with a common interest, according to IMO guidelines;
- l) To promote, develop and implement sub-regional and local contingency plans for preparedness and response to marine pollution by oil and other hazardous and noxious substances as well as arrangements for their enforcement, covering the entire Mediterranean region;
- m) To adopt Mediterranean guidelines on emergency towing including, if appropriate, agreement on sharing towing capacity between neighboring states;
- n) To evaluate, in line with the work of relevant protocols of the Barcelona convention, the need for developing Particularly Sensitive Sea Areas (PSSAs) in the Mediterranean and to submit subsequent proposals to IMO, as necessary;
- o) To work for further improvement of the relevant conventions related to liability and compensation for environmental damage caused by accidental pollution from ships, such as the new 2003 Fund Protocol;

18. The EU and other concerned partners, in particular the Euro-Mediterranean Partnership, should join in the preparation and implementation of the regional strategy related to the Prevention and Emergency Protocol;
19. In this context, it would be important to provide support to the Contracting Parties that are in need, and where maritime security and the control of maritime traffic requires action, to give them the means to protect themselves against accidents and pollution of the marine environment.

To this end, the Contracting Parties:

20. *Commit* themselves to taking the necessary measures and actions, and providing adequate support for the implementation of the above, either directly or through the Mediterranean Action Plan.