

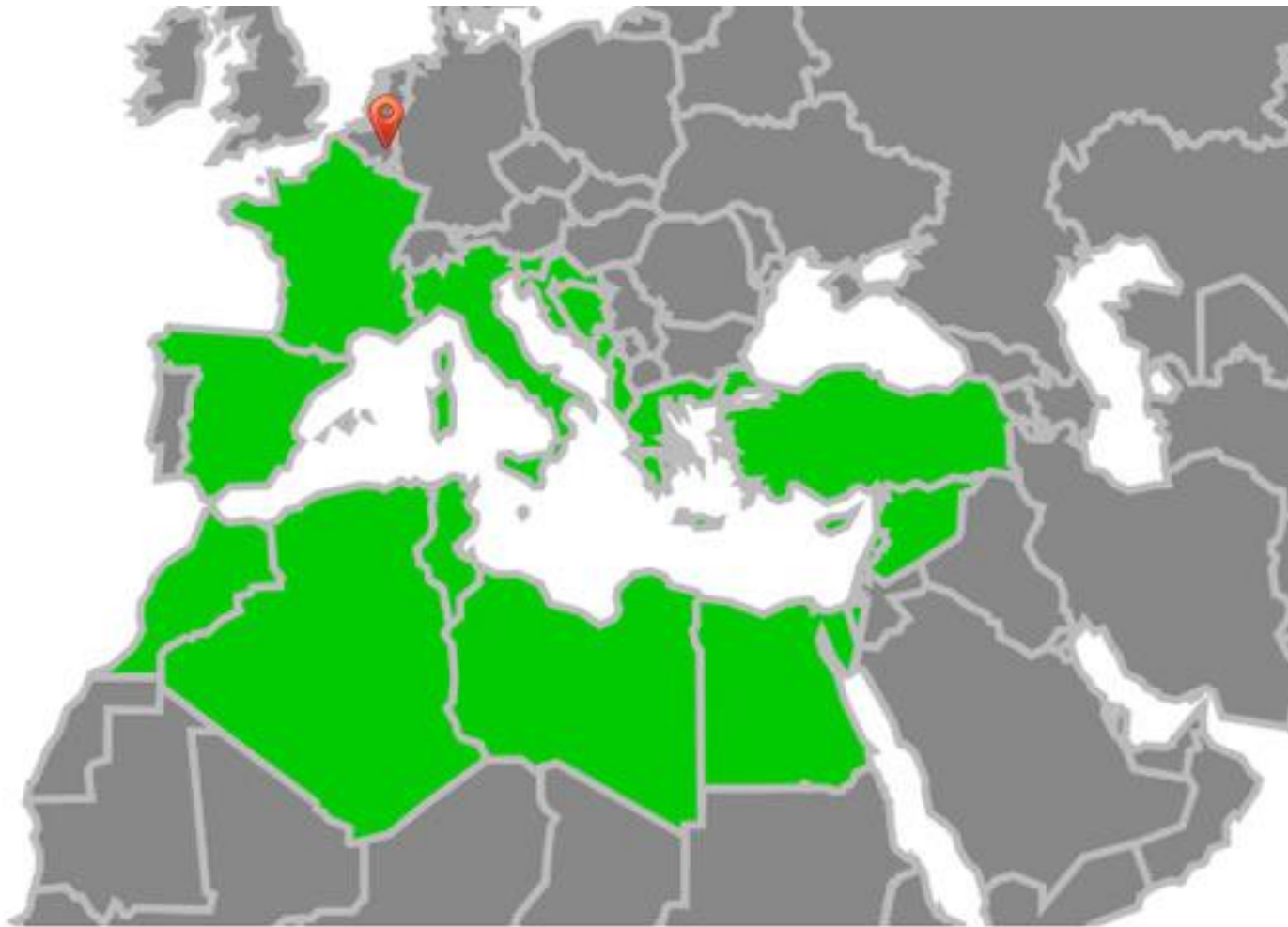
The Mediterranean model

Professor Irini Papanicolopulu
Università di Milano-Bicocca

Singapore, 15 January 2019

22 Parties

Albania	Libya
Algeria	Malta
Bosnia and Herzegovina	Monaco
Croatia	Montenegro
Cyprus	Morocco
Egypt	Slovenia
France	Spain
Greece	Syrian Arab Republic
Israel	Tunisia
Italy	Turkey
Lebanon	European Union



Political context

- EU (9)
- Arab League (8)
- African Union (4)

- NATO (7)
- G7 (2)

The accession of [State A] to these two Covenants shall in no way signify recognition of [State B] or entry into a relationship with it regarding any matter regulated by the said two Covenants.

Med governance

Marine environmental governance in the Mediterranean Sea has 2 components:

- Policy component:
 - Mediterranean Action Plan (MAP II)
- Legal Component:
 - Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention)
 - 7 Protocols

History

- 1972: Stockholm Conference
- 1975: Mediterranean Action Plan (MAP) adopted by Med coastal States and EEC
- 1976: Barcelona Convention and Protocols
- 1992: UNCED
- 1993-1995: revision of the framework
- 1995: MAP II and revised Barcelona Convention and Protocols

Structure

- Parties (CoP)
- Bureau
 - Rotating, 6 State representatives, guidance on the implementation of the programme of work
- Secretariat
- RACs (operational)
- Mediterranean Commission on Sustainable Development (MCSD)
 - 40 members (government representatives, local authorities, socioeconomic actors, IGOs, and NGOs)
- Compliance Committee
 - 7+7 members

RACs

- Mediterranean Pollution Assessment and Control Programme (MED POL)
- Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)
- Plan Bleu Regional Activity Centre (PB/RAC)
- Priority Actions Programme Regional Activity Centre (PAP/RAC)
- Specially Protected Areas Regional Activity Centre (SPA/RAC)
- Regional Activity Centre for Sustainable Consumption and Production (SCP/RAC)
- Regional Activity Centre for Information and Communication (INFO/RAC)

Protocols

- dumping (1976, amended 1995)
- prevention of pollution from ships and emergencies (1976, replaced 2002)
- land-based pollution (1980, amended 1996)
- specially protected areas and biodiversity (1982, replaced 1995)
- offshore activities (1994)
- hazardous wastes (1996)
- integrated coastal zone management (ICZM) (2008)

Signatures and Ratifications of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols as at 20 September 2018 (last notification received).

Contracting Parties	1976 Barcelona Convention - 1/				1976 Dumping Protocol - 2/			1976 Emergency Protocol - 3/		
	Signature	Ratification	Acceptance of 1995 Amendments	Entered into force	Signature	Ratification	Acceptance of 1995 Amendments	Signature	Ratification	Entered into force
Albania	-	30.05.90/AC	26.07.01	09.07.04	-	30.05.90/AC	26.07.01	-	30.05.90/AC	29.06.90
Algeria	-	16.02.81/AC	09.06-04	09.07.04	-	16.03.81/AC	-	-	16.03.81/AC	15.04.81
Bosnia and Herzegovina	-	22.10.94/SUC	-	-	-	22.10.94/SUC	-	-	22.10.94/SUC	01.03.92
Croatia		12.06.92/SUC	03.05.99	09.07.04	-	12.06.92/SUC	03.05.99	-	12.06.92/SUC	08.10.91
Cyprus	16.02.76	19.11.79	18.07.03	09.07.04	16.02.76	19.11.79	18.07.03	16.02.76	19.11.79	19.12.79
European Union	13.09.76	16.03.78/AP	12.11.99	09.07.04	13.09.76	16.03.78/AP	12.11.99	13.09.76	12.08.81/AP	11.09.81
Egypt	16.02.76	24.08.78/AP	11.02.00	09.07.04	16.02.76	24.08.78/AP	11.02.00	16.02.76	24.08.78/AC	23.09.78
France	16.02.76	11.03.78/AP	29.03.01	09.07.04	16.02.76	11.03.78/AP	29.03.01	16.02.76	11.03.78/AP	10.04.78
Greece	16.02.76	03.01.79	10.03.03	09.07.04	11.02.77	03.01.79	-	16.02.76	03.01.79	02.02.79
Israel	16.02.76	03.03.78	29.09.05	29.10.05	16.02.76	01.03.84	-	16.02.76	03.03.78	02.04.78
Italy	16.02.76	03.02.79	07.09.99	09.07.04	16.02.76	03.02.79	07.09.99	16.02.76	03.02.79	05.03.79
Lebanon	-	08.11.77/AC	22.04.09	22.05.09	-	08.11.77/AC	-	-	08.11.77/AC	12.02.78
Libya	31.01.77	31.01.79	12.01.09	11.02.09	31.01.77	31.01.79	-	31.01.77	31.01.79	02.03.79
Malta	16.02.76	30.12.77	28.10.99	09.07.04	16.02.76	30.12.77	28.10.99	16.02.76	30.12.77	12.02.78
Monaco	16.02.76	20.09.77	11.04.97	09.07.04	16.02.76	20.09.77	11.04.97	16.02.76	20.09.77	12.02.78
Montenegro	-	19.11.07	19.11.07	19.12.07	-	-	-	-	-	-
Morocco	16.02.76	15.01.80	07.12.04	06.01.05	16.02.76	15.01.80	05.12.97	16.02.76	15.01.80	15.02.80
Slovenia	-	16.09.93/AC	08.01.03	09.07.04	-	16.09.93/AC	08.01.03	-	16.09.93/AC	15.03.94
Spain	16.02.76	17.12.76	17.02.99	09.07.04	16.02.76	17.12.76	17.02.99	16.02.76	17.12.76	12.02.78
Syria	-	26.12.78/AC	10.10.03	09.07.04	-	26.12.78/AC	11.04.08	-	26.12.78/AC	25.01.79
Tunisia	25.05.76	30.07.77	01.06.98	09.07.04	25.05.76	30.07.77	01.06.98	25.05.76	30.07.77	12.02.78
Turkey	16.02.76	06.04.81	18.09.02	09.07.04	16.02.76	06.04.81	18.09.02	16.02.76	06.04.81	06.05.81

Accession = AC

Approval = AP

Succession = SUC

* pending notification from Depository country

Contracting Parties	2002 Prevention and Emergency Protocol - 4/			1980 Land-Based Sources Protocol - 5/				1982 Specially Protected Areas Protocol - 6/		
	Signature	Ratification	Entered into force	Signature	Ratification	Acceptance of 1996 Amendments	Entered into force	Signature	Ratification	Entered into force
Albania	-	-	-	-	30.05.90/AC	26.07.01	11.05.08	-	30.05.90/AC	29.06.90
Algeria	25.01.02	14.11.16	14.12.16	-	02.05.83/AC	-	-	-	16.05.85/AC	23.03.86
Bosnia and Herzegovina	-	-	-	-	22.10.94/SUC	-	-	-	22.10.94/SUC	01.03.92
Croatia	25.01.02	01.10.03	17.03.04	-	12.06.92/SUC	11.10.06	11.05.08	-	12.06.92/SUC	08.10.91
Cyprus	25.01.02	19.12.07	18.01.08	17.05.80	28.06.88	18.07.03	11.05.08	-	28.06.88/AC	28.07.88
European Union	25.01.02	26.05.04	25.06.04	17.05.80	07.10.83/AP	12.11.99	11.05.08	30.03.83	30.06.84/AP	23.03.86
Egypt	-	-	-	-	18.05.83/AC	-	-	16.02.83	08.07.83	23.03.86
France	25.01.02	02.07.03	17.03.04	17.05.80	13.07.82/AP	29.03.01/AP	11.05.08	03.04.82	02.09.86/AP	02.10.86
Greece	25.01.02	27.11.06	27.12.06	17.05.80	26.01.87	10.03.03	11.05.08	03.04.82	26.01.87	25.02.87
Israel	22.01.03	10.09.14	10.10.14	17.05.80	21.02.91	19.06.09	19.07.09	03.04.82	28.10.87	27.11.87
Italy	25.01.02	30.06.16	30.07.16	17.05.80	04.07.85	07.09.99	11.05.08	03.04.82	04.07.85	23.03.86
Lebanon	-	3.11.17/AC	03.12.17	17.05.80	27.12.94	-	-	-	27.12.94/AC	26.01.95
Libya	25.01.02	-	-	17.05.80	06.06.89/AP	-	-	-	06.06.89/AC	06.07.89
Malta	25.01.02	18.02.03	17.03.04	17.05.80	02.03.89	28.10.99	11.05.08	03.04.82	11.01.88	10.02.88
Monaco	25.01.02	03.04.02	17.03.04	17.05.80	12.01.83	26.11.96	11.05.08	03.04.82	29.05.89	28.06.89
Montenegro	-	19.11.07	19.12.07	-	19.11.07/AC	19.11.07	11.05.08	-	-	-
Morocco	25.01.02	26.04.11	26.05.11	17.05.80	09.02.87	02.10.96	11.05.08	02.04.83	22.06.90	22.07.90
Slovenia	25.01.02	16.02.04	17.03.04	-	16.09.93/AC	08.01.03	11.05.08	-	16.09.93/AC	15.03.94
Spain	25.01.02	10.07.07	09.08.07	17.05.80	06.06.84	17.02.99	11.05.08	03.04.82	22.12.87	21.01.88
Syria	25.01.02	11.04.08	11.05.08	-	01.12.93/AC	11.04.08	11.05.08	-	11.09.92/AC	11.10.92
Tunisia	25.01.02	-	-	17.05.80	29.10.81	01.06.98	11.05.08	03.04.82	26.05.83	23.03.86
Turkey	-	03.06.03	17.03.04	-	21.02.83/AC	18.09.02	11.05.08	-	06.11.86/AC	06.12.86

Accession = AC

Approval = AP

Succession = SUC

Basic obligations

- prevent, abate, combat and to the fullest possible extent eliminate pollution
- protect and enhance the marine environment so as to contribute towards its sustainable development
- mandatory application of:
 - precaution
 - polluter pays
 - EIA
 - cooperation
 - integrated management of coastal zones
- use of the best available techniques and best environmental practices

Scope

Article 1 – Geographical coverage

1. For the purposes of this Convention, the Mediterranean Sea Area shall mean the maritime waters of the Mediterranean Sea proper, including its gulfs and seas, bounded to the west by the meridian passing through Cape Spartel lighthouse, at the entrance of the Straits of Gibraltar, and to the east by the southern limits of the Straits of the Dardanelles between Mehmetcik and Kumkale lighthouses.
2. The application of the Convention may be extended to coastal areas as defined by each Contracting Party within its own territory.
3. Any Protocol to this Convention may extend the geographical coverage to which that particular Protocol applies.

Scope LBS Protocol

Article 3

The area to which this Protocol applies (hereinafter referred to as the “Protocol Area”) shall be:

- (a) The Mediterranean Sea Area as defined in article 1 of the Convention;
- (b) The hydrologic basin of the Mediterranean Sea Area;
- (c) Waters on the landward side of the baselines from which the breadth of the territorial sea is measured and extending, in the case of watercourses, up to the freshwater limit;
- (d) Brackish waters, coastal salt waters including marshes and coastal lagoons, and ground waters communicating with the Mediterranean Sea.

Non-parties

Article 3(4)

4. The Contracting Parties shall take individual or joint initiatives compatible with international law through the relevant international organizations to encourage the implementation of the provisions of this Convention and its Protocols by all the nonparty States.

Military activities

Article 3(5)

5. Nothing in this Convention and its Protocols shall affect the sovereign immunity of warships or other ships owned or operated by a State while engaged in government non-commercial service. However, each Contracting Party shall ensure that its vessels and aircraft, entitled to sovereign immunity under international law, act in a manner consistent with this Protocol.

Compliance

- Compliance Committee
- Created in 2008
- 7+7 experts
- Observers (SPs, Non-P, IGOs, NGOs)
- Non confrontational, non judicial, transparent, cost effective and preventive in nature, simple, flexible, and oriented in the direction of helping parties to comply with and implement the provisions
- Guided by “due process”
- Mandate:
 - Specific cases of actual/potential non-compliance (role as facilitator, sanctions by MoP)
 - General non-compliance issues
- Trigger mechanism:
 - State party
 - Secretariat

Thank you!

irini.papanicolopulu@unimib.it