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MED POL Focal Points Meeting
Malta, 16-19 June 2015

Joint Session MED POL and REMPEC Focal Points Meetings
Malta, 17 June 2015

Agenda item 6: Reviewed Draft Offshore Protocol Action Plan (18 June 2014)

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UNEP/MAP
Athens, 2015

1. Introduction

The 17th Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols which was held in Paris, France from 8 to 10 February 2012, decided to embark on an Action Plan with a view to facilitating the effective implementation of the Offshore Protocol (Decision IG 20.12).

Based on the Decision IG 20.12, the Secretariat of the United National Environment Programme – Mediterranean Action Plan (UNEP/MAP) included a number of activities aimed at supporting the drafting of the Action Plan in the programme of the Ecosystem Approach for the Management of Human Activities in the Mediterranean (EcAp) funded by the European Union.

According to the Decision IG.20/12, UNEP/MAP Secretariat was requested to “*Establish an ad hoc working group coordinated by REMPEC composed of representatives of the Contracting Parties and observers from representatives of the concerned industries, relevant international organizations and MAP partners*”. At the time of drafting this document, 11 Contracting Parties to the Barcelona Convention, namely Algeria, Croatia, Cyprus, European Union, France, Greece, Israel, Italy, Morocco, Spain, and Turkey nominated their Offshore Protocol Focal Point.

UNEP/MAP with the support of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) organized the 1st Offshore Protocol Working Group Meeting which was convened in Valletta, Malta from 13 to 14 June 2013. The meeting benefitted from the experience of representatives from the European Commission Directorate-General for the Environment (DG Environment), the OSPAR Commission, the United Kingdom Health Safety Executive (HSE), the Italian Ministry of Economic Development, the International Association of Oil and Gas Producers (OGP), Det Norske Veritas (DNV), Noble Energy International Limited and Mabruk Oil Operations; and also from the experience gained by the Government of Cyprus and Israel, the first countries in the region which applied the obligations defined under the Offshore Protocol, in their national authorization procedure.

The same decision calls for “*an in depth assessment and stock taking analysis of the existing practical measures in place in the Mediterranean countries with regard to Offshore activities*” to be conducted. REMPEC requested all Mediterranean coastal States to fill in a questionnaire with a view to submit the requested analysis. A consultant firm was recruited by UNEP/MAP to take stock of the existing regulatory framework among the Contracting Parties mainly through the analysis of the responses in questionnaires provided to Competent Authorities (i.e., the official organization that has the legally delegated or invested authority, capacity, or power to perform a designated function), the online reports of the Contracting Parties under the Barcelona Convention Reporting System (BCRS) and a study prepared by Milieu Ltd. for the Director General (DG) Environment of the European Commission (EC study)¹.

In accordance with Article 23 of the Offshore Protocol and the Decision IG 20.12, the same consultancy firm was requested to identify existing international rules, standards, and recommended practices and procedures relevant to the implementation of the Offshore Protocol. The analysis focused on the main activities and installations listed in the Protocol. Whenever a topic addressed under the Offshore Protocol was also addressed by a relevant international instrument, this instrument was identified to establish consistency between the Protocol and the regional and international instruments in place.

Both the analysis of existing practical measures in place in the Mediterranean countries with regard to offshore activities and the study on best international practices were presented in the document REMPEC/WG.34/19 /Rev.1 - Study on the International Best Practices - at the Workshop on the Regional Response Capacity and Coordination to Major Oil Spill in the Mediterranean Sea (MEDEXPOL 2013) held in Athens, Greece, from 10 to 12 December 2013.

¹ EC study: “Safety of offshore exploration and exploitation activities in the Mediterranean: creating synergies between the forthcoming EU Regulation and the Protocol to the Barcelona Convention.” <http://ec.europa.eu/environment/marine/international-cooperation/regional-sea-conventions/barcelona-convention/pdf/Final%20Report%20Offshore%20Safety%20Barcelona%20Protocol%20.pdf> (last accessed Nov. 15, 2013)

According to the Decision IG.21/8 of the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols, held in Istanbul, Turkey, from 3 to 6 December 2013, “the Secretariat and the ad hoc Working Group were requested to continue the necessary work with a view to achieve the drafting of the Offshore Protocol Action Plan by the end of 2014”.

2. Revision process

The Draft Offshore Protocol Action Plan (REMPEC/WG/35/4) submitted to the 3rd Offshore Protocol Working Group Meeting which was held in Malta from 17 to 18 June 2014, was prepared by REMPEC taking into account the findings of the studies and the recommendations made by the Contracting Parties to the Barcelona Convention.

The Reviewed Draft Offshore Protocol Action Plan reproduced in Annex IV of the Report of the 3rd Offshore Protocol Working Group Meeting (Malta, 17-18 June 2014) (REMPEC/WG/35/6) presented in **Annex I** of the present document, has been agreed upon by the said Meeting. The Meeting also agreed on the revision process of the Reviewed Draft Offshore Protocol Action Plan namely, the submission of the document to the EcAp Coordination Group Meeting scheduled for October 2014 and the 2015 MAP Focal Points Meetings for their consideration prior to the adoption of the Final Offshore Protocol Action Plan by the 19th Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols.

The Reviewed Draft Offshore Protocol Action Plan was therefore submitted for review to the 4th Meeting of the EcAp Coordination Group held in Athens from 9 to 10 October 2014, which recommended the following points:

- to clarify further the entity in charge of gathering Mediterranean Offshore Environment Impact Assessment (EIA) and the related data;
- in relation to upcoming offshore monitoring work, to note the importance not only to build the upcoming offshore monitoring on the Ecosystem Approach principles, but also to link these two works to assess the links between impacts and pressures; and
- to send written comments on the Reviewed Draft Offshore Protocol Action Plan.

Subsequently, REMPEC submitted the Reviewed Draft Offshore Protocol Action Plan for comments to the participants of the 3rd Offshore Protocol Working Group Meeting and to the MAP and Offshore Focal Points.

At the time of submitting the present document, the European Union, the Syrian Arab Republic and the oil and gas company Noble Energy submitted their comments in writing. Their comments are presented in **Annex II**.

Following the review of the Draft Offshore Protocol Action Plan during the Joint Session MED POL and REMPEC Focal Points Meetings, the document will be reviewed by REMPEC and will be submitted to the MAP Focal Point Meeting scheduled in October 2015 for further consideration prior to submission to the 19th Ordinary Meeting of the Contracting Parties to the Barcelona Convention and its Protocols, for adoption.

3. Actions requested by the Meeting

The Meeting will be invited to:

- .1 **review** the Draft Offshore Protocol Action Plan, provide comments as necessary; and
- .2 **exchange views** on potential synergies of the work for its implementation at regional and national levels.

ANNEX I

**3RD OFFSHORE PROTOCOL WORKING GROUP MEETING
Malta, 17-18 June 2014**

REPORT



**MEDITERRANEAN ACTION PLAN (MAP)
REGIONAL MARINE POLLUTION EMERGENCY RESPONSE CENTRE FOR THE
MEDITERRANEAN SEA (REMPEC)**

3rd Offshore Protocol Working Group Meeting,
Attard, Malta 17-18 June 2014

REMPEC/WG/35/6
Date: 31 July 2014

Original: English

3rd OFFSHORE PROTOCOL WORKING GROUP MEETING

Malta, 17-18 June 2014

R E P O R T

INTRODUCTION

1. The 3rd Offshore Protocol Working Group Meeting was convened in Attard, Malta on the 17 and 18 June 2014, pursuant to the Decision IG.20/12 of the 17th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (Paris, France, 8 -10 February 2012) (COP 17).

ORGANIZATION OF THE MEETING

2. The Meeting was organised by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in co-ordination with the United National Environment Programme/Mediterranean Action Plan (UNEP/MAP) within the framework of the Ecosystem Approach in the Mediterranean Project (EcAp MED) funded by the European Commission (EC).

3. The main objectives of the Meeting were:

- a) to review the Draft Offshore Action Plan for the implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Offshore Protocol);
- b) to discuss the working arrangements of the Barcelona Convention Offshore Oil and Gas Group (BARCO –OFOG Group) as requested in the Decision IG.21/8 of the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (Istanbul, Turkey, 3-6 December 2013) (COP 18); and
- c) to address necessary partnerships with other organizations, the industry and other actors to be established including the MAP Partners to support in the framework of the BARCO – OFOG Group the successful implementation of the Offshore Protocol.

Participants

4. All Offshore Protocol and MAP Focal Points were invited to nominate jointly and in consultation with all national authorities concerned their representatives in the Meeting. The participation in national delegations of observers representing Non-Governmental Organizations and oil and gas industries was strongly encouraged. The invitation to attend the Meeting was also extended to other Regional Agreements, UNEP/MAP Components, UNEP/MAP Partners/Non-Governmental Organizations, other regional organizations, as well as to the international professional organizations and associations whose activities are relevant for the work of REMPEC.

5. The Meeting was attended by delegations from the following Contracting Parties to the Barcelona Convention:

ALBANIA	ITALY
ALGERIA	LIBYA
CROATIA	MALTA
CYPRUS	MONTENEGRO
EGYPT	MOROCCO
FRANCE	SLOVENIA
GREECE	TUNISIA
ISRAEL	TURKEY

by representatives from the following United Nations Organization:

- UNITED NATIONS ENVIRONMENT PROGRAMME / MEDITERRANEAN ACTION PLAN (UNEP/MAP)

by a representative from the following Regional Seas Agreement/Organizations:

- THE SECRETARIAT OF THE CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF THE NORTH-EAST ATLANTIC (OSPAR CONVENTION)
- THE REGIONAL ORGANIZATION FOR THE CONSERVATION OF THE ENVIRONMENT OF THE RED SEA AND GULF OF ADEN (PERSGA)

by representatives from the following UNEP/MAP Partners/Non-Governmental Organizations:

- INTERNATIONAL OCEAN INSTITUTE (IOI)
- OCEANA
- Mediterranean Operational Network for the Global Ocean Observing System (MONGOOS)

and by representatives from the oil and gas industry:

- NOBLE ENERGY INTERNATIONAL LIMITED

6. The final list of participants is reproduced in **Annex I** to the present report.

Meeting Documents

7. The detailed list of Meeting documents is found in **Annex II** of the present report.

PROCEEDINGS OF THE MEETING

AGENDA ITEM 1: OPENING OF THE MEETING

8. The Meeting was opened by Mr. Frédéric Hébert, Director of REMPEC, on Tuesday, 17 June 2014 at 09.00 hours, who welcomed the participants to the Meeting. He stressed the need of active participation in the Meeting to review the proposed Draft Offshore Action Plan and highlighted the revision process prior to the eventual adoption of the Offshore Action Plan by the Contracting Parties. He informed the Meeting that the reviewed Draft Offshore Action Plan taking into account the Meetings' comments, will be circulated to the Contracting Parties to the Barcelona Convention after the Meeting to enable each Contracting Party to submit comments prior to the 1st MAP Focal Points Meeting in March 2015, which will further discuss the content of the draft Offshore Action Plan. The 2nd MAP Focal Points Meeting tentatively scheduled in September 2015 will review the final draft Offshore Action Plan prior to submitting it for approval by the 19th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (COP 19).

AGENDA ITEM 2: ORGANIZATION OF THE MEETING

Rules of Procedure

9. The Meeting decided to apply, *mutatis mutandis*, 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 (Barcelona Convention) and its related Protocols (UNEP/IG.43/6, Annex XI).

Election of Officers

10. The Meeting, following the practice of the Ordinary Meetings of the Contracting Parties, elected the following officers taking into account the election of the members of the Bureau at the COP 18 in accordance with the rules of procedure and with the principles of equitable geographical distribution (Article 19 of the Convention) and continuity (Article III of the Terms of Reference of the Bureau of the Contracting Parties):

Mr Burak Aykan (Turkey)	Chairperson
Ms Alexander Koulidis	Vice – Chairperson
Ms Nassira Rheyati	Rapporteur

11. Mr Aykan thanked the Meeting for electing him as Chairperson, and welcomed the election of Mr Koulidis as Vice-Chairperson, and Ms. Rheyati as Rapporteur.

12. He highlighted that cooperation was of common interest and was necessary to promote and ensure the implementation of the new Environmental Agenda and the proposed Offshore Action Plan, and to face the new regional challenges and opportunities. He also acknowledged the important role of REMPEC to achieve these objectives and thanked the Secretariat of the Meeting for its support. He finally invited the active participation of each Mediterranean coastal State to ensure the success of the Meeting.

Working Languages

13. The working languages of the Meeting were English and French, the official languages of the Centre. Simultaneous English/French/English interpretation was provided during the Meeting. All working documents were also available in both official languages of the Centre.

AGENDA ITEM 3 ADOPTION OF THE AGENDA

14. The Provisional Agenda, as proposed in Document REMPEC/WG.35/3/1, the Provisional Annotated Agenda (Document REMPEC/WG.35/2) and the Draft Timetable (Document REMPEC/WG.35/3) were proposed and adopted by the Meeting. The final agenda as adopted by the Meeting is reproduced in **Annex III** of the present report.

15. The Director of REMPEC recalled that the Contracting Parties had agreed on REMPEC's mission to establish the Offshore Protocol Working Group in the framework of the preparation of the Offshore Action Plan. He thanked the EC for its financial contribution through the EcAp MED Project, which enabled the organization of the 1st and 3rd Offshore Protocol Working Group Meetings. He also underlined that further Meetings of this scale to further review the draft Offshore Action Plan were not envisaged, as funds were not available.

16. In this regard, to ensure a thorough review of the draft Offshore Action Plan by the Contracting Parties, it was agreed, following the intervention of Ms Gyorgyi Gurban, Ecosystem Approach Project Officer from UNEP/MAP, to submit the draft Offshore Action Plan to the following MAP Meetings:

- EcAp Coordination Group, 9-10 October 2014;
- MAP Focal Points Meeting, tentatively first half of 2015;
- MAP Focal Point Meeting, tentatively second half of 2015; and
- 19th Contracting Parties Meeting for final adoption, tentatively December 2015.

AGENDA ITEM 4 INTRODUCTION AND BACKGROUND

17. The Chairperson introduced Agenda Item 4 related to the introduction and background information related to the Draft Offshore Action Plan. He gave the floor to the Secretariat of the Meeting to introduce the first part (Background and Rational for the Offshore Action Plan) of the document REMPEC/WG.35/4.

18. The Secretariat of the Meeting recalled the measures undertaken since the adoption of Decision IG.20/12 on the "Action Plan to implement the Protocol of the Barcelona Convention concerning the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil", which followed the entry into force of the Offshore Protocol on the 24 March 2011.

19. The first measure consisted in the establishment of Ad Hoc Working Group for the preparation of the Offshore Action Plan to implement the Offshore Protocol. Subsequently, a first draft questionnaire on existing legislative and administrative framework in the region was disseminated to all Contracting Parties, to identify potential gaps between the Offshore Protocol requirements and the existing laws or practices in place in each country. Contracting Parties which did not reply yet were once again kindly requested to submit the questionnaire duly filled in. The Secretariat of the Meeting further informed the Meeting that reports from the Barcelona Convention Reporting System were used to complete the information gathered to obtain a better overview of the situation.

20. The Secretariat of the Meeting highlighted that one of the main recommendations of the 1st Offshore Protocol Working Group Meeting, was the need for the establishment of a regular regional forum to address issues on offshore activities at the regional level. The Secretariat of the Meeting further recalled the related subsequent Decision IG.21/8 of the COP18 on the establishment of the Working Group on the Barcelona Convention Offshore Oil and Gas Group (BARCO-OFOG) to be financed through extra budgetary resources.

21. The Secretariat also recalled that in accordance with Article 23 of the Offshore Protocol, and the Decision IG 20.12, existing international rules, standards, and recommended practices and procedures relevant to the implementation of the Offshore Protocol were identified and analysed. The resulting Study of International Best Practices (Document REMPEC/WG.35.INF.3) was submitted to the 2nd Offshore Protocol Working Group Meeting (Athens, Greece, 10-12 December 2013).

22. Finally, the Secretariat of the Meeting explained that it drafted the proposed Draft Offshore Action Plan (Document REMPEC/WG.35/4) submitted to the Meeting, based on the questionnaires' replies, the recommendations on the Study of International Best Practices, and on the related country prioritisation provided by the Contracting Parties through correspondence. It was noted that the Draft Offshore Action Plan had been disseminated to the relevant UNEP/MAP Components for their review prior to the Meeting.

23. The Chairperson then invited participants to inform the Meeting about the ratification process of the Offshore Protocol in their respective countries. The following Table 1 summarises the ratification status and process.

Contracting Parties	Signature	Ratification	Entered into force	Comments from Contracting Parties Representatives during the Meeting
Albania	-	26.07.01	24.03.11	Recommendation under preparation to improve the legislation.
Algeria	-	-	-	Ratification process initiated and submitted to the Ministry of Foreign Affairs.
Bosnia and Herzegovina	-	-	-	Not present at the Meeting.
Croatia	14.10.94	-	-	No information on the ratification.
Cyprus	14.10.94	16.05.06	24.03.11	Implementation phase including data gathering, exploration activities, etc...
European Union	17.12.12/AC ¹	29.03.13	29.03.13	Not present at the Meeting.
Egypt	-	-	-	No information on the ratification.
France	-	-	-	Internal ratification process initiated in consultation with the Ministry of Foreign Affairs and the Ministry of Ecology, Sustainable Development and Energy.
Greece	14.10.94	-	-	Although the provisions of the Protocol are implemented, the procedures for its ratification have not yet been initiated.
Israel	14.10.94	-	-	Even though the Protocol is not ratified, it is fully implemented.
Italy	14.10.94	-	-	Ratification process almost completed and submitted to the Ministry of Foreign Affairs.
Lebanon	-	-	-	Not present at the Meeting.
Libya	-	16.06.05	24.03.11	No particular comment.
Malta	14.10.94	-	-	An internal consultation committee for the ratification of the Protocol and its implementation is being established.
Monaco	14.10.94	-	-	Not present at the Meeting.
Montenegro	-	-	-	Since 2011, a provision in the national law enables the implementation of the Protocol. A by-law on offshore is being drafted.
Morocco	-	01.07.99	24.03.11	Ratified, however no offshore exploration projects are foreseen.
Slovenia	10.10.95	-	-	On-going discussions on the transposition of the Protocol in the national legislation.
Spain	14.10.94	-	-	Not present at the Meeting.
Syria	20.09.95	22.02.11	24.03.11	Not present at the Meeting.
Tunisia	14.10.94	01.06.98	24.03.11	The Protocol provisions have been implemented and several laws are in place.
Turkey	-	-	-	Ratification procedure initiated.

Table 1: Offshore Protocol ratification process

AGENDA ITEM 5 **PRELIMINARY DISCUSSIONS**

24. The Chairperson referred to the part of the Document REMPEC/WG.35/4 related to the rationale and scope of the Offshore Action Plan, liability and compensation issues, and amendments to the Offshore Protocol. He then gave the floor to the Secretariat of the Meeting to introduce this part of the document.

25. The Secretariat of the Meeting introduced the comments submitted by the EC, Italy and ACCOBAMS prior to the Meeting (REMPEC/WG/35/6/INF.6) and invited the participants to take them into account under the relevant agenda items.

¹ Accession = AC

26. The Secretariat of the Meeting proposed that certain matters (as outlined in Document REMPEC/WG/35/4) be excluded from the draft Offshore Action Plan. In this regard, whilst referring to Article 23 paragraph 2 and Article 30 subparagraph h) of the Protocol, the COP 18 recommendations on the need to distinguish major issues to be addressed at regional level as core of the Offshore Action Plan was highlighted.

27. Following some requests for clarification from the Meeting' participants on the possible duplication with European instruments, it was recalled that according to the EC Study "Safety of offshore exploration and exploitation activities in the Mediterranean: creating synergies between the forthcoming EU Regulation and the Protocol to the Barcelona Convention", convergence was prevailing.

28. Whilst the Meeting requested that further clarification should be provided on the specific provisions regarding the work permit scheme, it agreed that duplication should be avoided with other treaties and Conventions and recommended to regulate the discharge and disposal of machinery oil, the treatment and discharge of sewage, the disposal and discharge of garbage, the reception facilities and the ship storage according to the requirements listed under the relevant Annexes of the International Convention for the Prevention of Pollution from Ships (MARPOL), to regulate the transportation to shore in conformity with the international regulations on ship construction and navigation, and to apply requirements for the loading of ships offshore in conformity with the requirements for the loading of ships in shoreline installations.

29. As far as liability and compensation is concerned, following its introduction on this issue, the Secretariat of the Meeting recalled the existence of the UNEP/MAP Working Group of Legal and Technical Experts established by the Contracting Parties to facilitate and assess the implementation of the Guidelines on Liability and Compensation for Damage Resulting from Pollution of the Marine Environment in the Mediterranean Sea Area (Decision IG 17/4).

30. Taking into consideration the comments of Contracting Parties on liability and compensation, the Meeting recommended to mandate the UNEP/MAP Working Group of Legal and Technical Experts to assess the adequacy of the said Liability and Compensation Guidelines to Offshore activities taking into consideration relevant global developments.

31. Regarding the proposed approach for the amendments to the Offshore Protocol, the Secretariat of the Meeting recalled the recommendation of the 1st Offshore Protocol Working Group on this issue. Further consideration was given to the latter, in particular in view of Article 23.4 of the Offshore Protocol on Annexes and Amendments to Annexes and the related Article 22 on Amendment of the Convention or Protocols.

32. Following some exchanges, the Meeting recommended to mandate a correspondence group composed of the seven (7) Contracting Parties to the Protocol, with the support of Contracting Parties to the Barcelona Convention which have not yet ratified the Protocol, to propose amendments to the Protocol to be adopted by at least three-fourths of the Parties (i.e. 6 Parties).

AGENDA ITEM 6 GOVERNANCE FRAMEWORK

33. The Chairperson introduced Agenda Item 6 and gave the floor to the Secretariat of the Meeting to present the draft Offshore Action Plan reproduced in Annex to Document REMPEC/WG.35/4. The Meeting agreed on the proposal put forward by the Secretariat to review the document by each proposed Specific Objective, including the related Appendices.

34. The Introduction part of the Action Plan (Annex to Document REMPEC/WG/35/4) was then presented by the Secretariat of the Meeting, whilst the EC comments reproduced in Document REMPEC/WG/35/INF.6 were recalled. Whilst acknowledging the value of external technical support, the Meeting noted that paragraph I.1 was exclusively dealing with the Secretariat and its Components and therefore suggested deleting reference to any external parties. It was further agreed that the participation of external stakeholders should remain open rather than restricted through a list.

35. The Secretariat of the Meeting further recalled that the Decision IG.20/12 mandated REMPEC to establish and coordinate the ad hoc Working Group and to draft the Offshore Protocol Action, whilst a decision had still to be taken regarding the implementation of the Offshore Protocol and the related Action Plan. On the latter, the Meeting recommended that the appropriate UNEP/MAP Component

governance structure should be defined and approved by the Contracting Parties at the COP 19, to support the implementation of the Offshore Protocol and its Offshore Action Plan.

36. For clarity purposes, the Secretariat of the Meeting (REMPEC) was differentiated during the Meeting and in this report from the Secretariat of the Protocol as the latter has still to be defined as mentioned in the previous paragraph.

37. The Secretariat of the Meeting then provided an overview of the Overall and General Objectives of the draft Offshore Action Plan and invited the Meeting to comment on the structure of the document.

38. The Meeting noted some repetitions between the Overall and General Objectives and agreed to merge them under "General Objectives". The Meeting further requested the Secretariat of the Meeting to merge Appendix 1 and 2 and to review some terms in the English and French versions.

39. The Meeting agreed to remove from the draft Offshore Action Plan the reference to the possible implementation of certain measures prior to the COP 19, as it was felt that the implementation of the Offshore Action Plan should commence after its adoption.

SPECIFIC OBJECTIVE 1: *To ratify the Offshore Protocol*

40. Following the introduction of the Specific Objective 1 on the ratification of the Offshore Protocol by the Secretariat of the Meeting, the Chairperson invited the Meeting to comment on this issue.

41. Whilst the ratification of the Protocol by 2017 seemed ambitious to several Parties, it was acknowledged that the Offshore Action Plan should present a clear political objective in order to encourage the ratification of the Protocol. The Meeting agreed on a proposed revised text and proposed to keep all dates referred in the draft Offshore Action Plan in brackets for further consideration by the upcoming MAP Focal Points Meetings.

SPECIFIC OBJECTIVE 2: *To designate Contracting Parties' Representatives to participate to the regional governing bodies*

42. The Chairperson invited the Secretariat of the Meeting to provide a brief introduction on the Specific Objective 2 on the designation of Contracting Parties' Representatives to participate to the regional governing bodies.

43. The Secretariat of the Meeting recalled the adoption of the Terms of Reference of the BARCO OFOG Working Group (Decision IG 21/8) and the establishment of the Group by the Contracting Parties and presented the proposed Sub-Groups to cover the range of expertise required for the various topics covered by the Protocol:

- Environment protection;
- Offshore installations; and
- Human aspects.

44. The Meeting discussed the proposed Sub-Groups and came to an agreement for the establishment of the following two Sub-Groups:

- BARCO OFOG Sub-Group on environmental impact; and
- BARCO OFOG Sub-Group on health and safety.

45. The Meeting further reviewed the topics to be covered by each Sub-Group.

46. The Secretariat of the Meeting then referred to Document REMPEC/WG.35/INF.2 providing an updated list of the Offshore Protocol Focal Points designated by the Contracting Parties and highlighted that, so far, only eleven (11) out of twenty-one (21) Contracting Parties nominated their Offshore Protocol Focal Point in response to the MAP Secretariat's request, in January 2013. The Secretariat of the Meeting urged the Contracting Parties which did not nominate their representatives, to do so, at their earliest convenience.

47. The Secretariat of the Meeting further encouraged Contracting Parties to participate actively to the Working Groups to ensure the implementation of the Offshore Action Plan.

48. The Chairperson then invited the Representative of the OSPAR Commission to illustrate the country-lead approach within OSPAR's Committees in charge of drafting measures to ensure the implementation of the Decisions of the Contracting Parties to the OSPAR Convention. Following her intervention, the Secretariat of the Meeting further recalled the success of the country-lead approach under the Ballast Water Management Regional Task Force co-ordinated by REMPEC and which led to the preparation and adoption of the Mediterranean Strategy on Ships' Ballast Water Management.

49. The Meeting agreed that the work carried out under each BARCO OFOG Sub-Group should be prepared on a country-lead basis, whilst the Secretariat of the Protocol would provide support and assistance, in accordance with the decision of the Contracting Parties on the governance of the Offshore Protocol and the draft Offshore Action Plan, and the role and responsibility of each MAP Component.

50. The crucial role of the industry sector due to its technical knowledge was further underlined, whilst it was suggested to extend to offshore activities the existing close cooperation between the industry, IMO and UNEP/MAP through REMPEC, in the field of preparedness and response to marine pollution.

51. In response to ACCOBAMS' and EC's comment on this Specific Objective (*vide* Document REMPEC/WG/35/6/INF.6) regarding the reference to specific entities in the draft Offshore Action Plan, the Meeting agreed that rather than listing specific organizations or institutions, the Specific Objectives should remain generic, whilst the Secretariat of the Protocol should establish institutional cooperation with various relevant regional and global institutions, initiatives and agreements.

SPECIFIC OBJECTIVE 3: *To establish a technical cooperation and capacity building programme*

52. The Chairperson invited the Secretariat of the Meeting to introduce the Specific Objective 3 on the proposed technical cooperation and capacity building programme aimed at enhancing Contracting Parties' knowledge and capacity and at supporting the implementation of the Offshore Protocol and its Offshore Action Plan.

53. The Meeting was informed that further to the adoption of the draft Offshore Action Plan, the integration of the offshore capacity building programme within the six-year programme of activities of UNEP/MAP and its relevant Components, will be proposed at the next MAP Focal Points Meeting.

54. Taking into account that the Contracting Parties decided, at COP 18, that the BARCO OFOG should be financed through extra budgetary resources and requested the Secretariat of the Protocol to identify international bodies that might provide specific sources of financing to assist Mediterranean coastal States in carrying out the obligations arising from the Offshore Protocol, the Meeting requested the UNEP/MAP Secretariat to initiate urgently the identification of donors to ensure the implementation of the proposed programme in a timely manner.

55. The Secretariat of the Meeting then introduced the corresponding Appendix prepared on the basis of the Contracting Parties' replies to the Offshore Protocol Recommendation Forms. Whilst thanking Algeria, Croatia, Greece, Malta and Morocco for their contribution, the Secretariat of the Meeting proposed to delete the part related to the Country proposals as it was inserted for the information of the Meeting only. The Meeting agreed on the deletion of the informative part of the Appendix.

56. Following some requests for clarification from the Meeting, the Secretariat of the Meeting explained that the proposed timeline was mainly based on the Contracting Parties priority on "environmental impact and control of pollution from offshore activities" as defined in the Decision IG21.8. The Secretariat of the Meeting further explained that the figures proposed were an estimation which needed to be reviewed and that the proposed programme was aimed at ensuring a harmonized approach throughout the entire Mediterranean region. The Secretariat of the Meeting further confirmed that the proposed programme was not restricted to the Parties to the Protocol.

57. The Meeting agreed on the proposed text with minor amendments.

SPECIFIC OBJECTIVE 4: ***To establish a financial mechanism for the implementation of the Offshore Action Plan***

58. The Chairperson highlighted the importance of the Specific Objective 4 despite the possible obstacles and the lengthy process related to the establishment of a financial mechanism for the implementation of the Offshore Action Plan, and invited the Secretariat of the Meeting to present this Specific Objective.

59. Whilst underpinning its preference to voluntary contributions, the Secretariat of the Meeting recalled that this proposal had been put forward taking into account the Decision IG.21.8 on the extra budgetary resources for the financing of the BARCO OFOG and its activities.

60. In its introduction, the Secretariat of the Meeting proposed that the Offshore Action Plan Fund structure could be managed by a Financial Committee and stressed that the proposed Offshore Action Plan financial mechanism would exclusively be used for the implementation of the Offshore Action Plan and not for liability and compensation. The Secretariat of the Meeting indicated that the first estimation of a two million Euro budget, which should be carefully reviewed, should suffice to organise meetings, training, and provide the required technical assistance over the ten-year period of the Offshore Action Plan.

61. To respond to the concerns of the Meeting, the Secretariat of the Meeting compared the Offshore Action Plan financial mechanism with the International Oil Pollution Compensation Funds financed by oil receivers through its Parties and underlined that such process should not require any extra costs for public governance.

62. The requirements and implications of the establishment of such funding mechanism were discussed taking into account national obligations and possible bottlenecks. The Meeting recognised that the establishment of such mechanism would require lengthy procedures and further national consultations. In this sense, the Representative from Morocco made a reservation on the Specific Objective 4, whilst the Representative of Italy took this opportunity to introduce the comments of his Government (*vide* REMPEC/WG/35/6/INF.6) and made a general reservation on the Draft Offshore Action Plan proposed to the Meeting.

63. The Chairperson then invited the representatives from the industry to express their views on the feasibility of such a Financial Structure.

64. Whilst acknowledging his company's interest on the discussion under the Offshore Protocol, which it followed since the 1st Offshore Protocol Working Group Meeting, the representative of Noble Energy noted that the implementation of the draft Offshore Action Plan and the expected harmonization of standards, practices and procedures would provide a uniform context and reduce divergences from one country to another, thus facilitating the work of the oil and gas industry in the Mediterranean region. With regard to voluntary contributions of the oil and gas industry, he informed the Meeting that the matter will be brought to the attention of other major companies and that a Global Initiative (GI) approach could be envisaged to respond to the need of both Governments and Industry. He further explained that the GI is an umbrella programme under which Governments and Industry, through the International Maritime Organization (IMO), and the oil industry, through the Global Oil and Gas Industry Association for Environmental and Social Issues (IPIECA), are working together to assist countries in developing national structures and capabilities for oil spill preparedness and response. On the latter, he proposed to follow-up the matter with IPIECA and the International Association of Oil and Gas Producers (OGP) to discuss the feasibility of a GI type approach for Offshore activities with a view to contribute financially and technically to the implementation of the Offshore Action Plan.

65. Whilst noting the reservation of Morocco on this Specific Objective and the general reservation of Italy on the proposed draft Offshore Action Plan, the Meeting agreed on the reviewed text of Specific Objective 4.

SPECIFIC OBJECTIVE 5: ***To promote access to information and public participation in decision-making***

66. The Chairperson invited the Secretariat of the Meeting to introduce the Specific Objective 5 on access to information to the public and its participation in the decision making process.

67. Following the introduction, the Meeting agreed on the proposed objective and the related tasks and requested the use of a specific template for public information, in line with existing Decisions of the Contracting Parties addressing public access to information and with UNEP's Access to Information Policy.

SPECIFIC OBJECTIVE 6: *To enhance the regional transfer of technology*

68. At the invitation of the Chairperson, the Secretariat of the Meeting presented Specific Objective 6 on transfer of technology and highlighted that the proposed Appendix 5 provided a broad albeit non-exhaustive list of research topics, which could be followed-up by relevant research institutes to support the implementation of the Offshore Action Plan. Reference was made to ACCOBAMS' comment (*vide* Document REMPEC/WG/35/6/INF.6). However, the Meeting acknowledged that such technical issues should be covered by the OFOG Sub-Groups on environmental impact rather than being detailed in the Offshore Action Plan which should remain as a strategic document. The Meeting reviewed Appendix 5 adding to and amending the proposed research and development topics.

69. To illustrate current research and development initiative relevant to the Offshore Action Plan, the representative of MONGOOS provided an overview of various projects and arrangements (e.g. EMODNET Oil Platform Leak Bulleting aimed *inter alia* at producing oil spill predictions for the whole Mediterranean Sea and at delivering a forecast within 24 hours from the time of receipt of an oil platform leak alert).

AGENDA ITEM 7 REGIONAL OFFSHORE STANDARDS AND GUIDELINES

SPECIFIC OBJECTIVE 7 AND SPECIFIC OBJECTIVE 8: *To develop and adopt regional offshore standards and guidelines*

70. The Chairperson proceeded with Agenda Item 7 on Regional Offshore standards and guidelines and invited the Secretariat of the Meeting to introduce Specific Objectives 7 and 8 as both were closely related.

71. The Secretariat of the Meeting then presented the proposed standards to be agreed upon and developed on a lead-country basis, as well as the related proposed guidelines aimed at facilitating the implementation of the defined standards. It was proposed that, in addition to the expected active contribution of all Contracting Parties, technical support through consultancy services could be envisaged, upon availability of funds, to support the country leading the work.

72. The Meeting agreed with the proposed standards and guidelines to be developed considering relevant existing standards and guidelines in this field (*vide* REMPEC/WG.35/INF.3). The Meeting acknowledged the need to review the list of chemicals available in the relevant Annexes to the Protocol and to further discuss the disposal limitations (e.g. Article 10.1.b on oil and oily mixtures and drilling fluids and cuttings) through the OFOG Sub-Group on Environmental Impact. The Meeting further proposed to regularly review these chemical lists and limitations to take into consideration any new developments.

73. The UNEP MAP Representative referred to a list of chemicals being updated by MEDPOL and proposed to establish a link between their revision and the one required under the Offshore Protocol.

74. Concerning dismantling of offshore installations, taking into consideration the relative long life cycle of an installation, the Meeting recommended considering financial aspects related to the removal of the installation during the authorisation process. Following a discussion on national approaches to deal with financial aspects for dismantlement and on the required funding and follow-up of monitoring programme for sealed wells, the Meeting agreed to postpone any further related financial and technical discussions to the OFOG Sub-Group on Environmental Impact responsible for developing the criteria, rules and procedures for the removal of installations and the related financial aspects.

75. The Meeting recommended the definition of minimum standards of qualifications rather than rules and procedures for roles and responsibilities, and amended the draft Offshore Action Plan accordingly.

76. The Meeting also agreed to contribute through REMPEC OPRC Focal Points to the revision of Section II of the Manual on Oil Pollution – Contingency Planning by the International Maritime Organization (IMO) Sub-Committee on Pollution Prevention and Response (PPR) which will include new information related to contingency planning for offshore units, sea ports and oil handling facilities.

AGENDA ITEM 8 **REGIONAL OFFSHORE MONITORING PROGRAMMES**

SPECIFIC OBJECTIVE 9: *To establish regional offshore monitoring procedures and programmes*

77. The Chairperson introduced Agenda Item 8 and invited the Representative of UNEP/MAP to introduce the Ecosystem Approach (EcAp) process within MAP referring to the related Documents REMPEC/WG.35/INF.4 and REMPEC/WG.35/INF.5.

78. The Representative of UNEP MAP introduced both documents and recalled that the EcAp was part of the five-year Strategy approved by the 15th Ordinary Meeting of the Contracting Parties to the Barcelona Convention, (Almeria, Spain, 15-18 January 2008). She explained that the Strategy focuses on the Mediterranean coastal ecosystems, pollution reduction and management of the Mediterranean Sea and Coastal ecosystems. She further emphasised that particular attention was currently given, under EcAp, to monitoring related issues. She recalled that the Offshore Action Plan and Offshore activities were also considered under the Ecosystem Approach.

79. She underpinned that EcAp is the over-arching principle of the Barcelona Convention and as such is applicable also to the Offshore Protocol Offshore Action Plan. She then informed the Meeting that the EcAp monitoring programme would be implemented by the Contracting Parties, through a country based integrated monitoring programme to start in 2016, covering a set of common indicators applicable for the whole Mediterranean region, in areas of biodiversity and fisheries, pollution and litter, coast and hydrography. She underlined that the principles and methodologies of this monitoring should be the basis also of the future offshore monitoring, noting that this later will be carried out by the operators.

80. The Meeting took note of the information provided and requested the Secretariat of the Protocol to ensure adequate communication channels to avoid duplication and guarantee consistency between the work identified in the draft Offshore Action Plan and other UNEP/MAP monitoring activities (e.g. the future EcAp Integrated Monitoring and Assessment Programme to be a core basis of developing details of offshore monitoring).

81. The Chairperson then invited the Representative of the OSPAR Convention to explain the monitoring process within the OSPAR Convention. She detailed the collection of specific data on gas and oil exploration and underlined that these data do not include safety or liability information. She further explained that an inventory of installations was updated every two years by the Contracting Parties and that several monitoring programmes were in place for each OSPAR Committee.

82. The Meeting agreed on the need to liaise with other experienced regions to adapt their practices to the Mediterranean context taking into account variations on the geopolitical and environmental conditions and the EcAp Integrated Monitoring and Assessment Programme. The Meeting recommended further exploring of possible institutional arrangements to facilitate the cooperation between the OSPAR and the Barcelona Convention in the field of offshore activities and monitoring.

83. The proposed text under this Specific Objective was reviewed to reflect the discussions of the Meeting on integrated monitoring process and to avoid any restriction on the data collection, in particular due to the current development on monitoring activities in the Mediterranean region through EcAp.

AGENDA ITEM 9 **REPORTING**

Specific Objective 10: *To report on the implementation of the Offshore Action Plan*

84. The Chairperson proceeded with Agenda Item 9 and invited the Secretariat of the Meeting to briefly introduce the Specific Objective 10 on the reporting of the implementation of the Offshore Action Plan.

85. Following its introduction and to answer to the Meeting's concerns, the Secretariat of the Meeting clarified the difference between this report, the report for public information and the report for monitoring purposes. The Secretariat of the Meeting stressed that this objective was aimed at assessing and ensuring the effective and timely implementation of the Offshore Action Plan.

86. Whilst raising concerns about possible duplication on reporting procedures, the Meeting requested the Secretariat of the Protocol to develop a template to avoid duplication with other reporting procedures (e.g. Barcelona Convention Reporting System).

87. The Meeting noted that the BARCO OFOG Group was a technical forum and requested the deletion of the reference to the Group under this objective

AGENDA ITEM 10 OTHER BUSINESS

88. No particular matter was raised under this agenda item.

AGENDA ITEM 11 ADOPTION OF THE DRAFT OFFSHORE ACTION PLAN

89. The reviewed draft Offshore Offshore Action Plan including the comments made during the Meeting (in track change mode) was distributed to the participants for their review and comments.

90. Prior to opening the floor for comments on the Reviewed Draft Offshore Action Plan, the Chairperson recalled the Meeting's earlier agreement on the revision process of the Draft Offshore Action Plan namely, the submission of the document to the EcAp Coordination Group Meeting scheduled for October 2014 and the 2015 MAP Focal Points Meetings for their consideration prior to the adoption of the Final Offshore Action Plan by COP 19 at the end of 2015.

91. Following discussion and some further amendments, the Meeting adopted the Reviewed Draft Offshore Action Plan and mandated the Secretariat of the Meeting to incorporate all the amendments adopted by the Meeting in one document as reflected in REMPEC/WG/35/5 and as reproduced in **Annex IV** of the present report. The Meeting took note of the reservation of Morocco on Specific Objective 4 and the general reservation of Italy on the Reviewed Draft Offshore Action Plan.

92. The Meeting further agreed on the following main recommendations:

- to regulate the discharge and disposal of machinery oil, the treatment and discharge of sewage, the disposal and discharge of garbage, the reception facilities and the ship storage according to the requirements listed under the relevant MARPOL Convention Annexes, to regulate the transportation to shore in conformity with the international regulations on ship construction and navigation, and to apply requirements for the loading of ships offshore in conformity with the requirements for the loading of ships in shoreline installations;
- to mandate the UNEP/MAP Working Group of Legal and Technical Experts established by the Contracting Parties to facilitate and assess the implementation of the Guidelines on Liability and Compensation for Damage Resulting from Pollution of the Marine Environment in the Mediterranean Sea Area, to assess the adequacy of the said Liability and Compensation Guidelines to Offshore activities taking into consideration relevant global developments;
- to mandate a correspondence group composed of the seven (7) Contracting Parties to the Protocol, with the support of Contracting Parties to the Barcelona Convention which have not yet ratified the Protocol, to propose amendments to the Protocol to be adopted by at least three-fourths of the Parties (i.e. 6 Parties);
- to ensure that the offshore monitoring programme will be based on the principles and methodologies of the Integrated Monitoring and Assessment Programme under the Ecosystem Approach, while taking into account practices of other regions; and
- to ensure that the appropriate UNEP/MAP Component governance structure is defined and approved by the Contracting Parties to support the implementation of the Offshore Protocol and its Offshore Action Plan.

AGENDA ITEM 12 **CLOSURE OF THE MEETING**

93. The 3rd Offshore Protocol Working Group Meeting was concluded at 17.30 hours on 18th June 2014, following closing remarks by Mr. Frédéric Hébert, Director of REMPEC, Mr Gabino Gonzalez, Programme Officer (OPRC), and the Chairperson, Mr Burak Aykan, who thanked all participants for their active contribution to the Meeting, as well as UNEP/MAP Secretariat for its support and the EC for funding the organisation of this activity in the framework of the EcAp MED Project.

94. As this was the last Meeting of Mr. Hébert prior to his termination of duties as Director of REMPEC at the end of June 2014, the Meeting acknowledged the contribution of Mr. Hébert to the work undertaken by REMPEC and UNEP/MAP in the field of offshore exploration and exploitation activities and generally to the protection of the marine environment in the Mediterranean region, and whilst thanking him for his exceptional service to the Mediterranean community, wished him a successful future.

ANNEX (E) I

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ANNEX II

FINAL LIST OF DOCUMENTS

WORKING DOCUMENTS

REMPEC/WG.35/3/1	Provisional Agenda
REMPEC/WG.35/3/2	Provisional Annotated Agenda
REMPEC/WG/35/3/3	Draft Timetable
REMPEC/WG/35/4	Draft Offshore Action Plan
REMPEC/WG/35/5	Reviewed Draft Offshore Action Plan
REMPEC/WG/35/6	Report of the Meeting

INFORMATION DOCUMENTS

REMPEC/WG.35/INF.1	List of documents
REMPEC/WG.35/INF.1/Rev.1	List of documents
REMPEC/WG.35/J/I	Provisional List of Participants
REMPEC/WG.35/INF.2	List of Offshore Protocol and MAP Focal Points
REMPEC/WG.35/INF.3	Study on International Best Practices - (REMPEC/WG.34/19/Rev.1)
REMPEC/WG.35/INF.4	Note on Integrated list of Mediterranean Good Environmental Status and related Targets (UNEP (DEPI)/MED IG.21/Inf.5)
REMPEC/WG.35/INF.5	Report of the Integrated Correspondence Groups of GES and Targets Meeting (UNEP (DEPI)/MED WG.390/4)
REMPEC/WG.35/INF.6	Comments on the Draft Offshore Action Plan (Submitted by ACCOBAMS, European Commission and Italy)
REMPEC/WG.35/INF.7	Final List of Participants
REMPEC/WG.35/INF.8	Final List of Documents

REFERENCE DOCUMENTS

UNEP/MAP	Report of the 1 st Offshore Working Group Meeting, Malta, 13-14 June 2013
REMPEC	Report of the Workshop on the Regional Response Capacity and Coordination to Major Oil Spill in the Mediterranean Sea, MEDEXPOL 2013), Athens, Greece, 10-12 December 2013
UNEP/MAP	Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil - (Offshore Protocol)
UNEP/MAP	Decision IG 20.12 - Action Plan to implement the Protocol of the Barcelona Convention concerning the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil
UNEP/MAP	Decision IG.21/8 - Follow up actions regarding the Offshore Protocol Action Plan
UNEP/MAP	United Nations Environment Programme Access to Information Policy

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BACKGROUND

The 17th Ordinary Meeting of the Contracting Parties to the Barcelona Convention in 2012 held in Paris, France between 8 and 10 February 2012 decided to embark on an Action Plan with a view to facilitating the effective implementation of the Offshore Protocol (Decision IG 20.12).

Based in the Decision IG 20.12, the Secretariat of the United National Environment Programme – Mediterranean Action Plan (UNEP/MAP) included a number of activities aimed at supporting the drafting of the Action Plan in the programme of the Ecosystem Approach for the Management of Human Activities in the Mediterranean (EcAp) funded by the European Union.

According to the Decision IG.20/12, UNEP/MAP Secretariat was requested to “*Establish an ad hoc working group coordinated by REMPEC composed of representatives of the Contracting Parties and observers from representatives of the concerned industries, relevant international organizations and MAP partners*”. At the time of drafting this document 11 Contracting Parties to the Barcelona Convention, namely Algeria, Croatia, Cyprus, European Commission, France, Greece, Israel, Italy, Morocco, Spain, and Turkey nominated their Offshore Protocol Focal Point.

UNEP/MAP with the support of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) organized the 1st Offshore Protocol Working Group Meeting held in Valletta, Malta on the 13 and 14 June 2013. The meeting benefited from the experience of representatives from the European Commission Directorate General Environment, the OSPAR Commission, the United Kingdom Health Safety Executive (HSE), the Italian Ministry of Economic Development, the International Association of Oil and Gas Producers (OGP), Det Norske Veritas (DNV), Noble Energy International Limited and Mabruk Oil Operations; and from the experience gained by the Government of Cyprus and Israel, first countries in the region having applied the obligations defined under the Offshore Protocol, in their national authorization procedure.

The same decision calls for “*an in depth assessment and stock taking analysis of the existing practical measures in place in the Mediterranean countries with regard to Offshore activities*” to be conducted. REMPEC requested all Mediterranean coastal States to fill in the questionnaire in view of their analysis. A consultant firm was recruited by UNEP/MAP to take stock of the existing regulatory framework among the Contracting Parties mainly through the analysis of the responses in questionnaires provided to Competent Authorities (i.e., the official organization that has the legally delegated or invested authority, capacity, or power to perform a designated function) of the Contracting Parties, the online reports of the Contracting Parties under the Barcelona Convention Reporting System (BCRS) and a study prepared by Milieu Ltd. for the Director General (DG) Environment of the European Commission (EC study)¹.

In accordance with Article 23 of the Offshore Protocol and the Decision IG 20.12, the same consultancy firm was requested to identify existing international rules, standards, and recommended practices and procedures relevant to the implementation of the Offshore Protocol. The analysis focused on the main activities and installations listed in the Protocol. Whenever a topic addressed under the Offshore Protocol was also addressed by a relevant international instrument, this instrument was identified to establish consistency between the Protocol and the regional and international instruments in place.

Both the analysis of existing practical measures in place in the Mediterranean countries with regard to offshore activities and the study on best international practices were presented in the document WG.34.19 - Study on the International Best Practices-Rev1 at the Workshop on the Regional Response Capacity and Coordination to Major Oil Spill in the Mediterranean Sea (MEDEXPOL 2013) held in Athens, Greece, between 10 and 12 December 2013.

According to the Decision IG.21/8 of the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (Istanbul, Turkey, 3-6 December 2013), “the Secretariat and the ad hoc

¹ EC study: “Safety of offshore exploration and exploitation activities in the Mediterranean: creating synergies between the forthcoming EU Regulation and the Protocol to the Barcelona Convention.” <http://ec.europa.eu/environment/marine/international-cooperation/regional-sea-conventions/barcelona-convention/pdf/Final%20Report%20Offshore%20Safety%20Barcelona%20Protocol%20.pdf> (last accessed Nov. 15, 2013)

Working Group were requested to continue the necessary work with a view to achieve the drafting of the Offshore Protocol Action Plan by the end of 2014”.

The Draft Offshore Protocol Action Plan (REMPEC/WG/35/4) has been prepared by the Secretariat taking into account the findings of the studies and the recommendations made by the Contracting Parties to the Barcelona Convention. The present Reviewed Draft Offshore Action Plan (REMPEC/WG/35/5) has been adopted by the 3rd Offshore Protocol Working Group, Malta, 17-18 June 2014.

PART I – INTRODUCTION

I.1 Secretariat and its Components

Considering the range of expertise required for the implementation of the Action Plan, the Secretariat of the Barcelona Convention, represented by the United Nations Environment Programme – Mediterranean Action Plan Secretariat (UNEP/MAP) (the **Secretariat**) will coordinate the technical support from the relevant Regional Activity Centres (the **Components**) according to their mandates.

The role of the Secretariat and its Components will be primarily one of assistance to the Contracting Parties in enhancing their national capacities and in facilitating the means for regional or sub-regional co-operation.

It is envisaged that there may be several areas of activity within the Specific objectives of the Action Plan which will require a synergy between various Components of the Mediterranean Action Plan (MAP).

I.2. Geographical coverage

The area to which the Mediterranean Offshore Action Plan in the Framework of the Protocol for the Protection of the Mediterranean Sea Against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (**the Action Plan**) applies is the area defined in Article 2 of the Offshore Protocol.

I.3. Preservation of rights

The provisions of this Action Plan shall be without prejudice to stricter provisions regulating the management of offshore activities contained in other existing or future national, regional or international instruments or programmes, when considering existing best practices for the development of standards for the Mediterranean region.

I.5. Principles

In implementing the Action Plan, the Contracting Parties shall be guided by the following principles:

- (a) *Integration Principle* by virtue of which offshore activities management under the Offshore Protocol shall be an integral part of the Mediterranean Strategy for Sustainable Development, the Ecosystem Approach (the **EcAp**), other relevant strategies including regional strategies of the Mediterranean Action Plan and shall not conflict with applicable domestic regulations;
- (b) *Prevention principle* by virtue of which any offshore activities management measure should aim at addressing the prevention of any form of pollution resulting from offshore activities;
- (c) *Precautionary principle* by virtue of which where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation;
- (d) *Polluter-pays principle* by virtue of which the costs of pollution prevention, control and reduction measures are to be borne by the polluter, with due regard to the public interest;
- (e) *Ecosystem-based approach* by virtue of which the cumulative effects of offshore activities on air, marine and coastal ecosystem services, habitats and species with other contaminants and substances that are present in the environment should be fully taken into account;
- (f) *The principle of public participation and stakeholder involvement*; and
- (g) *Sustainable Production and Consumption principle* by virtue of which current unsustainable patterns of consumption and production must be transformed to sustainable ones that decouple human development from environmental degradation.

PART II – OBJECTIVES

II.1. General Objectives

The Action Plan aims at defining measures which, if applied at regional level and by each Contracting Party within their jurisdiction will ensure the safety of offshore activities and reduce their potential impact on the marine environment and its ecosystem.

These measures shall aim at regional level:

- Setting-up a **governance framework** to support the implementation of the Action Plan and the adoption, enforcement and monitoring of regional standards, procedures and rules;
- Defining commonly agreed **regional offshore standards and guidelines** to be integrated and used at national level; and
- Develop in conformity with EcAp and its relevant indicators a regional commonly agreed **reporting and monitoring** for the Action Plan.

Part II.2 describes the **Specific objectives** which, if achieved, will meet the general objective as set out above. For each specific objective certain goals are proposed which will also serve as criteria for indicating the success (or otherwise) of Contracting Parties in meeting the objectives.

With the understanding that not all goals can be achieved immediately, the implementation goals and a tentative timetable for implementation of the Action Plan are set out in **Appendix 1**.

II.2. Specific Objectives

II.2.1 GOVERNANCE FRAMEWORK

Specific objective 1: To ratify the Offshore Protocol

In order that there is a comprehensive legal basis for the exploration and exploitation of the continental shelf and the seabed and its subsoil in the Mediterranean Sea, it is important that Contracting Parties to the Barcelona Convention take the necessary action to ensure that the Protocol for the Protection of the Mediterranean Sea Against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (the **Offshore Protocol**) is ratified and implemented nationally.

The Contracting Parties endeavor:

- a) to ratify the Offshore Protocol, as soon as possible, preferably by [2017], and transpose it into national law, and to co-operate through the Secretariat to ensure compliance with its provisions.²

The Contracting Parties agree to request the Secretariat:

- a) to provide Contracting Parties to the Barcelona Convention, which so request, with advice and technical assistance in order to meet the deadline set forth in sub-paragraph (a) above.

² Mediterranean coastal States shall consider the ratification of the Offshore Protocol and the transposition of its provisions into national law in accordance with domestic relevant practices and legislation.

Specific objective 2: To designate Contracting Parties' Representatives to participate to the regional governing bodies

At the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention, Contracting Parties approved the establishment of the Barcelona Convention Offshore Oil and Gas Group (BARCO OFOG) and adopted its terms of reference (Decision IG.21/8).

Contracting Parties to the Barcelona Convention, with the support of the relevant UNEP/MAP Components will *inter alia* provide, through the OFOG Group and Sub-Groups, technical support and guidance as detailed in section II.2.2, and make recommendations to the Meetings of the Parties to the Offshore Protocol to accomplish its functions as stipulated in Article 30.2 of the Offshore Protocol, and further detailed in Decision IG.21/8.

The OFOG Group is primarily composed of representatives of the Contracting Parties to the Barcelona Convention. In view of the range of expertise required for the various topics covered by the Protocol, several OFOG Sub-Groups could be set-up, as need be. To initiate the implementation of the Action Plan and ensure without delay that the measures and standards necessary to effectively implement the Action Plan are undertaken and developed, the following OFOG Sub-Groups will be established:

- **OFOG Sub-Group on environmental impact** dealing with *inter alia*:
 - Offshore monitoring procedures and programme;
 - Environment impact assessment;
 - Use and discharge of harmful or noxious substances and material;
 - Disposal of oil and oily mixtures and the use and disposal drilling fluids and cutting;
 - Precautions for Specially Protected Areas (SPA); and
 - Removal.

- **OFOG Sub-Group on health and safety** dealing with *inter alia*:
 - Risk assessment;
 - Health Safety measures;
 - Training and certification of operators professionals and crew; and
 - Removal plan.

These Sub-Groups will focus on technical and practical aspects of the Offshore Protocol Action Plan, in particular the development of the standards and guidelines referred in Specific objectives 7 and 8.

For the effective implementation of the Action Plan, the Contracting Parties shall ensure appropriate involvement of various stakeholders involving national competent authorities, civil society, private sector, operators, NGOs and other stakeholders as appropriate to implement the measures provided for in the Action Plan and other measures as appropriate.

The Contracting Parties agree:

- a) to nominate the National Offshore Focal Point designated by the MAP Focal Point to coordinate at national level activities carried out in the framework of the Action Plan and actively participate in the OFOG Group;
- b) to designate, upon request by the Secretariat, through their National Offshore Focal Point, the appropriate national entities and/or officials as contact points for each OFOG Sub-Group;
- c) to take the leadership, on a voluntary basis, of the established Sub-Groups to coordinate with the support of the Secretariat the work assigned to the Sub-Groups; and

To request the Secretariat:

- a) to encourage the participation of the industry and invite their representatives as observers to the OFOG Sub-Groups;
- b) to enhance public awareness through the contribution of IGOs and NGOs with a relevant mandate to the topics discussed in the various OFOG Sub-Groups to participate as observers and ensure an open and transparent process through public consultations;

- c) to establish institutional cooperation with various relevant regional and global institutions, initiatives and agreements as soon as possible but preferably by [2017];
- d) to publish by [2016] and keep up to date on a dedicated website the composition of the OFOG Group and Sub-Groups;
- e) to keep updated the list of the National Offshore Focal Points and OFOG Sub-Group Focal Points;
- f) to define, in consultation with MAP Focal Points, the roles and responsibilities of UNEP/MAP Components for adoption by the Contracting Parties to facilitate the implementation of the Action Plan; and
- g) to propose, the required means including human resources to ensure the implementation of the Action Plan and the support of the relevant UNEP/MAP Components. A draft estimation of the required means is found in **Appendix 2**.

Specific objective 3: To establish a technical cooperation and capacity building programme

According to Article 24 of the Offshore Protocol the Parties shall, directly or with the assistance of competent regional or other international organizations, cooperate with a view to formulating and, as far as possible, implementing programmes of assistance to developing countries. In this regard and with the view to facilitate the implementation of the Action Plan,

The Contracting Parties agree:

- a) on the technical cooperation and capacity building programme as set in **Appendix 3**; and

To request the Secretariat:

- a) to include the technical cooperation and capacity building programme in the six year programme of activities of UNEP/MAP and its relevant Components and in their biennium programme of work;
- b) to propose the corresponding budget to be adopted by the Ordinary Meeting of the Contracting Parties to the Barcelona Convention; and
- c) to identify donors to secure funds required for the implementation of the technical cooperation and capacity building programme.

Specific objective 4: To establish a financial mechanism for the implementation of the Action Plan

The 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention in 2013 decided that the BARCO OFOG should be financed through extra budgetary resources and requested the Secretariat to identify international bodies that might provide specific sources of financing to assist Mediterranean coastal States in carrying out the obligations arising from the Offshore Protocol. The Meeting further invited the relevant oil and gas offshore industry to assist the Barcelona Convention Offshore Oil and Gas Group (BARCO OFOG), through technical support and financial contributions for the implementation of the program of work that may result from the Offshore Protocol Action Plan. In this regards,

The Contracting Parties agree:

- a) to consider the establishment of a financial mechanism aimed at supporting the implementation of the Action Plan, in particular its provisions related to the OFOG Group, technical cooperation, capacity building and monitoring activities as soon as possible and preferably by [2017]; and

To request the Secretariat:

- a) to identify additional donors to secure funds for the implementation of the Action Plan; and
- b) to propose, by [2017], Terms of Reference for an Offshore Action Plan financial mechanism.

Specific objective 5: To promote access to information and public participation in decision-making

According to the Principle 10 of the Rio Declaration adopted at the United Nations Conference on Environment and Development in 1992, "Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided."

With a view to meeting the specific objective of promoting access to information and public participation in decision-making,

The Contracting Parties agree:

- a) to adopt a template for public information in line with national and regional rules on access to information by [2017];
- b) to report to the Secretariat by [2017] and every two years thereafter, relevant information on the offshore installations within their jurisdiction including, when appropriate, information on their disposal for inclusion in the inventory to be maintained by the Secretariat;
- c) to report to the Secretariat by [2017] and every two years thereafter, discharges, spills and emissions from offshore oil and gas installations data in accordance with the monitoring programme to be defined by the relevant OFOG Sub-Group; and

To request the Secretariat:

- a) to support the preparation of the template for public information in line with existing Decisions of the Contracting Parties addressing public access to information and with UNEP's Access to Information Policy;
- b) to assess by the cost of an online regional system, to develop it by [2016] and maintain it thereafter for the purpose of public information sharing;
- c) to publish by [2017] and every two years thereafter and keep up to date on a dedicated website the inventory of installations as well as the discharges, spills and emissions from offshore oil and gas installations data submitted by the Contracting Parties; and
- d) to consolidate in a report by [2017] and every two years thereafter, the discharges, spills and emissions from offshore oil and gas installations data submitted by the Contracting Parties.

Specific objective 6: To enhance the regional transfer of technology

The Offshore Protocol emphasizes the need for cooperation and exchange of information concerning research and development (R&D) of new technologies. In order to make the results of R&D activities undertaken in the Mediterranean region better known, the Secretariat shall endeavour to encourage the participation of regional research institutions, scientific project leaders and industry in relevant events. The Secretariat shall also facilitate, through the network of its Focal Points, the exchange of these results amongst the Contracting Parties. In addition, the Secretariat might indicate to its Focal Points the potential fields that call for further R&D in order to encourage more active participation and contribution of the relevant Mediterranean institutions in global efforts in this field. In this regard, a list of potential research topics is presented in **Appendix 4** to this document.

With a view to meeting the specific objective of promoting the participation of the relevant Mediterranean institutions in R&D activities and to facilitate transfer of technology within the region,

The Contracting Parties agree:

- a) to encourage their respective scientific and technical institutions, as well as the industry, to actively participate in R&D activities and programmes related to prevention, response and monitoring of pollution from offshore activities;
- b) to encourage their respective national institutions and industry to present the results of their R&D activities and programmes in international fora;
- c) to provide information to the Secretariat on ongoing R&D activities, research needs; and

To request the Secretariat:

- a) to assist identifying fields of research in which there is a need for enhancement of the state-of-the-art of offshore pollution prevention, response and monitoring technologies and techniques;
- b) to facilitate dissemination and exchange of results of national R&D activities and programmes within and outside the Mediterranean region; and
- c) to facilitate the participation of national and regional research institutions and industry in the relevant international fora with a view to making better known the results of R&D activities undertaken in the Mediterranean region.

II.3.2 REGIONAL OFFSHORE STANDARDS AND GUIDELINES

In accordance with the Specific objective 3 and Article 23 of the Offshore Protocol, as the core substance of the Offshore Protocol aims at establishing common standards and guidelines to harmonize regional practices in the Mediterranean region, Contracting Parties will consider relevant existing standards and guidelines in this field (*vide* REMPEC/WG.34/19/Rev.1).

Specific objective 7: To develop and adopt regional offshore standards

The Contracting Parties agree:

- a) to develop or adapt to the Mediterranean context existing EIA regional standards taking into consideration requirements referred in Annex IV and other best practices by [2017];
- b) to formulate and adopt common standards on the use and discharge of harmful or noxious substances and material, defining *inter alia* limits and prohibitions at regional level by [2019];
- c) to review, as required, Annex I, II and III and differentiate which chemicals should be covered and not covered by such standards and under which conditions by [2019];
- d) to formulate and adopt common standards on the disposal of oil and oily mixtures and on the use and disposal of drilling fluids and cutting, and review the limits set in Article 10 and the prescriptions referred in Annex V of the Protocol by [2017];
- e) to commonly agree on and adopt the method to be used to analyse the oil content by [2017];
- f) to follow procedures for contingency planning, notification of accidental spills and transboundary pollution as set under the Protocol concerning Co-operation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea;
- g) to define and adopt special restrictions or conditions for specially protected areas by [2017];
- h) to commonly agree on and adopt criteria, rules and procedures for the removal of installations and the related financial aspects by [2021];
- i) to commonly agree on and adopt criteria, rules and procedures for safety measures including health and safety requirements by [2023];
- j) to commonly agree on and adopt minimum standards of qualification for professionals and crews by [2023]; and

To request the Secretariat:

- a) to support through the relevant MAP Component the specific OFOG Sub-Groups for the development of the above common standards.

Specific objective 8: To develop and adopt regional offshore guidelines

With a view to facilitate the development and implementation of the appropriate policy, legal instruments and institutional arrangements, in accordance with the adopted regional offshore standards,

The Contracting Parties agree to develop regional guidelines on:

- a) Environment Impact Assessment by [2017];
- b) Use and discharge of harmful or noxious substances and material by [2019];
- c) Disposal of oil and oily mixtures and the use and disposal drilling fluids and cutting and analytical measurement by [2017];
- d) Removal of installations and the related financial aspects by [2021];
- e) Installation safety measures including health and safety requirements by [2023];
- f) Minimum standards of qualification for professionals and crews by [2023]; and
- g) Authorization requirements based on the above mentioned Standards by [2024].

The Contracting Parties further agree:

- h) to contribute through their OPRC Focal Points to the revision of the Section II of the Manual on Oil Pollution – Contingency Planning by the International Maritime Organization (IMO) Sub-Committee on Pollution Prevention and Response (PPR) scheduled for [2015] which will include new information related to contingency planning for offshore units, sea ports and oil handling facilities; and

To request the Secretariat:

- a) to support through the relevant MAP Components, the specific OFOG Sub-Groups for the development of the above common guidelines.

II.2.3 REGIONAL OFFSHORE MONITORING PROGRAMME

Specific objective 9: To establish regional offshore monitoring procedures and programmes

Ecosystem Approach (EcAp) is the overarching principle of the Barcelona Convention, aiming to achieve good environmental status of the Mediterranean by [2020] and ensuring adequate monitoring and assessment of the status on a cyclical basis.

According to Decision IG 20/4 "Implementing the MAP ecosystem approach roadmap: Mediterranean Ecological and Operational Objectives, Indicators and Timetable for implementing the ecosystem approach roadmap adopted by the Contracting Parties to the Barcelona Convention" (COP17, 2012), and according to Decision 21/3 on the Ecosystem Approach including adopting definitions of Good Environmental Status and Targets, for the purposes of this Action Plan, in compliance with the monitoring obligations under Article 12 of the Barcelona Convention and Article 19 of the Offshore Protocol,

The Contracting Parties agree:

- a) to define, by [2017], a regional monitoring programme for offshore activities building, *inter alia*, on the Integrated Monitoring and Assessment Programme of the EcAp, as well as, the relevant work of the regional bodies;
- b) to report by [2017] and every two years thereafter to the Secretariat results of the national offshore monitoring programme and provide the agreed data;
- c) [to report to the Secretariat in the framework of the monitoring programme deviation from the initial EIA;]; and

To request the Secretariat:

- a) to coordinate the development/adoption of Mediterranean Monitoring Procedures and Programmes between 2016 and 2017 for the above, building on the relevant work undertaken in the Monitoring Correspondence Groups in the EcAp process in line with Decision 21/3;
- b) to define, by 2016, the cost and to develop, by [2017], and manage the Mediterranean Offshore Reporting and Monitoring System (e.g. Regional Data Bank on Offshore activities through the Barcelona Convention Reporting System or other systems defined by the Contracting Parties); and
- c) to produce, disseminate and publish by [2017] and every two years thereafter a report on Discharges, Spills and Emissions from Offshore Oil and Gas Installations, based on data submitted by countries.

PART III – REPORTING

Specific objective 10: To report on the implementation of the Action Plan

To ensure the effective and timely implementation of the Offshore Protocol Action Plan

The Contracting Parties agree:

- a) to report on the implementation of this Action Plan, in particular on the effectiveness of the measures defined in this Action Plan and difficulties encountered by [2017] and every two years thereafter;
- b) to review biennially the status of implementation of the Action Plan on the basis of the regional report prepared by the Secretariat; and

To request the Secretariat:

- a) to draft Guidelines on the structure and content of the national report on the implementation of this Action Plan considering existing reporting procedures (e.g. Reporting under the Compliance Committee) to avoid duplication of reporting procedures, as well as a set of indicators, by [2016];
- b) to organise, subject to funds availability, the Meetings of the Parties to the Offshore Protocol; and
- c) to consolidate the report on the implementation of the Action Plan by [2017] and every two years thereafter for its submission to the Meetings of the Parties to the Offshore Protocol and the Meetings of the Contracting Parties to the Barcelona Convention.

APPENDICES

Appendix 1 – Implementation goals and tentative timetable for the implementation of the Offshore Protocol Action Plan

Appendix 2 – Draft estimation of required means for the implementation of the Offshore Protocol Action Plan

Appendix 3 – Technical cooperation and capacity building programme

Appendix 4 – Potential research topics

MEDITERRANEAN OFFSHORE ACTION PLAN

Appendix 2: DRAFT ESTIMATION OF REQUIRED MEANS FOR THE IMPLEMENTATION OF THE ACTION PLAN

Specific Objective	Activities	Means required	Estimated cost (Euro)
1. To ratify the Offshore Protocol	a) Contracting Parties ratify and transpose into national law the Offshore Protocol	Contracting Parties time	0
	a) The Secretariat to provide Contracting Parties to the Barcelona Convention, which so request, with advice and technical assistance	Technical Support and Secretariat staff time	75,000
2. To designate Contracting Parties' Representatives to participate to the regional governing bodies	a) MAP Focal Point to nominate the National Offshore Focal Point to coordinate, at national level, activities carried out in the framework of the Action Plan and actively participate in the OFOG Group	Nomination Contracting Parties time	0
	b) National Offshore Focal Point to designate, upon request by the Secretariat, the appropriate national entities and/or officials as contact points for each OFOG Sub- Group	Nomination	0
	c) National Offshore Focal Point to take the leadership, on a voluntary basis, of the established Sub-Groups to coordinate with the support of the Secretariat the work assigned to the Sub-Groups.	Volunteering	0
	a) The Secretariat to encourage the participation of the industry and invite their representative as observers to the OFOG Sub-Groups	Secretariat staff time and travels	End note ¹ Secretariat Travels on Official Business
	b) The Secretariat to enhance public awareness through the contribution of IGOs and NGOs with a relevant mandate to the topics discussed in the various OFOG Sub-Groups to participate as observers and ensure an open and transparent process through public consultations	Secretariat staff time	End note ¹
	c) The Secretariat to establish institutional cooperation with various relevant regional and global institutions, initiatives and agreements	Secretariat staff time and travels	End note ¹ Secretariat Travels on Official Business
	d) The Secretariat to publish and keep up to date on a dedicated website the	Website developer	20,000

Specific Objective	Activities	Means required	Estimated cost (Euro)
	composition of the OFOG Group and Sub-Groups		
	e) The Secretariat to keep updated the list of the National Offshore Focal Points and OFOG Sub-Group Focal Points	Secretariat staff time	End note ¹
	f) The Secretariat to define, in consultation with MAP Focal Points, the roles and responsibilities of UNEP/MAP Components for adoption by the Contracting Parties to facilitate the implementation of the Action Plan	Secretariat staff time	End note ¹
	g) The Secretariat to propose, the required means including human resources to ensure the implementation of the Action Plan and the support of the relevant UNEP/MAP Components	Secretariat staff time	End note ¹
3. To establish a technical cooperation and capacity building programme	a) Contracting Parties to agree on the technical cooperation and capacity programme as set in Appendix 3		
	Technical Cooperation for the development of Standards and Guidelines		
	• Monitoring	Consultancy funds	20,000
	• Use and discharge of harmful or noxious substances and material	Consultancy funds	20,000
	• Disposal of oil and oily mixtures and on the use and disposal drilling fluids and cutting	Consultancy funds	20,000
	• Offshore platform Preparedness and Response & Contingency Plan Assessment	Participation of Contracting Parties to the IMO PPR meetings	0
	• Removal of installations and the related financial aspects	Consultancy funds	20,000
	• Safety measures including health and safety requirements and fire fighting	Consultancy funds	20,000
	• Minimum standards of qualification for professionals and crews	Consultancy funds	20,000
	• Granting of authorizations	Consultancy funds	20,000
	• Inspection/sanctions (Installation/Discharge/Competent manning)	Consultancy funds	20,000
	• Training ³		

³ Estimation based on the assumption that 2 Participants per country attend the regional training

Specific Objective	Activities	Means required	Estimated cost (Euro)	
	<ul style="list-style-type: none"> Monitoring 	Training funds	60,000	
	<ul style="list-style-type: none"> Use and discharge of harmful or noxious substances and material 	Training funds	60,000	
	<ul style="list-style-type: none"> Disposal of oil and oily mixtures and on the use and disposal drilling fluids and cutting 	Training funds	60,000	
	<ul style="list-style-type: none"> Offshore platform Preparedness and Response & Contingency Plan Assessment 	Training funds	60,000	
	<ul style="list-style-type: none"> Removal of installations 	Training funds	60,000	
	<ul style="list-style-type: none"> Safety measures including health and safety requirements and fire fighting 	Training funds	60,000	
	<ul style="list-style-type: none"> Minimum standards of qualification for professionals and crews 	Training funds	60,000	
	<ul style="list-style-type: none"> Granting of authorizations 	Training funds	60,000	
	<ul style="list-style-type: none"> Inspection/sanctions (Installation/Discharge/Competent manning) 	Training funds	60,000	
	a)	The Secretariat to include the technical cooperation and capacity building programme in the six-year programme of activities of UNEP/MAP and its relevant Components and in the biennium programme of work	Secretariat staff time	End note ¹
	b)	The Secretariat to propose the corresponding budget to be adopted by the Ordinary Meeting of the Contracting Parties to the Barcelona Convention	Secretariat staff time	End note ¹
	c)	The Secretariat to identify donors to secure funds required for the implementation of the technical cooperation and capacity building programme	Secretariat staff time	End note ¹
4. To establish a financial mechanism for the implementation of the Action Plan	a)	Contracting Parties to consider the establishment of a financial mechanism aimed at supporting the implementation of the Action Plan, in particular its provisions related to the OFOG Group, technical cooperation, capacity building and monitoring activities	Contracting Parties time and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 10
	a)	The Secretariat to identify additional donors to secure funds for the implementation of the Action Plan	Secretariat staff time	End note ¹
	b)	The Secretariat to propose Terms of Reference for an Offshore Action Plan financial mechanism	Consultancy funds	20,000

Specific Objective	Activities	Means required	Estimated cost (Euro)
5. To promote access to information and public participation in decision-making	a) Contracting Parties to adopt a template for public information in line with national and regional rules on access to information	Contracting Parties time and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 10
	b) Contracting Parties to report to the Secretariat every two years, relevant information on the offshore installations within their jurisdiction including, when appropriate, information on their disposal for inclusion in the inventory to be maintained by the Secretariat	Contracting Parties time	0
	c) Contracting Parties to report to the Secretariat every two years discharges, spills and emissions from offshore oil and gas installations data in accordance with the monitoring programme to be defined by the relevant OFOG Sub-Group	Contracting Parties time	0
	a) The Secretariat to support the preparation of the template for public information in line with existing Decisions of the Contracting Parties addressing public access to information and with UNEP's Access to Information Policy	Consultancy funds	20,000
	b) The Secretariat to assess by the cost of an online regional system, to develop it and maintain it for the purpose of public information sharing	Online regional system	20,000
	c) The Secretariat to publish and keep up to date on a dedicated website the inventory of installations as well as the discharges, spills and emissions from offshore oil and gas installations data submitted by the Contracting Parties	Secretariat staff time	End note ⁱ
	d) The Secretariat to consolidate in a report the discharges, spills and emissions from offshore oil and gas installations data submitted by the Contracting Parties	Secretariat staff time	End note ⁱ
6. To enhance the regional transfer of technology	a) Contracting Parties to encourage their respective scientific and technical institutions, as well as the industry, to actively participate in R&D activities and programmes related to prevention, response and monitoring of pollution from offshore activities	Contracting Parties time	0
	b) Contracting Parties to encourage their respective national institutions and industry to present the results of their R&D activities and programmes in international fora	Contracting Parties time	0

Specific Objective	Activities	Means required	Estimated cost (Euro)
	c) Contracting Parties to provide information to the Secretariat on ongoing R&D activities, research needs	Contracting Parties time	0
	a) The Secretariat to assist identifying fields of research in which there is a need for enhancement of the state-of-the-art of offshore pollution prevention, response and monitoring technologies and techniques	Secretariat staff time	End note ⁱ
	b) The Secretariat to facilitate dissemination and exchange of results of national R&D activities and programmes within and outside the Mediterranean region	Secretariat staff time	End note ⁱ
	c) The Secretariat to facilitate the participation of national and regional research institutions and industry in the relevant international fora with a view to making better known the results of R&D activities undertaken in the Mediterranean region	Travels	20,000
7. To develop and adopt regional offshore standards	a) Contracting Parties to develop or adapt to the Mediterranean context existing EIA regional standards taking into consideration requirements referred in Annex IV and other best practices	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	b) Contracting Parties to formulate and adopt common standards on the use and discharge of harmful or noxious substances and material, defining <i>inter alia</i> limits and prohibitions at regional level	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	c) Contracting Parties to review, as required, Annex I, II and III and differentiate which chemicals should be covered and not covered by such standards and under which conditions	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10

Specific Objective	Activities	Means required	Estimated cost (Euro)
	d) Contracting Parties to formulate and adopt common standards on the disposal of oil and oily mixtures and on the use and disposal of drilling fluids and cutting, and review the limits set in Article 10 and the prescriptions referred in Annex V of the Protocol	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	e) Contracting Parties to commonly agree on and adopt the method to be used to analyse the oil content	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	f) Contracting Parties to follow procedures for contingency planning, notification of accidental spills and transboundary pollution as set under the Protocol concerning Co-operation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	g) Contracting Parties to define and adopt special restrictions or conditions for Specially Protected Areas	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	h) Contracting Parties to commonly agree on and adopt criteria, rules and procedures for the removal of installations and the related financial aspects	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	i) Contracting Parties to commonly agree on and adopt criteria, rules and	Contracting Parties time,	Spec. Objective

Specific Objective	Activities	Means required	Estimated cost (Euro)
	procedures for safety measures including health and safety requirements	technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	3 Spec. Objective 10
	j) Contracting Parties to commonly agree on and adopt minimum standards of qualification for professionals and crews	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	a) The Secretariat to support through the relevant MAP Component the specific OFOG Sub-Groups for the development of the above common standards	Secretariat staff time	End note ⁱ
8. To develop and adopt regional offshore guidelines on	a) Contracting Parties to develop and adopt regional guidelines on Environment Impact Assessment	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	b) Contracting Parties to develop and adopt regional guidelines on Use and discharge of harmful or noxious substances and material	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	c) Contracting Parties to develop and adopt regional guidelines on disposal of oil and oily mixtures and the use and disposal drilling fluids and cutting and analytical measurement	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10

Specific Objective	Activities	Means required	Estimated cost (Euro)
	d) Contracting Parties to develop and adopt regional guidelines on removal of installations and the related financial aspects	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	e) Contracting Parties to develop and adopt regional guidelines on installation safety measures including health and safety requirements	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	f) Contracting Parties to develop and adopt regional guidelines on minimum standards of qualification for professionals and crews	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	g) Contracting Parties to develop and adopt regional guidelines on authorization requirements based on the above mentioned Standards	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	h) Contracting Parties to contribute through their OPRC Focal Points to the revision of Section II of the Manual on Oil Pollution – Contingency Planning by the International Maritime Organization (IMO) Sub-Committee on Pollution Prevention and Response (PPR) which will include new information related to contingency planning for offshore units, sea ports and oil handling facilities	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	a) The Secretariat to support through the relevant MAP Components, the specific OFOG Sub-Groups for the development of the above common guidelines	Secretariat staff time	End note ¹

Specific Objective	Activities	Means required	Estimated cost (Euro)
9. To establish regional offshore monitoring procedures and programme	a) Contracting Parties to define a regional monitoring programme for offshore activities building, <i>inter alia</i> , on the Integrated Monitoring and Assessment Programme of the EcAp, as well as, the relevant work of the regional bodies	Contracting Parties time, technical support as set in specific objective 3 and participation to the Meetings of the Parties to the Offshore Protocol	Spec. Objective 3 Spec. Objective 10
	b) Contracting Parties to report every two years to the Secretariat results of the national offshore monitoring programme and provide the agreed data	Contracting Parties time	0
	c) Contracting Parties to report to the Secretariat in the framework of the monitoring programme deviation from the initial EIA	Contracting Parties time	0
	a) The Secretariat to coordinate the development/adoption of Mediterranean Monitoring Procedures and Programmes, building on the relevant work undertaken in the Monitoring Correspondence Groups in the EcAp process in line with Decision 21/3	Secretariat staff time	End note ¹
	b) The Secretariat to define the cost and to develop and manage the Mediterranean Offshore Reporting and Monitoring System	Mediterranean Offshore Reporting and Monitoring System	20,000
	c) The Secretariat to produce, disseminate and publish every two years a report on Discharges, Spills and Emissions from Offshore Oil and Gas Installations, based on data submitted by countries	Secretariat staff time, publication and dissemination	9,000 ⁴
10. To report on the implementation of the Action Plan	a) Contracting Parties to report on the implementation of this Action Plan, in particular on the effectiveness of the measures defined in this Action Plan and difficulties encountered every two years	Contracting Parties time	0
	b) Contracting Parties to review biennially the status of implementation of the Action Plan on the basis of the regional report prepared by the Secretariat	Contracting Parties time	0
	a) The Secretariat to draft Guidelines on the structure and content of the national report on the implementation of this Action Plan considering existing reporting procedures	Secretariat staff time	End note ¹

⁴ Assumption: 3 reports published over the Action Plan period at Euro 3,000 per report

Specific Objective	Activities	Means required	Estimated cost (Euro)
	b) The Secretariat to organize the Meetings of the Parties to the Offshore Protocol	Travel/DSA	300,000 ⁵
	c) The Secretariat to consolidate the report on the implementation of the Action Plan for its submission to the Meetings of the Parties to the Offshore Protocol and the Meetings of the Contracting Parties to the Barcelona Convention	Secretariat staff time	End note ⁱ
Secretariat Travels on Official Business	Participate in relevant meetings and events	Travel/DSA	100,000 ⁶
TOTAL			1,304,000⁷

ⁱ Taking into account the amount of tasks to be implemented by the Secretariat, the creation of a five-year Project Post should be envisaged, with the assumption that the Officer is recruited at P3 level, the annual cost would be estimated at Euro 107,000 with an annual increase of approximately 4.5%. For cost reduction purposes, this role could be fulfilled by a national officer seconded every two years by Contracting Parties to the Secretariat.

⁵ Assumption: 5 Meetings over the Action Plan period (2015-2024) at Euro 60,000 per meeting

⁶ Assumption: Budget of 10,000 Euro per year over the Action Plan period (2015-2024) for Secretariat Travels on Official Business

⁷ Excluding the cost related to the Officer –in-Charge of supporting the implementation of the Action Plan

MEDITERRANEAN OFFSHORE ACTION PLAN

Appendix 3 – TECHNICAL COOPERATION AND CAPACITY BUILDING PROGRAMME

	Year ⁸				
	15	16	17	18	19
Technical support (Consultancy services) for the development of Standards and Guidelines⁹					
Monitoring					
Use and discharge of harmful or noxious substances and material					
Disposal of oil and oily mixtures and on the use and disposal drilling fluids and cutting					
Removal of installations					
Safety measures including health and safety requirements and fire fighting					
Role/responsibility and qualification of professional and crews					
Granting of authorizations					
Training	15	16	17	18	19
Monitoring					
Use and discharge of harmful or noxious substances and material					
Disposal of oil and oily mixtures and on the use and disposal drilling fluids and cutting					
Offshore platform Preparedness and Response & Contingency Plan Assessment					
Removal of installations					
Safety measures including health and safety requirements and fire fighting					
Role/responsibility and qualification of professional and crews					
Granting of authorizations					
Inspection/sanctions (Installation/Discharge/Competent manning)					

⁸ Subject to availability of funds

⁹ Offshore platform Preparedness and Response & Contingency Plan Assessment will be followed by Contracting Parties through the Meeting of the International Maritime Organization (IMO) Sub-Committee on Pollution Prevention and Response (PPR).

MEDITERRANEAN OFFSHORE ACTION PLAN

Appendix 4: INDICATIVE POTENTIAL RESEARCH AND DEVELOPMENT TOPICS

Air Emissions:

- Effects of air emissions from offshore activities

Noise:

- Environmental Impact Assessment on noise generated by offshore activities

Fisheries

- Short-term and long-term impact of the oil and gas (O&G) industry on Mediterranean fisheries

Prevention

- Safety of operations

Monitoring

- Marine environment monitoring

Response to marine pollution

- Environmental Impact Assessment of multiple in situ burning operations on major oil spills from offshore platforms in the Mediterranean Region
- Environmental Impact Assessment of extended use of dispersants on major oil spills from offshore platforms in the Mediterranean Region
- Oil spill monitoring & forecasting modelling
- Mediterranean Offshore Oil Spill Risk Assessment Study
- Mediterranean Offshore Oil Spill Risk Assessment Tool

ANNEX II

**COMMENTS ON THE
REVIEWED DRAFT OFFSHORE PROTOCOL ACTION PLAN**

APPENDIX 1

**COMMENTS OF THE SYRIAN ARAB REPUBLIC ON THE
REVIEWED DRAFT OFFSHORE PROTOCOL ACTION PLAN**

Introduction

The following comments have been submitted by the Offshore Protocol Focal Point of the Syrian Arab Republic in accordance with the recommendation of the 4th Meeting of the Ecosystem Approach (EcAp) Coordination Group, Athens, 9-10 October 2014.

Comments:

There is no reference in the plan or in its annexes to the Basel Convention regarding the hazardous waste which will be produced from the offshore activities.

There is no reference in the plan or in its annexes to the Stockholm Convention in relation to the persistence organic compounds which may be used in the activities of installations.

With regards to articles 5 and 27 on the insurance and financial security, it is suggested:

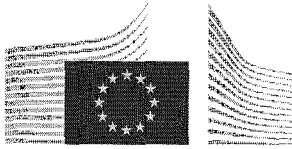
- a. to add a component or article on the requirements for risk assessment (with safety measures) for the two phases (before and after) which will help the procedure of granting authorization .
- b. to develop a financial mechanism that deals with and manage the emergency accidents that may happen, especially for pollution which affect transboundary areas.

APPENDIX 2

**COMMENTS OF THE EUROPEAN UNION ON THE
REVIEWED DRAFT OFFSHORE PROTOCOL ACTION PLAN**

Introduction

The following comments have been submitted by the European Union in accordance with the recommendation of the 4th Meeting of the Ecosystem Approach (EcAp) Coordination Group, Athens, 9-10 October 2014.



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate C - Quality of Life, Water & Air
ENV.C.2 - Marine Environment & Water Industry

Brussels, 11/12/2014
MM/MMa/bp Ares(2014)

Subject: Reply to Reviewed Draft Offshore Action Plan

Dear Mr. Pace,

In reply to the Circular Letter No 18/2014, we would like to thank you for the opportunity to comment on the draft Action Plan for the implementation of the Offshore Protocol.

We gratefully take note of the fact that some of our remarks submitted on 13 June 2014 have been considered, but there are still open issues.

The Action plan should in principle cover the entirety of the articles of the Protocol. Where this is not done, for the sake of transparency, explanations should be provided. In the current text it is not clear which Articles of the Protocol are covered by the various specific objectives. While it is necessary to take into account parallel processes and activities in other international fora and avoid duplications, the Offshore Protocol and the Barcelona Convention priorities should prevail in this process.

While we take note of the objective on public participation, not covered by the Protocol but which we explicitly support, we regret the omission of liability and compensation issues from the objectives. The discussions on such issues of the Working Group of June 2014 (reflected in §29-30 of the meeting report) are not reflected in the draft Action Plan. The Barcelona Convention has already collaborated with high level experts in this respect and the EU Commission services have carried out a number of related studies recently. These address, *inter alia*, differences in the civil liability regimes of EU Member States and the EU regulations on how to deal with these differences, should there be a transboundary accident. Cooperation and coordination of Parties with a view to implementing Article 27 of the Offshore Protocol should be an integral part of the Action Plan. For example, it would be good to agree to work towards common standards/guidelines on liability, compensation and financial responsibility, as large spills are likely to affect the environment and many businesses in different countries in the Med. Such work could be undertaken under Specific Objectives 7 & 8.

In specific objective 2, p.6 item c, please include reference to EMSA: "...to establish institutional cooperation with various relevant regional and global institutions, initiatives, and, at an operational level, to identify and make use of possible synergies with the ongoing activities of the European Maritime Safety Agency..."


References to review of the Protocol in specific objective 7 should be modified or removed; possible proposals for review could come from the Coordinating Unit, following analysis. If the Parties feel that a comprehensive overview and possible amendment of the Offshore Protocol are advisable, a related work item under the Governance Framework could be inserted. Concerning technical annexes in particular, any review should involve all relevant UNEP/MAP components and adequately reflect the Ecosystem Approach objectives and targets.

Concerning specific objective 8, we believe that the regional guidelines should cover all potential environmental impacts from offshore activities; air emissions, noise, fisheries and marine environment monitoring mentioned as research topics (appendix 4) should be integrated in objective 8. Impacts on marine biodiversity and sea floor integrity and marine litter should also be included. In appendix 4 a research and development topic could be: other (than those addressed in specific objective 8) potential environmental impacts from offshore activities.

Concerning monitoring (specific objective 9) we believe that operators have a role to play and a contribution to make, and this should be reflected in the Action Plan.

We look forward to a revised draft taking into account the above points and to our continued collaboration in drafting and implementation of the Offshore Action Plan in the Mediterranean.

Yours sincerely,



Matjaz MALGAJ

Cc: Gaetano Leone, Executive Secretary of Barcelona Convention; Marijana Mance(ENV); Michail Papadoyannakis (ENV); Ivan Pearson (ENER); Joerg Koehli (ENER); Maik Schmahl (MOVE); Asta Mackeviciute(ECHO)

APPENDIX 3

**COMMENTS OF THE COMPANY NOBLE ENERGY ON THE
REVIEWED DRAFT OFFSHORE PROTOCOL ACTION PLAN**

Introduction

The following comments have been submitted by the oil and gas company Noble Energy in accordance with the recommendation of the 4th Meeting of the Ecosystem Approach (EcAp) Coordination Group, Athens, 9-10 October 2014.

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Mr. Jonathan Pace
Officer in charge/ Head of Office
REMPEC
Maritime House, Lascaris Wharf
Valleta VLT 1921
Malta

REF: Circular Letter No. 18/2014: Reviewed Draft Action Plan

Dear Mr. Pace:

This letter is written to express Noble Energy's appreciation to the offshore action plan development process initiated by REMPEC and UNEP/MAP. As a company that is operating in the Mediterranean since 1998, Noble recognizes the value in developing comprehensive standards for the environmental management of the marine environment that will enable the protection and preservation of the region.

In this regard and in response to the above referenced Circular Letter No. 18/2014, Noble Energy is pleased to provide the following comments to the Reviewed Draft of the Offshore Action adopted by the 3rd Offshore Protocol Working Group, Malta, 17-18 June 2014.

- In line with **Specific objective 2**, Noble encourages the participation of industry technical experts as observers to OFOG and OFOG sub-groups meetings.
The above comment is also in line with principal (f) - **public participation and stakeholder involvement** as drafted in section I.5
- In line with **Specific objective 6**, i.e. the enhancement of regional transfer of technology: Noble technical experts can contribute to the objectives outlined in the draft document and appendix 4.
- In line with **specific objective 7 and 8**, Noble can assist with the development of regional offshore guidelines and standards on environmental impact assessment, hazardous materials, safety, standards for qualification, etc.

- In line with **specific objective 9**, Noble Technical experts have been developing integrated monitoring and assessment standards and procedures for its drilling, development and production projects in the Mediterranean. Noble has collected environmental data (including physical oceanography, geology, chemistry and biology) from the eastern Mediterranean basin and will consider sharing this data and offering Noble expertise in offshore monitoring with the secretariat whenever possible.

We request your assistance in keeping us informed as efforts in this initiative progress and we will look forward to participating in future meetings in this regard.

Sincerely



Ken Fucik

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