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**MEDITERRANEAN ACTION PLAN**

Meeting of the Bureau of the Contracting Parties  
to the Convention for the Protection of the  
Mediterranean Sea against Pollution and its  
Protocols

Rabat, 9-10 November 1995

**REPORT OF THE MEETING OF THE BUREAU OF  
THE CONTRACTING PARTIES TO THE CONVENTION FOR  
THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST  
POLLUTION AND ITS PROTOCOLS**

## Introduction

1. The Meeting of the Bureau was convened in Rabat, at the Hotel TOUR HASSAN, on 9-10 November 1995 upon an invitation from the Government of Morocco.

## Inaugural Session

2. Before starting the official business of the Bureau meeting and upon a proposal from the President, an inaugural session was held on 9 November 1995, at 09.30, to which the Minister for Public Works of Morocco Mr. Meziane Belfkih, Ambassador El Ghali Benhima, Director General of International Cooperation, and representatives of international organisations in Morocco were invited.
3. H.E. Mr. Nouridine Benomar Alami, Minister of the Environment of Morocco and President of the Bureau opened the session, welcomed all participants and pointed out that this meeting was being held at a crucial time following the important decisions taken during the Barcelona meetings. He thus proposed that the opening session include representations of regional and international organisations with a view to keeping potential partners informed about our new orientation.
4. He pointed out that the Mediterranean Basin is confronted with diverse environmental threats which can only be countered through regional strategies and explained that MAP is a particularly appropriate instrument.
5. The Minister stated that MAP phase II aims at remedying the insufficiencies of the first phase of MAP. Thus the adoption of Agenda MED 21 and the creation of the Mediterranean Commission for Sustainable Development as well as the adoption of the various protocols all contributed to a real integration of environment and development in the Mediterranean region which would call for strengthening technical, economic and financial cooperation between Mediterranean coastal States.
6. He further stated that lack of financial resources might be an obstacle hindering this cooperation. Donors and financial institutions must include MAP priorities in their strategies. He cited the third phase of METAP as a good example of cooperation between World Bank, European Investment Bank, UNDP and MAP.
7. He suggested regular meetings and permanent relations between these organisations and the Coordinating Unit and appealed to Mediterranean countries to further integrate MAP objectives in their proposals for METAP III.
8. He added that this Bureau meeting was also important because it precedes the Euro-Mediterranean Cooperation Conference which he felt would be a turning point in relations between the two shores of the Mediterranean.

9. Mr. L. Chabason, MAP Coordinator, thanked the President and the Moroccan Government for hosting the meeting of the Bureau, and for the generous hospitality extended to all participants. He welcomed the participants on behalf of the Executive Director of UNEP. He emphasized the need for collective efforts to preserve the Mediterranean environment in all its aspects. The Coordinator gave a briefing on MAP objectives, activities and structure, cooperation with international organisations (WHO, FAO, World Bank etc). He concluded his statement by stressing the fact that the whole MAP programme is actually based on the political will of the States, including the local authorities, to work together and closely cooperate in fighting Mediterranean pollution and implementing sustainable development programmes in the region.
10. The observer from the World Bank, Mr. T. Garvey, briefed the meeting on the developments concerning the finalisation of METAP Phase III, and explained that METAP is a regional partnership of four principal donors (the European Community, the European Investment Bank, the United Nations Development Programme and the World Bank) and 13 developing countries of the region. It mobilizes grant funds for technical assistance to identify projects, strengthen environmental management capacity and establish environmentally sound projects. Between 1990-1995, METAP has mobilized over US \$ 30 million to support over 100 technical assistance activities.
11. He pointed out that the third phase of METAP will cover the period 1996-2000. The programme will concentrate on more responsive management and streamlined procedures, greater role for countries, more strategic support and new investments and facilities, especially project preparation. Various consultations with donors, countries and regional organisations were conducted. The programme will concentrate on priority themes to focus on prevention, integrated approaches, policies and institutions.
12. He informed the meeting that a project preparation Unit will be established in the region and that there will be a public - private partnership programme to promote greater private sector participation, transfer of technology and to increase investment.
13. Country portfolios were developed by 13 Mediterranean countries. Regional initiatives to support such country portfolios were developed.
14. Finally he stated that MAP will join the METAP Steering Committee as a partner with EC, EIB, UNDP and the World Bank, focusing in particular on capacity building. The joint programme with the Coordinating Unit and PAP/RAC will assess past experience and lessons learned in the priority areas of integrated coastal area planning. Collaboration with the Coordinating Unit and SPA/RAC will work on the design of new biodiversity, specially protected areas, and cultural heritage programmes based in the region. Collaboration through Blue Plan/RAC will focus on development of performance indicators and milestones.

15. Concluding his statement, the representative of the World Bank emphasized that the World Bank and MAP have begun to work closely and he looked forward to a further strengthening of this kind of cooperation.
16. At the end of the inaugural session, the President thanked the Moroccan Ministers and the representatives of the international organisations for their interest and participation in the meeting.

Agenda item 1:      Opening of the Meeting

17. The Meeting was called to order by H.E. Mr. Nouridine Benomar Alami, Minister of the Environment of Morocco and President of the Bureau. H.E. Ms. Elisavet Papazoi, Vice-President (Greece), Mr. Mohamed Fawzi, representing the Vice-President Mr. Salah Hafez (Egypt), Mr. Dror Amir, representing Mr. Israel Peleg, Vice-President (Israel), Mr. Slimane Zaouche, Vice-President (Algeria) and Mr. José Ramón Gonzalez Lastra representing Mr. Joaquin Ros, Rapporteur (Spain) were present.

Mr. Lucien Chabason, MAP Coordinator and Mr. Ibrahim Dharat, Senior Programme Officer of MAP, represented the Secretariat. Mr. I. Dharat acted as Technical Secretary of the Meeting.

18. The list of participants is contained in **Annex I** to this report.
19. On behalf of the Bureau, the President expressed his deepest sympathy to the representative of Israel for the criminal act on the life of the Prime Minister of Israel. He declared that the Bureau condemned this terrorist act and requested the representative of Israel to transmit the condolences of the Bureau to the Government of Israel.
20. The Vice-President from Israel pointed out that the death of Mr. Yitzhak Rabin is a great loss to all Israelis and peace loving peoples of the world. He expressed special gratitude to the peoples of the Mediterranean region, and their leaders for their concern and sympathy. He assured the meeting that his country will continue to seek a comprehensive lasting peace and strengthen cooperation with all neighbours.
21. The President congratulated Mme Corinne Lepage for her reappointment as Minister of the Environment of France. He requested the observer from France to transmit the Bureau's congratulations to the Minister of the Environment.
22. The Vice-President from Algeria expressed the regret of the Minister of the Environment of Algeria for not being able to attend the meeting due to the election period in his country.

Agenda item 2: Adoption of the provisional Agenda and organization of work

23. The meeting adopted with minor changes the provisional Agenda contained in document UNEP/BUR/47/1/Rev.1.
24. The meeting noted the Terms of Reference of the Bureau of the Contracting Parties which were adopted by the Ninth Ordinary Meeting of the Contracting Parties (Barcelona, 5-8 June 1995 - document: UNEP(OCA)/MED IG.5/16, Annex XIII, Appendix I), and which would apply henceforth to the meetings and work of the Bureau.
25. In accordance with Article V of the Terms of Reference of the Bureau, the President informed the meeting that he invited France to attend the meeting as an observer.

Agenda item 3: Progress report by the Coordinator on activities carried out since the Ninth Ordinary Meeting of the Contracting Parties (Barcelona, 5-8 June 1995)

Agenda item 4: Implementation of the decisions of the Ninth Ordinary Meeting of the Contracting Parties (Barcelona, 5-8 June 1995) and the Conference of Plenipotentiaries on the Barcelona Convention, 9-10 June 1995

26. Mr. L. Chabason gave a general presentation of the progress report, contained in document UNEP/BUR/47/3 and focused specifically on the following issues:

**(i) Programme Coordination**

**(a) MAP budget and the status of contributions to the Mediterranean Trust Fund (MTF)**

27. The Coordinator pointed out that the financial situation of MAP had improved since the payment of the Italian contribution. However, he added, there are still countries that have not yet paid their delayed contributions. He cited mainly Libya in this connection. He informed the Bureau of the efforts being made in respect of Libya. He also briefed the Bureau on the allocation of available funds to the various priorities approved by the Contracting Parties.
28. He pointed out that the Secretariat is now engaged in the preparation of the programme budget for 1997, taking into account MAP II and the decisions of the Contracting Parties. He stated that the Secretariat will present to the next meeting of the Bureau a concrete proposal to this effect.
29. **After a brief discussion, the Bureau took note of this information and requested the Secretariat to present to its next meeting a proposal on the 1997 programme budget.**

(b) Conference on Euro-Mediterranean Cooperation (Barcelona, 27-28 November 1995)

30. The Coordinator introduced the subject and indicated that in the draft documents of the Conference there is an important part devoted to the Mediterranean environment. He briefed the meeting on his consultations regarding the presence of MAP in the Conference, during which he was informed, unofficially, that as the Conference is a political gathering, only governments will be represented there.
31. The President stated that he too had undertaken various steps in this connection and that he received the same response. He stressed that taking into consideration the role of the Bureau and the future of the Mediterranean Basin, it would be important for MAP to be invited.
32. After a broad exchange of views it became clear that the documents of the Conference devote a large part to MAP and its role as an important instrument in Euro-Mediterranean cooperation. Moreover, members of the Bureau stressed that MAP should be involved in the follow-up process of the Conference through participation in the ad-hoc meetings of senior officials and experts.
33. At the end of the discussion the Bureau:
- a) **requested the Ministers of Foreign Affairs of the Contracting Parties to include in their statements the issue of the Mediterranean environment and the role of MAP;**
  - b) **requested that since MAP is also a political body, its presence in the Conference is desirable;**
  - c) **requested that MAP should actively participate in the follow-up meetings and make its views known.**
- (c) MAP Cooperation with the World Bank (METAP)
34. The Coordinator referred to the statement of the representative of the World Bank and stated that important steps were taken with a view to working closely and coordinating activities with the World Bank. He cited the areas which might be implemented jointly: Biodiversity, capacity building and observatory. He informed the Bureau of the possibility of the World Bank to organize the meeting of the Ministers of the Environment of METAP in Syracuse, Italy, during March 1996, immediately before or after the MAP meeting of experts and the Conference of Plenipotentiaries on the LBS Protocol (Syracuse, 4-8 March 1996).
35. **The Bureau took note of this information and stressed the need to continue and further strengthen cooperation with the World Bank.**

(d) Coordination Meeting MED Unit/Regional Activity Centres

36. The Coordinator briefed the Bureau on the last meeting of the MED UNIT and the Regional Activity Centres (RACs) on the MAP programme (Athens, 25-27 September 1995) whose purpose was to conduct an in-depth consultation on the implementation of MAP phase II. He referred to one issue related to the convening by SPA/RAC of a meeting of experts to review and finalize the Annex to the new SPA and Biodiversity Protocol concerning Guidelines and criteria for the SPAMI List. As there was no budget allocation for this meeting in the 1995 budget, the Secretariat suggested that the Bureau gives its authorisation to the Secretariat to secure the necessary funds for the meeting.
37. **The Bureau took note of the information given by the Coordinator and authorized the Secretariat to secure the necessary funds for the meeting of experts mentioned above.**

(e) Extraordinary Meeting of the Contracting Parties (France, June 1996)

38. The observer from France informed the meeting that France will continue discussing the issue of the dates and place of the meeting with the Secretariat.

(f) Establishment of a new Regional Activity Centre (RAC) for cleaner production (CP/RAC)

39. The Coordinator informed the meeting that the Secretariat had received a letter from the Rapporteur from Spain, Mr. Joaquin Ros, expressing his regret for not being able to attend due to health reasons and suggesting that the issue of the Centre for Cleaner Production be postponed for the next meeting of the Bureau.
40. The Vice-President from Greece informed the Bureau on the recent decision of UNIDO to locate the Regional Centre for Cleaner Production for the Mediterranean and Black Sea in Greece and to integrate the Centre in the joint UNEP/UNIDO project for twenty Cleaner Production Centres worldwide.
41. **The Bureau took note of this information and of the Spanish request and decided to consider the issue at its next meeting.**

(ii) Legal Component

(a) Status of the legal instruments approved by the Conference of Plenipotentiaries (Barcelona, June 1995)

42. The Coordinator informed the Bureau of the existence of a number of discrepancies in the texts in the four languages, due to typing and grammatical errors but also to problems of translation. He stated that only minor typing errors will be corrected and that substantive corrections cannot be made once the Final Act is signed. In the case of a dispute, article 33 of the Vienna Convention on the Law of Treaties would apply.

43. The Secretariat distributed an informal document containing the text of MAP phase II and the Convention for the protection of the Marine Environment and the Coastal Region of the Mediterranean and its protocols in their current state.
44. **The Bureau took note of this information.**
- (b) Offshore Protocol
45. The Coordinator informed the Bureau on the status of the Offshore Protocol approved by the Conference of Plenipotentiaries (Madrid, 13-14 October 1994). Only nine Contracting Parties have signed the Protocol, and no country has ratified it to date.
46. In accordance with the suggestion emanating from the MED UNIT /RAC meeting on the MAP programme (Athens, September 1995), he proposed that REMPEC be the Centre responsible for the follow up of the implementation of the Offshore Protocol.
47. **The Bureau urged the Contracting Parties to speed up the process of ratification of the Offshore Protocol and agreed that REMPEC should be the Centre to follow up the implementation of the Offshore Protocol.**
- (c) Conference of Plenipotentiaries on the draft Protocol on the Transboundary Movements of Hazardous Wastes and their disposal in the Mediterranean (Hazardous Wastes Protocol)
48. The Coordinator informed the meeting that he received a letter from the Minister of Agriculture, Natural Resources and Environment of Cyprus dated 7 November 1995 referring to the declaration of Turkey during the meeting of the Contracting Parties (Barcelona, 9-10 June 1995) which would create problems regarding the participation of Cyprus in relevant UNEP/MAP meetings such as the meetings on the Hazardous Wastes Protocol scheduled to be convened in Turkey (April 1996). The letter indicated that unless a clear statement was made by Turkey confirming the unhindered participation of the Republic of Cyprus in the said meeting, the decision to convene the meeting in Turkey should be reconsidered.
49. The Coordinator stated that according to United Nations rules, the Secretariat has prepared a Host Country Agreement to be signed by UNEP/MAP and the Government of Turkey specifying the responsibilities of each party. On the basis of this agreement the host Government shall ensure that the Convention on the Privileges and Immunities of the United Nations would apply to all Contracting Parties participating in the meeting.



50. A discussion took place on this issue, during which it was stressed that all Contracting Parties should participate in the meeting without hindrance and that all conditions should be met to ensure the participation of all Contracting Parties on an equal footing. A suggestion was made to send a letter to Turkey in the name of the Bureau asking for a clear statement on the part of Turkey on this issue.
51. With regard to the technical aspects of the issue, it was pointed out that there are different instruments dealing with this subject (Basel and Bamako Conventions, European Union Directives) and taking into account the recent developments within the framework of the Basel Convention, as well as the pending issues concerning the scope of the Mediterranean Protocol, it was suggested to ask the meeting of legal and technical experts to be held in Izmir to look carefully into the matter, and to propose a final text with added value, which would reflect the specificity of the Mediterranean region; the Conference of Plenipotentiaries would then be convened on the basis of the outcome of the expert meeting.
52. At the end of the discussion, the Bureau agreed:
- a) **that a precondition for a state to host a United Nations meeting is to guarantee the equal participation of all states concerned according to the United Nations rules and regulations;**
  - b) **that the Secretariat prepares a letter addressed to Turkey in the name of the Bureau concerning the participation of Contracting Parties to MAP meetings expressing the views of the Bureau and requesting a clear response to the effect that the host government would ensure the unhindered participation of all Contracting Parties in the said meeting;**
  - c) **to convene the meeting of legal and technical experts in Izmir, Turkey as scheduled; it should have a longer duration, with a view to solving the issues pending and also to reviewing the draft Mediterranean protocol in relation to other instruments in order to ensure an added value for the protection of the Mediterranean;**
  - d) **that in view of the above, it considered that enough time should be given to the technical and legal preparation of the Protocol and its finalisation and that the Conference should be convened in Turkey as soon as possible on a date to be agreed upon between the Bureau, the Secretariat and Turkey.**
  - (d) Conference of Plenipotentiaries on the amendments to the Protocol concerning Land-based Sources of Pollution (LBS)
53. The Coordinator informed the meeting that all arrangements had been made with the Italian authorities to convene the meeting of experts and the Plenipotentiaries Conference in Syracuse on 4-5 and 7-8 March 1996, respectively.

54. The Vice-President from Algeria reminded the participants of the favourable results of the Intergovernmental Conference to Adopt a Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (Washington, D.C., 23 October - 3 November 1995), which should be taken into consideration in finalizing and adopting of the Mediterranean Land-Based Sources Protocol.

(iii) **Sustainable Development**

(a) **Mediterranean policy Workshop on Sustainable Development of Coastal Areas**

55. The Coordinator briefed the meeting on the Greek initiative to host the Mediterranean Workshop in Santorini, Greece, on 26-27 April 1996, with the objective of exchanging experiences on policies, strategies and practices at the local, national, regional and international levels towards sustainable development of Mediterranean Coastal Areas.

56. The President welcomed this important initiative by Greece and thanked France on behalf of the Bureau for its proposed financial contribution.

57. **The Bureau urged the Contracting Parties to participate actively in the Workshop with a high level representation.**

(b) **Mediterranean Commission on Sustainable Development (MCSD)**

58. The Secretariat put before the meeting the three options it proposed regarding the date and place of the first meeting of the Commission and informed the meeting on the draft Terms of reference of the Commission (Annex VII to the progress Report of the Coordinator - UNEP/BUR/47/3) and the intention of the Secretariat to modify them on the basis of comments to be submitted by the Contracting Parties.

59. A general discussion followed at the end of which it was decided that:

- a) **the Secretariat should circulate the draft Terms of Reference of the Commission to the Contracting Parties that have not responded yet, requesting their concrete comments within a specific time frame;**
- b) **option III proposed by the Secretariat was accepted and this implies that the first meeting of the Commission will be convened during October/November 1996. In this way the countries would have ample time to send their comments to the Secretariat which in turn would prepare a revised text to be considered by the Bureau at its next meeting, the MAP Focal Points meeting (May 1996) and if endorsed by the Extraordinary Meeting for final approval (June 1996) . Countries would also have the time to designate their**

**representatives and the Secretariat to make the necessary preparations for the meeting;**

- c) concerning the venue of the meeting and the financial implications the Bureau noted that France and Morocco could possibly host the first meeting of the Commission. The Secretariat will be informed in due time of the final position of these two countries.**

Agenda item 5:                      Date and place of the next meeting of the Bureau

60. The Vice-President from Egypt stated that his country is ready to host the next meeting of the Bureau in Cairo in early March 1996. The exact date is to be agreed upon in consultation with the Secretariat and the Bureau.
61. The Vice-President from Israel expressed the readiness of his country to host a future meeting of the Bureau.

Agenda item 6:                      Any Other business

62. The Vice-President from Egypt informed the meeting that a training exercise on combating marine pollution had been organized jointly by Israel, Cyprus and Egypt. The exercise had been successful which proves the importance of sub-regional cooperation. Another meeting on the same subject will be held in Cairo this month, involving Egypt, Libya, Tunisia, Algeria and Morocco, in a scheme of sub-regional cooperation to be financed by the World Bank.
63. The Secretariat distributed two information documents one on the composition of the Bureau of meetings and Conferences of the Contracting Parties (1975 - 1995), and another on the NGO Directory/Information Database.

Agenda item 7:                      Adoption of the report of the meeting

64. The Bureau adopted the draft report on Friday 10 November 1995.

Agenda item 8:                      Closure of the meeting

65. After the customary exchange of courtesies, the Vice-President of Greece, on behalf of the members of the Bureau thanked the President and the host country for the excellent organisation of the meeting and of the exceptional hospitality shown.
66. The President declared the meeting closed on Friday, 10 November 1995 at 10.45 hours.

**ANNEX I**

**List of Participants  
Liste des Participants**

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Annex I

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