The Mediterranean model

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22 Parties

Albania
Algeria
Bosnia and Herzegovina
Croatia
Cyprus
Egypt
France
Greece
Israel
Italy
Lebanon

Libya
Malta
Monaco
Montenegro
Morocco
Slovenia
Spain
Syrian Arab Republic
Tunisia
Turkey
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.
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: Mediterraneanean 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)
- 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).

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Approval = AP  
Succession = SUC  

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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.
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!

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