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and its Protocols

Athens, Greece, 24-25 January 2017

**Agenda Item 4: Follow-up of the implementation of Decisions IG. 22/15 and IG. 22/16 of the 19<sup>th</sup> Meeting of the Contracting Parties**

**Follow-up of the implementation of Decisions IG. 22/15 and IG. 22/16 of the 19<sup>th</sup> Meeting of the Contracting Parties**

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UNEP/MAP  
Athens, 2016

## Status of implementation of COP 19 Decisions IG. 22/15 and IG. 22/16

### Introduction

1. At its Nineteenth Meeting, the Conference of the Parties adopted Decision IG.22/15 on Compliance Mechanisms and Procedures, Membership and Working Programme of the Compliance Committee for the Biennium 2016-2017 and Decision IG. 22/16 on Reporting on the Implementation of the Barcelona Convention and its Protocols, and Operational Section of the Reporting Format for the Protocol on the Integrated Coastal Zone Management (ICZM) in the Mediterranean.
2. This document updates the Compliance Committee of the current status of implementation of the two COP 19 Decisions, as regards: (1) reporting on the implementation of the Barcelona Convention and its Protocols, including the ICZM Protocol and (2) progress made in taken forward work under the Working Programme of the Compliance Committee for 2016-2017, including proposal of practical arrangements to ensure timelines of delivery.

### National implementation reports

#### *Barcelona Convention Reporting System (BCRS)*

3. The table below provides data indicating the extent to which Contracting Parties have fulfilled their reporting requirements under Article 26 of the Barcelona Convention for the biennium 2012-2013, as at 15 December 2016.

Contracting Party	Reporting Period	Review State	Report Submission date
Israel	2012-2013	Official Submission	2016-07-24
Turkey	2012-2013	Official Submission	2016-12-12
Montenegro	2012-2013	Official Submission	2014-12-08
Spain	2012-2013	Working Draft	
Greece	2012-2013	Official Submission	2014-10-31
Slovenia	2012-2013	Working Draft	
France	2012-2013	Official Submission	2015-01-30
Lebanon	2012-2013	Official Submission	2014-10-30
Italy	2012-2013	Official Submission	2014-12-02
Cyprus	2012-2013	Official Submission	2014-10-24
Croatia	2012-2013	Official Submission	2014-10-31
Bosnia and Herzegovina	2012-2013	Official Submission	2015-02-25
Morocco	2012-2013	Official Submission	2014-11-20
European Community	2012-2013	Official Submission	2016-11-24
Albania	2012-2013	Official Submission	2016-02-04
Egypt	2012-2013	Working Draft	
Malta	2012-2013	Official Submission	2016-07-19
Tunisia	2012-2013	Working Draft	

4. Fourteen Contracting Parties have submitted their national implementation reports to the Secretariat via the BCRS for the biennium 2012-2013 and four Contracting Parties have their working drafts in the pipeline, with the official submission still pending. The reports submitted following the Eleventh Compliance Committee Meeting (Athens, 22-23 October 2015) are highlighted and form the basis of document UNEP(DEPI)/MED CC.12/5 to be taken forward under Agenda item 5 of the present meeting.
5. For the ensuing reporting period, 2014-2015, as at 15 December 2016, the state of affairs is shown in the table below.

Contracting Party	Reporting Period	Review State	Report Submission date
Albania	2014-2015	Working Draft	
Bosnia and Herzegovina	2014-2015	Working Draft	
Croatia	2014-2015	Working Draft	
Cyprus	2014-2015	Official Submission	2016-11-06
France	2014-2015	Working Draft	
Greece	2014-2015	Working Draft	
Italy	2014-2015	Working Draft	
Lebanon	2014-2015	Official Submission	2016-10-31
Montenegro	2014-2015	Official Submission	2016-12-09
Morocco	2014-2015	Working Draft	
Malta	2014-2015	Working Draft	
Israel	2014-2015	Working Draft	
Turkey	2014-2015	Working Draft	

6. Three Contracting Parties have submitted their national implementation reports to the Secretariat via the BCRS for the biennium 2014-2015 and ten Contracting Parties have their working drafts in the pipeline, with the official submission still pending.

7. To increase the submission rate of national reports, and following Bureau instructions, the Secretariat has written to all national focal points in June and November 2016 to encourage those that have not yet done so, to submit their reports for the reporting periods 2012-2013 and 2014-2015. In its letter the Secretariat highlighted how the process of national reporting provides Contracting Parties with an important opportunity to identify common difficulties in implementation, lessons learnt and priority issues that need to be addressed within the framework of the Barcelona Convention and its Protocols. In addition, the Secretariat has initiated a first round of bilateral contacts with those Contracting Parties working in their draft national implementation reports.

8. It is encouraging that 2/3 of the Contracting Parties have working drafts of their reporting formats. However, further effort would be needed in terms of reporting within the October 2016 deadline set by COP in its Decision IG. 22/16. In that respect, the Secretariat would continue to guide and assist Contracting Parties to ensure timeless reporting, thus improving reporting under the Barcelona Convention and its Protocols.

#### *ICZM Reporting*

9. The operational section of the reporting format for the ICZM Protocol was adopted by COP 19 and put online together with supporting information to facilitate the completion of the reporting format. The online reporting was launched in October 2016 under the INFO/RAC system and as at 15 December 2016 four out of ten Contracting Parties to the ICZM Protocol have submitted their implementation reports: France, Montenegro, Morocco and Spain. In addition, the following countries Bosnia and Herzegovina, Greece, Lebanon, Malta, and Turkey have submitted their reports, although they are not parties to the Protocol.

10. Reminders would be sent to encourage and improve reporting under the ICZM Protocol. This would allow for the preparation of a synthesis analysis to be considered by the next Compliance Committee meeting. In addition, the ICZM reporting format would be integrated into BCRS. In that regard, a window opportunity would be open following the expected adoption of the revised reporting format by COP 20. The revised reporting format is tabled at the present meeting under Agenda item 5 as document UNEP(DEPI)/MED CC.12/6.

## Working Programme of the Compliance Committee for 2016-2017

11. The table below summarizes progress in implementing the working programme of the Compliance Committee for 2016-2017 adopted by COP 19 and action ahead in order to ensure delivery in time for COP 20.

Main activities	Means of Implementation	Lead/who	Timetable/when	Remarks/Status
1. Examination of any referrals by the Contracting Parties in accordance with paragraphs 18 and 19 of the Procedures and mechanisms on compliance		Compliance Committee and Secretariat	Thirteenth Compliance Committee meeting [September 2017]	Neither self-Party trigger nor Party to Party trigger procedures initiated
2. Examination of any referrals by the Secretariat in accordance with paragraph 23 of the Procedures and mechanisms on compliance.		Compliance Committee	Thirteenth Compliance Committee meeting [September 2017]	No Secretariat trigger referral procedure initiated
3. Analysis, in accordance with paragraphs 17 (b) and (c) of the Procedures and mechanisms on compliance, of general issues of non-compliance arising out of the reports submitted by the Contracting Parties for the periods 2012-2013 and 2014-2015	1. Synthesis report for 2012-2013 reporting period 2. Synthesis report for 2014-2015 reporting period	Secretariat and Compliance Committee	1. 12-13 Synthesis report: Twelfth Compliance Committee Meeting 2. 14-15 Synthesis report: Thirteenth Compliance Committee meeting [September 2017]	Issue taken forward under Agenda item 5 (Doc. UNEP(DEPI)/MED CC.12/5)
4. Consideration at the Committee's initiative, of any difficulties encountered by a Contracting Party in applying the Convention and its Protocols in accordance with paragraph 23 bis of the Procedures and mechanisms on compliance			Thirteenth Compliance Committee meeting [September 2017]	No Compliance Committee's own initiative procedure initiated
5. Analysis of broader issues requested by the meeting of the Contracting Parties in accordance with paragraph 17 (c) of the Procedures and mechanisms on compliance, including a detailed examination of the issues raised by MAP Components on the application of the Protocols		Compliance Committee and Secretariat	Thirteenth Compliance Committee meeting [September 2017]	No request for legal advice on the implementation of the Barcelona Convention and its Protocols
6. Continuation of the examination of the proposals aimed at strengthening the Committee under the Barcelona Convention and its Protocols.		Compliance Committee and Secretariat	Twelfth and Thirteenth Compliance Committee Meeting	On-going Discussion to be taken forward under Agenda item 4 on the basis of input at the meeting from Committee Members on the functioning of the Compliance Committee and opportunities for further improvement
7. Follow up of determination of criteria of admissibility of relevant information sources	Working document of the initiative power of the Compliance Committee	Secretariat	Twelfth Compliance Committee Meeting	Issue taken forward under Agenda item 8 (Doc. UNEP(DEPI)/MED CC.12/8)

8. Elaboration of an explanatory note for the revised reporting format of the Barcelona Convention and its Protocols	Guidelines for reporting under the revised reporting format	Secretariat and Compliance Committee [Consultancy]	Fourteenth Compliance Committee meeting in 2018	Work to take forward subject to adoption of the revised format by COP 20. Revised reporting format taken forward under Agenda 6 (Doc. UNEP(DEPI)/MED CC.12/5)
9. Analysis of the effectiveness of the application of the Procedures and mechanisms on compliance with the Barcelona Convention, taking into account the feedback from the Parties on the conditions under which the supporting role of the Committee could be improved	1. Short and focused oriented questionnaire to gather information on how to strengthening the role of the Compliance Committee 2. Synthesis analysis of feedback received	Compliance Committee and Secretariat	1. Questionnaire: End March 2017, for circulation between CPs 2. Analysis: Thirteenth Compliance Committee meeting [September 2017]	
10. Examination, in close coordination with the MAP Components, of possible difficulties in the interpretation of the provisions of the Protocols, for consideration at the Meeting of the Contracting Parties.	1 <sup>st</sup> Draft Working Document	Compliance Committee and Secretariat	Thirteenth Compliance Committee meeting [September 2017]	
11. Provision of opinion on the assessment to be carried out by the Secretariat with the help of appropriate legal expertise, on the extent of the legally binding nature for the Contracting Parties of programmes of measures and their implementation timetables as adopted in the framework of the Protocols of the Barcelona Convention	1 <sup>st</sup> Draft Concept Note	Secretariat and Compliance Committee	Thirteenth Compliance Committee meeting [September 2017]	

12. The Compliance Committee is invited to review the arrangements proposed in the table above for delivering, in particular, means of implementation, lead and timetable, and comment as deemed appropriate.