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Regional Meeting on NAPs Implementation – Lessons learned and the way forward

Marseille, France, 17-18 October 2016

Agenda item 5: Potential new/updated measures to achieve GES on pollution and litter

Regional Programme of Measures to achieve Good Environmental Status; Overview of gap analysis and proposals for new/updated measures

The meeting has been organized in collaboration with the EU-funded Regional Project “SWIM and Horizon 2020 Support Mechanism”



SWIM and Horizon 2020 Support Mechanism

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I. Introduction

1. As requested under the Decision IG. 21.3 of the 18th Meeting of the Contracting Parties, the Secretariat undertook gap analysis of the measures adopted and implemented under the Barcelona Convention/ Protocols relevant for the achievement or maintenance of good environmental status (GES) of the Mediterranean Sea. Subject to the analysis were management measures *undertaken on a common regional basis and, where appropriate, with specific time limits for completion, with the overall aim of achieving the good environmental status of the Mediterranean coast and sea.*

2. The gap analyses focused on the existing measures¹ contributing to the implementation of the Barcelona Convention and its Protocols on both regional and national levels, linking them to EcAp ecological objectives (EOs) and targets, and identifying the main shortcomings of the existing framework and its implementation to deliver the GES. The findings were presented in the UNEP(DEPI)/MED WG.401/5 Initial Gap Analysis and UNEP(DEPI)/MED WG.420/5 Ecosystem Approach based Measures Gap Analysis.

3. As provided for in the in the UNEP/ MAP Programme of Work (PoW) 2016-2017 – strategic outcome 2.2 Development or update of new/existing action plans, programmes and measures, common standards and criteria, guidelines – the work on identification of gaps continued in collaboration with the EU-funded ActionMed Project², presented as information document (UNEP(DEPI)/MED WG.426/Inf.3). The aim of this analysis was to review the main stressors and impacts on the Mediterranean Sea, examine the existing measures at regional level and identify further actions that are required in order to reach GES, including strengthening of implementation and enforcement of existing measures or adoption of additional new measures. The main analytical steps were to:

- a) Identify main pressures and drivers;
- b) List the measures adopted at regional level (to address pressures);
- c) Assess measures' efficiency;
- d) Identify gaps i.e. assess whether measures have the capacity to bridge the gap between the GES and current situation.

4. This analysis drew from the Secretariat's previous gap analyses, 2012 State of the Mediterranean Marine and Coastal Environment Report (SoER-MED)³, UNEP/ MAP marine litter assessment⁴, Horizon 2020 Mediterranean Report – Toward shared environmental information systems⁵ and other available sources of information. For the assessment of socio-economic issues, Plan Bleu's report⁶ on the uses of coastal and marine waters in the Mediterranean (Socio-Economic Report) was used.

5. This paper was developed in order to:

- provide a brief overview of the key findings from the UNEP/ MAP and ActionMed **Regional Programme of Measures (PoM) Analysis** (UNEP(DEPI)/MED WG.426/Inf.3), taking also

¹ Including: i) measures adopted and implemented, for which time limits for their completion have been reached; ii) measures adopted but not yet implemented, for which time limits for their completion have not been yet reached; and iii) measures covering issues linked to EcAp environmental objectives, but not going far enough for target achievement.

² Action Plans for Integrated Regional Monitoring Programmes, Coordinated Programmes of Measures and Addressing Data and Knowledge Gaps in Mediterranean Sea

³ State of the Mediterranean Marine and Coastal Environment, UNEP/MAP – Barcelona Convention, Athens, 2012

⁴ Marine Litter Assessment in the Mediterranean, UNEP/MAP, Athens, 2015

⁵ Horizon 2020 Mediterranean Report –Toward shared environmental information systems, EEA-UNEP/MAP joint report, 2014

⁶ Economic and social analysis of the uses of the coastal and marine waters in the Mediterranean, Plan Bleu, Valbonne, 2014

into account **Scoping report for the socio-economic assessment of selected potential new measures** (UNEP(DEPI)/MED WG.426/Inf.4);

- outline a possible approach for preparing the regional PoM to achieve GES on pollution and litter⁷, as appropriate;
- outline the types and scope of potential new/ updated measures (with an indication of possible measures) to foster discussion on the new/ strengthened regional PoM needed to bridge the identified gaps in achieving GES.

II. The main findings of the gap and regional PoM analyses

6. The so far analyses concluded that pollution and litter related pressures were well covered by the set of Barcelona Convention legal instruments, policies and plans (including Protocols, Regional Plans, strategic action plans, standards, guidelines and others), all prescribing implementation of various measures – legal, technical, economic, etc. – at regional and national levels. Nevertheless, analysis of the main pressures and current state of marine environment highlighted several areas with growing pressures (current or expected) and pollution trends that did not show convergence with GES targets. The analyses concluded these could be attributed to two types of situations:

- the existing regional measures were sufficient to reach the GES, but their implementation was lagging behind;
- the existing measures were not sufficient to bridge the gap between current environmental status and the GES, and new measures were needed.

7. The main gaps identified for pollution and litter related ecological objectives and targets can be overall summarised as follows:

Main gaps (implementation gaps or lack of measures)	Link with pressures
Insufficient coverage, level of treatment and operational efficiency of WWT systems	N, C
Lack of performance standards and guidelines for key economic sectors contributing to marine and coastal environmental pollution such as agriculture, aquaculture etc.	N, C
Insufficient measures to address atmospheric depositions and inputs of nutrients and contaminants through storm water/ runoff	N, C
Inadequate solid waste management (including lack of measures to ensure decoupling of waste generation from economic growth, circular economy)	C, ML
Insufficient implementation/ enforcement of existing measures to eliminate key contaminants	C
There is no list of emerging contaminants	C
Existing research, monitoring and assessment programmes are not sufficient for informed policy making and efficient management of marine pollution	N, C, ML
Existing measures do not address plastics and microplastics sufficiently	ML
There is a lack of specific measures on cigarette butts	ML
Lack of resource efficiency and insufficient use of economic instruments	N, C, ML

N = Nutrients (eutrophication); C = Contaminants; ML = Marine litter

8. In addition to the above, there are some identified gaps for cross-cutting issues that are also relevant for pollution and litter management. Cross-cutting issues refer to climate change, sustainable consumption and production (SCP), and integrated coastal zone management (ICZM). Pollution relevant gaps in these areas include Green Infrastructure/ nature based solutions, application of tools to

⁷ Relevant ecological objectives are EO 5 (eutrophication), EO 9 (contaminants) and EO 10 (marine litter).

minimise unsustainable practices in sectors such as agriculture and fisheries, maritime spatial planning, and the need to better use market-based instruments.

III. Proposed approach to preparing/updating Regional PoM

9. Basic assumption of the approach outlined herewith is that the Regional PoM builds on existing regional legal framework of the UNEP/MAP-Barcelona Convention and countries national measures taken to achieve their regionally set objectives, however it should further encompass measures with potential to bridge the identified gaps towards achievement of GES as regards:

- Gaps in the legal and policy framework of the Barcelona Convention (when the existing legal instruments, strategies, plans, standards and targets are not reflecting EcAp targets sufficiently and not encompassing all the possible measures); and
- Gaps in the implementation of various existing measures (when existing measures are assessed as sufficient to deliver GES, but they are not implemented adequately and are thus not likely to deliver existing targets by envisaged completion date).

10. It is further considered that implementation gaps can be to a large extent attributed to the:

- Knowledge and data gaps; and
- Management and/ or capacity gaps i.e. lack of technical, financial and human/ organizational means to achieve GES.

11. The approach and preliminary proposal on the scope of potential new/ updated measures contained in this paper should be understood as an initial step towards development of a Regional PoM to achieve the GES on pollution and litter. Further work, including consultations and refinement/ specification are needed to come to a final Regional PoM through an iterative process, taking up new information as it will become available (e.g. results of the cost-effectiveness analysis for selected measures).

12. In drafting the current paper, an effort was made to address priority pressures, sources and impacts in all the areas where gaps have been identified. Different types of measures were considered. Measures that are ultimately implemented on the national level but with potential for coordinated and/ or joint implementation on the sub-regional or regional level were also considered.

13. For the deliberations presented in this paper as well as for future work on the Regional PoM to reach GES for pollution and litter related EO s and targets, the following selection criteria (questions) have been/ should be used, to the extent possible, in identifying and selecting the PoM:

- a) (measure is proposed for issues/ sources/ pressures where) State of the environment data indicates deviation from GES target OR There is evidence that the trends are not improving or deteriorating at regional and/ or sub-regional level;
- b) Significance of the driver (source)/ pressure/ impact the measure is addressing;
- c) (knowledge/ information on) Social, economic and environmental impacts of measures;
- d) Potential of measure to bridge the gap between current status and GES;
- e) Potential for coordinated and/ or joint implementation on either regional or sub-regional level;
- f) Multiple effects (measure has the potential to address several pressures/ sources/ impacts);
- g) Relevance for other policies (e.g. biodiversity, climate change), EU legislation where appropriate, relevant global Conventions;
- h) Technical feasibility of measures; and
- i) (knowledge/ information on) Cost-effectiveness and/ or cost-benefit analysis of measures.

14. Based on the above criteria, the Secretariat made an effort to prepare Annex 1 to this document for indicative purposes, on the scope of potential new/updated regional measures

15. An indicative list of potential new/ updated regional measures to achieve pollution and litter related GES has been compiled based on the findings of the gap and Regional PoM analyses and is presented in Annex 1. The list was developed having in mind the identified gaps, key pressures, sources and impacts, and by a rough screening (to the extent current information allowed) of possible measures against the criteria listed above. Different groups of measures are included and annotations provided for each category (outlining possible areas to be addressed and/ or specific measures for each category) to guide and facilitate discussion.

IV. The way forward

16. The process of reviewing, preparing and deciding on the new/ updated regional measures may involve several steps:

- a) The first discussion at the present NAP meeting to provide overall guidance on the proposed criteria for identifying and selecting new measures for key potential sectors/ categories of substances
- b) Further work by the Secretariat for a more concrete proposal with an elaborated rationale/ justification by the next MEDPOL FP meeting taking also into account the current work under the 2016-2017 PoW to prepare updated guidelines on dumping of dredged materials, artificial reefs, desalination and PRTR, as well as the main findings of the assessment of technical annexes of the pollution related protocols of the Barcelona Convention *vis a vis* the most recent developments at regional and global levels as appropriate.
- c) The outcome of the MEDPOL FP meeting in 2017 will be submitted for review by the MAP FP through the ECAP Coordination Group for further guidance and as appropriate mandate may be given to the Secretariat to undertake feasibility studies for some priority new/updated regional measures during the 2018-2019 biennium. The feasibility studies will address the technical viability of such measures, their expected impact on GES, socio-economic impacts as well as potential costs and benefits, where appropriate.
- d) Based on the findings of the feasibility studies in 2019, and the recommendations of the MEDPOL FP, ECAP Coordination Group and MAP FP, COP 21 may mandate the elaboration during 2020-2021 of concrete new/updated measures, as appropriate, for COP 22 consideration, taking also into account the report of the evaluation of the implementation of the currently existing regional measures/Regional Plans.

Annex I
Indicative list of potential new/ updated regional measures to achieve pollution and litter related
GES

Indicative list of potential new/ updated regional measures to achieve pollution and litter related GES

No	Categories of measures	Relevant EOs
1	<p>Construction and upgrades/ improvements of wastewater treatment systems (for urban and industrial waste water)</p> <p>Under this category, a set of measures could be considered, mainly to strengthen implementation of the Regional Plans. Possible areas/ issues to be addressed by new/ updated measures include:</p> <ul style="list-style-type: none"> - Quantifiable targets for different treatment levels - Standards on WWTPs efficiency - Strengthening of capacities for construction and operation of WWTPs, including uptake of new technologies - Economic analysis of water use, cost recovery - Targets for reuse of treated wastewater - Industrial wastewater, including pre-treatment 	EO5, EO9
2	<p>Measures to reduce pollution from agriculture</p> <p>Possible new/ updated measures:</p> <ul style="list-style-type: none"> - Stricter technical guidelines and management standards (or Regional Plan) to tackle inputs from agriculture - Promotion of more sustainable farming practices, in line with the SCP Action Plan 	EO5, EO9
3	<p>Measures to reduce pollution from aquaculture</p> <p>Possible new/ updated measures:</p> <ul style="list-style-type: none"> - Stricter technical guidelines and management standards (or Regional Plan) to tackle inputs from aquaculture - Use of maritime spatial planning and strengthened permitting procedures to ensure aquaculture activities are adequately planned and developed sustainably 	EO5, EO9
4	<p>Remediation of contaminated sites</p> <p>New/ updated measures could be considered to strengthen implementation of the relevant Regional Plans on remediation of sites contaminated through industrial activities and/ or inadequate management of hazardous wastes</p>	EO9
5	<p>Measures to ensure elimination of key contaminants</p> <p>Possible new/ updated measures and/ or areas to be addressed include:</p> <ul style="list-style-type: none"> - Strengthened permitting, inspection and prosecution capacities for enforcement of marine pollution legislation - Strengthened implementation of measures for elimination of mercury inputs and adoption of strict measures for lead inputs - Development of measures to reduce inputs of contaminants through atmospheric depositions - Stricter technical guidelines and management standards (or Regional Plan) to tackle inputs from desalination and tanneries - Further alignment of the Dumping Protocol Annexes and Guidelines with the international legislation (London Protocol) 	EO9
6	<p>Measures to prevent or reduce pollution from storm water/ runoff from urban areas and infrastructure</p>	EO5, EO9

	<p>Possible areas/ issues to be addressed by new/ updated measures include:</p> <ul style="list-style-type: none"> - Strengthened implementation of existing measures on separate collection of storm water - Green Infrastructure and nature based solutions 	
7	<p>Measures to improve solid waste management</p> <p>The following could be considered for development of new/ updated measures:</p> <ul style="list-style-type: none"> - Adoption of quantifiable targets and development of appropriate measures at regional level to ensure adequate treatment of all the collected wastes, cost recovery issues and strengthened role and capacities of local authorities for solid waste management - Uptake of new solid waste management technologies - Waste prevention at source, better integration of SCP principles and measures, decoupling waste generation from economic growth, adoption and implementation of circular economy strategies 	EO 9, EO10
8	<p>Measures to address marine litter</p> <p>Possible areas/ issues to be addressed by new/ updated measures include:</p> <ul style="list-style-type: none"> - Determination/ adoption of quantifiable marine litter reduction targets for priority items - Reduction/ recycling/ prevention of plastics (examples of possible measures: adoption of recycling targets, promotion of sustainable consumption patterns, replacement of plastics with bioplastics where feasible, common definition of microplastics, preventing/ reducing use of microplastics (microbeads) in personal care and cosmetics products, and similar) - Prevention/ retrieval of lost/discarded fishing gear (further elaboration of measures, strengthened implementation) - Fishing for litter (strengthened implementation) - Feasibility and effectiveness of establishing a harmonized port fee system (to ensure removal of incentives for waste disposal at sea, level playing field between ports, cost coverage and maintenance of incentives for waste minimization) - Enhanced partnerships, training and awareness raising activities - Implementation of measures to reduce incidence of cigarette butts in marine environment, including provision of adequate facilities and signs on organised beaches, awareness raising and clean-up activities - Cleaning activities targeting riverbanks 	EO10
9	<p>Measures providing economic incentives to those using marine environment to reduce pollution and litter</p> <p>Possible areas/ issues to be addressed by new/ update measures:</p> <ul style="list-style-type: none"> - Water and waste management tariff reforms - Implementation of water pollution charges (e.g, for food industry) - Incentives for modern irrigation water savings techniques - Application of plastic bag tax 	EO5, EO9, EO10
10	<p>Research, improvement of knowledge base, monitoring and assessments</p> <p>Possible areas/ issues to be addressed by new/ updated measures include:</p> <ul style="list-style-type: none"> - Monitoring programmes, harmonised indicators; sub-regional eutrophication modelling tools, trans-boundary cooperation - Updated list of priority contaminants to take into account 'emerging pollutants' such as pharmaceuticals, nano-materials etc. 	EO5, EO9, EO10

	<ul style="list-style-type: none">- Establishment of a regional PRTR (Pollution Release and Transfer Register) with continuous, regular and reliable reporting- Develop research, monitoring and assessment programmes for marine litter- Valuation of ecosystem services , assessment of cost of degradation of marine environment- Strengthening of capacities for the assessment of socio-economic impacts of marine litter, primarily for tourism, fishing and aquaculture	
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