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MEDITERRANEAN ACTION PLAN

Second Meeting of the Working Group on the Reporting System

Catania, Italy, 12 December 2002

REPORT OF THE SECOND MEETING OF THE WORKING GROUP ON THE REPORTING SYSTEMS

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Introduction

1. At their Twelfth Ordinary Meeting (Monaco, 14-17 November 2001), the Contracting Parties to the Barcelona Convention and Protocols agreed to adopt the reporting formats on the legal component of the Mediterranean Action Plan finalised by the Working Group on Reporting Systems convened by UNEP in Athens on 28 February 2001, and to start implementing the exercise progressively during the next biennium. The Meeting also requested the Secretariat (a) to provide technical and financial support for the progressive implementation, on a trial basis, of the reporting system and (b) to report to the Contracting Parties at their Thirteenth Meeting on the lessons learnt from the first phase of implementation and to propose appropriate revision based on MAP experience, as well as on ongoing coordination of reporting activities implemented within the United Nations framework.

2. Seven Contracting Parties (Algeria, Croatia, Libya, Monaco, Spain, Tunisia and Turkey) responded to a request by the Secretariat for volunteers to participate in a reporting exercise which would constitute the pilot phase of the system. Following a request to the Secretariat by the Bureau of the Contracting Parties at its meeting in March 2002, the first meeting of the Group of participating countries was held in Athens from 20 to 21 May 2002. The Meeting reviewed the document prepared by the Secretariat on National reporting Obligations within the framework of the Legal Component of the Mediterranean Action Plan, with a view to implementation of the exercise through completion of national reports following the formats contained in this document.

3. The meeting reviewed the text of the document, and agreed to a number of suggestions for amendments providing better clarification. In discussing the reporting formats, the meeting agreed that, although it was desirable for these formats to be more comprehensive and specific, so that countries would know exactly what information they were expected to submit, it would be difficult to expand them, as they were a reflection of the contents of the actual Articles of the Convention and Protocols. The Meeting therefore agreed that a set of guidelines should be prepared by the Secretariat. These guidelines should describe the information countries were to submit with regard to each item listed in the reporting formats and, rather than being produced as a separate document, should be incorporated into the reporting formats themselves. In this way, in the final version of the document, the section dealing with reporting formats would be self-contained in that both the questions and the type of information required as responses would be included (UNEP(DEC)/MED WG.206/2).

4. A revised version of the document, incorporating both the various amendments to the text agreed upon by the May 2002 Working Group meeting, and the new guidelines within the overall framework of the reporting formats, was prepared by the Secretariat, and distributed to Mediterranean countries in June 2002 as an annex to the meeting report (UNEP(DEC)/MED WG.206/2, Annex III).

5. At its meeting in Monaco from 17 to 18 October 2002, the Bureau of the Contracting Parties requested the Secretariat to hold a second meeting of the Working Group to review progress in the implementation of the pilot exercise. In conformity with this request, the second meeting of the Working Group was held in Catania, Italy, on 12 December 2002. The agenda of the meeting is attached as Annex I to this report. The meeting was attended by participants from four (Croatia, Spain, Tunisia and Turkey) of the seven countries participating in the pilot voluntary phase of the reporting system, by representatives of MED POL and REMPEC, and by members of the Coordinating Unit of the Mediterranean Action Plan. A complete list of participants is attached as Annex II to this report.

Opening of the Meeting

6. Mr. Lucien Chabason, Coordinator of the Mediterranean Action Plan, welcomed participants, and briefly explained the objectives of the meeting. He stressed the fact that the present exercise was a voluntary experiment, and not compulsory in any sense. The next meeting of the Contracting Parties, scheduled to be held in Catania in late 2003, could however be requested to approve an official follow-up to the exercise.

7. Mr. H. Da Cruz, Programme officer, UNEP/MAP, informed the meeting that there was only one item on the agenda of the present meeting, namely the follow-up of the implementation of the Reporting System in its trial phase. He explained that the Bureau of the Contracting Parties had decided that the final report of the present exercise should be ready for submission to its next meeting, scheduled for late June 2003. In reply to a question raised by the representative of Spain on the procedures to be followed, particularly regarding discussion of the technical contents of the report at the meetings of MED POL, REMPEC and SPA/RAC National Focal Points, Mr Chabason and Mr. Da Cruz explained that the Bureau had expressed the desire to see the report, and therefore it would have to be submitted to this body. However, as the next meeting of the Bureau was scheduled for late June 2003, the National Focal Points meetings would precede it, and technical matters connected to the report could therefore be discussed at these meetings.

8. Mr. Chabason also explained that in order to give the Secretariat sufficient time to prepare a synthesised report and translate it by the deadline date for submitting documents to countries for review at the next meeting of National MAP Focal Points, the national reports on the reporting exercise from those countries participating in the current phase would have to be received by the Secretariat not later than the end of May 2003. To ensure conformity with this deadline date, the Secretariat could send a formal letter to participating countries, requesting such an input. The meeting agreed that it would be advisable for the Secretariat to send such a letter as soon as possible.

9. Dr. L. J. Saliba, UNEP Consultant, informed participants that the version of the document attached as Annex III to the report of the first meeting of the Working Group incorporated all the amendments agreed to by that meeting. The guidelines had also, as agreed, been integrated into the reporting formats for the various sections of the legal component of MAP. He stressed the fact that the guidelines should be viewed flexibly, as providing an indication of what type of information was expected on each item, rather than as hard and fast directives.

10. The representative of REMPEC stated that following the Athens meeting in May 2002, REMPEC had submitted comments on the draft Reporting Formats relating to the implementation of the Emergency and Offshore Protocols. All the suggestions made were now reflected in the current version of the Reporting Formats.

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11. The representative of Croatia stated that with the information contained in the latest version of the document, the requirements were now quite clear. At the moment, the situation in Croatia as regards reporting was still the same as in the past, in that *ad hoc* reports on participation in the various components of MAP were still being prepared. However, arrangements had now been completed for a start to be made on compilation of the new reporting formats.

12. The representative of Spain stated that the current trial exercise should serve as an assessment of the feasibility of completing the national reports on the basis of the proposed formats. The results of the exercise would enable future extension of the system to cover all Mediterranean countries on a long-term basis. A draft report had already been prepared by Spain. In this report, the compilers had tried to include all the legal and technical measures adopted by Spain in conformity with the provisions and requirements of the Barcelona Convention and Protocols during the period under review. The formats had been submitted to all competent national and regional administrations. The information received so far was still incomplete, but attempts were being made to remedy this by the acquisition of relevant information from other sources. Also, certain technical details were still being awaited.

13. The representative of Spain also pointed out that certain items of information required for completion of national reports were very similar to those required by other international legal instruments and, in certain cases, by EU Directives. He stressed the importance of harmonisation in order to avoid unnecessary duplication of work by national organisations.

14. Mr. Chabason stated that reference to this need for harmonisation should be included in the national report of Spain. He stated that coordination between MAP and other International Conventions was important, as was also coordination between MAP and the EU, particularly as the EU was currently preparing a strategy for the protection of the marine environment. In this latter context, the representative of Spain stated that, regrettably, the EU strategy did not appear to have taken the experience of MAP into account, and MAP should therefore, through its reporting system, attempt to influence the EU strategy. Mr. Chabason agreed that a strategic view should be adopted with regard to the MAP reporting system. The current exercise could be considered as a first step. It should, however, be a substantial first step, as it would form the basis for a permanent reporting system.

15. Dr. Saliba reminded participants that one of the aims of the reporting document was to compare the reporting requirements of the legal component of MAP with those in the relevant non-MAP international legal instruments and EU Directives. In preparing the reporting formats, these latter obligations had also been taken into account and, wherever possible, the formats had been prepared in such a way as to ensure to the extent possible that information on the same subject-matter required both by MAP and other International Organizations need only be prepared once, and the same information be submitted to the different bodies. This, however, was only possible to a limited extent, as the information required was defined by the specific terms of the legal instruments in question. The situation could therefore only be improved through discussion between the MAP Secretariat and the other Organizations responsible for non-MAP legal instruments, with a view to exploring the ways in which better harmonisation could be achieved.

16. The representative of Tunisia stated that following changes in the organisation of the Ministry responsible for Environment in his country, collection of the necessary information for proceeding with the exercise was under way, and it was now possible to collate approximately half the information required for completing the reporting formats. National Focal Points for the various components of MAP had been requested to supply the necessary data, which was still coming in. Analysis of this data would be performed as soon as practicable.

17. The representative of Tunisia also stated that, with regard to the present exercise, internal consultations had so far been mainly limited to National Focal Points of the various MAP components, and other national bodies which had links with the Mediterranean Action Plan. Consideration was now being given to the expansion of the consultation process by the inclusion of other national organisations which were in a position to supply relevant information and data. In this regard, Mr. Da Cruz noted that UNEP/MAP had previously received a request from Tunisia for assistance towards the organisation of national meetings

in connection with the preparation of the national report. Mr. Chabason noted that the compilation of baseline data on country activities was important, and that it was necessary to link such baseline data with periodic reports.

18. The representative of Turkey stated that preparation of the national report was in progress. The reporting formats had been submitted to national institutions, some of which had come up with difficulties in the compilation of the various sections of the national report. The main problems were (1) In Turkey, the number of institutions interested in the same subject was often more than just one, (2) In some cases, national legislation on a particular subject had been enacted, but was not yet implemented, (3) In other cases, national legislation on the particular subject-matter had not yet been completed, and (4) In a number of instances, the statistical data necessary for completion of the respective reporting questionnaires was still not available. There were also some minor queries relating to the completing of the questionnaires, such as which organisation should be stated as having compiled the report when more than one had contributed.

19. Dr. Saliba explained that where reference to national legislation was required in any part of the report, it would be necessary to state the status of such legislation (e.g. enacted and in force, enacted, but still awaiting implementation, in course of preparation, etc.) at the end of the period under review. Where more than one national organization was responsible for the provision of the information required for any particular report, the name of the co-ordinating entity, *i.e.* the one responsible for receiving data and information from other entities and actually collating and submitting the report, should be mentioned as the compiler, with the names of the others listed as contributors. Mr. Chabason provided further clarification on this point, by reminding participants that the procedures for implementing the terms of international legal instruments acceded to were not the same in all countries. In some, it was necessary to enact national legislation to enforce the provisions of such international legal instruments. In other countries, this was not necessary. Country reports should therefore explain the national position in this regard.

20. With regard to the provision of statistical data, the MED POL Coordinator explained that the only data of this nature required were those concerning permits under the terms of the LBS Protocol. In this context, the representative of Spain stated that there were some technical problems regarding permits, especially where river basins were concerned.

21. The representative of Croatia pointed out that a number of countries, including some participating in the present exercise, had not yet ratified the new Convention and Protocols, and were therefore technically not bound to report on conformity with their provisions. Mr Da Cruz explained that this point had been raised during the first meeting of the Working Group in Athens in May, and it had been explained that, although apart from the 1995 Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, none of the other new or amended versions of the Barcelona Convention and its related Protocols were yet in force, the reporting formats were necessarily based on the requirements of the new versions. This also explained why the present exercise should be considered as being on an experimental and voluntary basis.

22. Mr. Da Cruz explained the proposed timing of the present exercise. The next meeting of the Contracting Parties was scheduled to be held in Catania in late 2003. The meeting of National MAP Focal Points would be held in September 2003. The final reports on the exercise from participating countries would be required not later than the end of May 2003. This would allow discussion of the technical points during the meetings of MED POL, REMPEC and SPA/RAC National Focal Points, and also make it possible for the Secretariat to submit the necessary information to the Bureau of the Contracting Parties at its next meeting in late June 2003.

23. Some representatives again raised the question of assistance to countries, and Mr. Da Cruz explained that some funds were available to provide for expert assistance in the compilation of the national reports, where required. This assistance could provide for both national and international expertise to be made available. It was agreed that the bulk of the information-acquisition process would have to be in the hands of national experts.

Closure of the meeting

24. Mr. Chabason, MAP Coordinator, thanked participants for their contributions to the meeting, and expressed his satisfaction at the positive results achieved. He stated that the present exercise was very important, since its results would necessarily affect the credibility of MAP. He stressed that Directors of MAP Regional Activity Centres should keep countries informed of progress during the meetings of National Focal Points of the various MAP components scheduled for 2003. The Secretariat would send a letter to all Mediterranean countries, informing them of the conclusions of the present meeting.

25. Mr Chabason declared the meeting closed at 19.00 hours.

ANNEX I

AGENDA

1. The follow-up of the implementation of the Reporting System in its trial phase

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