



The Compliance Committee under the Barcelona Convention and its Protocols: An evaluation mechanism of international commitments and policies



**Mediterranean
Action Plan**
Barcelona
Convention

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UNEP/MAP-Barcelona Convention system

- An advanced **legal and regulatory framework** covering essential prerequisites for a healthy Mediterranean Sea and Coast (**Barcelona Convention and its seven Protocols**).
- A robust **institutional framework** (the first Regional Seas Programme under UNEP) with the Coordinating Unit (in Athens) and MAP components.
- An **implementation framework** underpinning enforcement by the Contracting Parties:
 - ✓ Provision of science-based assessments, technical guidelines and tools, capacity-building;
 - ✓ Implementation of up-scalable projects in priority areas.



UNEP/MAP-Barcelona Convention system

| Background | Protocols | Institutional Framework |
|--|--|--|
| <ul style="list-style-type: none">• adopted in 1976 by Mediterranean countries and the European Community as the legal basis for international cooperation in protecting the Mediterranean environment.• in 1995 the Barcelona Convention was amended broadening its field of application beyond marine pollution control and providing for the application of the principles embodied in the instruments adopted by the 1992 Rio Conference. | <ul style="list-style-type: none">• protocol for the Prevention of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft• protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea• protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities• protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean• 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• protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal• protocol on Integrated Coastal Zone Management in the Mediterranean | <ul style="list-style-type: none">• The Contracting Parties decide on MAP policy, strategies, programme of work, and budget at their ministerial-level meetings held every two years. They appoint Focal Points to review the progress of work and ensure the implementation of recommendations at the national level.• The Compliance Committee provides recommendations on the implementation of the Barcelona Convention and its Protocols to the Contracting Parties.• The Mediterranean Commission on Sustainable Development (MCSD) is an advisory body involving representatives of the Contracting Parties, local authorities, NGOs, socio-economic stakeholders, the scientific community, IGOs, as well as experts on issues on the MCSD's agenda. |

Barcelona Convention: Legal Instruments

| | Albania | Algeria | Bosnia and Herzegovina | Croatia | Cyprus | European Union | Egypt | France | Greece | Israel | Italy | Lebanon | Libya | Malta | Monaco | Montenegro | Morocco | Slovenia | Spain | Syrian Arab Republic | Tunisia | Turkey |
|---|---------|---------|------------------------|---------|--------|----------------|-------|--------|--------|--------|-------|---------|-------|-------|--------|------------|---------|----------|-------|----------------------|---------|--------|
| Barcelona Convention | | | | | | | | | | | | | | | | | | | | | | |
| and Amendments | | | | | | | | | | | | | | | | | | | | | | |
| Dumping Protocol | | | | | | | | | | | | | | | | | | | | | | |
| and Amendments | | | | | | | | | | | | | | | | | | | | | | |
| Emergency Protocol | | | | | | | | | | | | | | | | | | | | | | |
| Prevention and Emergency Protocol | | | | | | | | | | | | | | | | | | | | | | |
| LBS Protocol | | | | | | | | | | | | | | | | | | | | | | |
| and Amendments | | | | | | | | | | | | | | | | | | | | | | |
| SPA Protocol | | | | | | | | | | | | | | | | | | | | | | |
| SPA and Biodiversity Protocol and Annexes | | | | | | | | | | | | | | | | | | | | | | |
| Offshore Protocol | | | | | | | | | | | | | | | | | | | | | | |
| Hazardous Wastes Protocol | | | | | | | | | | | | | | | | | | | | | | |
| ICZM Protocol | | | | | | | | | | | | | | | | | | | | | | |

Putting Compliance in Context

❖ **Detection** → Reporting: Article 26 of the Barcelona Convention

1. The Contracting Parties shall transmit to the Organization reports on:
 - (a) the legal, administrative or other measures taken by them for the implementation of this Convention, the Protocols and of the recommendations adopted by their meetings;
 - (b) the effectiveness of the measures referred to in subparagraph (a) and problems encountered in the implementation of the instruments as mentioned above.
2. The reports shall be submitted in such form and at such intervals as the Meetings of Contracting Parties may determine.

❖ **Effecting** → Compliance Committee: COP subsidiary body to promote and facilitate compliance

The Compliance Committee at a Glance

To **facilitate and promote compliance** with the obligations under the Barcelona Convention and its Protocols, the Barcelona Convention Compliance Mechanism:

- Establishes a **Compliance Committee** dedicated to help Parties to implement the Barcelona Convention and its Protocols;
- Establishes **a procedure that is non-adversarial, transparent, preventive and non-binding in nature**;
- Takes into account the **specific situation of each Party**, paying particular attention to developing countries;
- Considers **specific situations of actual or potential non-compliance** by individual Parties with a view to determining the facts and causes of the situation;
- **Promotes compliance** and addresses cases of non-compliance by providing **Parties advice and non-binding recommendations**; and
- Considers, at the request of the Meeting of the Contracting Parties, **general issues of compliance** under the Barcelona Convention and its Protocols.

Compliance Committee: Procedure

THE COMPLIANCE COMMITTEE: HOW DOES IT WORK?

1

THE COMPLIANCE COMMITTEE IS TRIGGERED

Self-trigger procedure:

A Party triggers the committee regarding its own situation

Party-to-Party trigger procedure:

A Party triggers the committee as to another Party's situation

Secretariat trigger procedure:

The Secretariat triggers the committee as to the difficulties faced by a Party

Committee trigger procedure:

The committee makes a referral, sometimes following information received by the public

Compliance Committee: Measures

2

THE COMPLIANCE COMMITTEE TAKES MEASURES



Give advice and, as appropriate, facilitate assistance



Invite and/or assist the Party concerned to draw up a plan of action



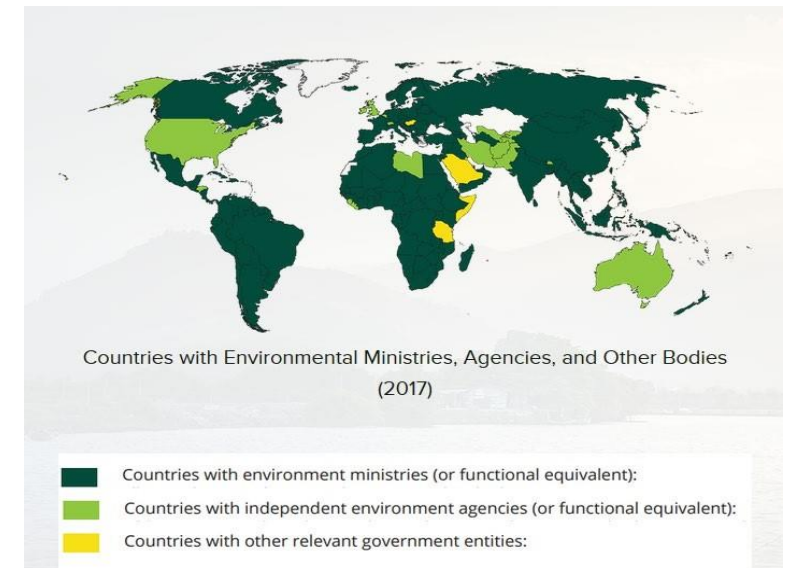
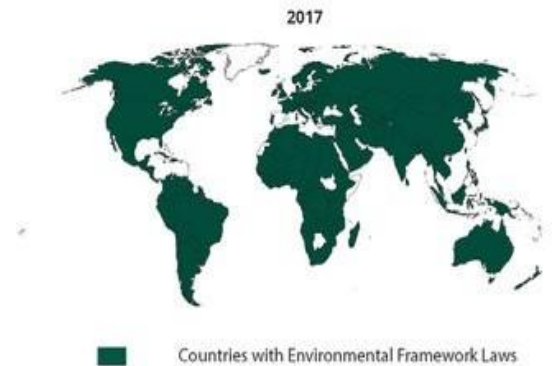
Invite the Party concerned to submit progress reports



Make recommendations on cases of non-compliance

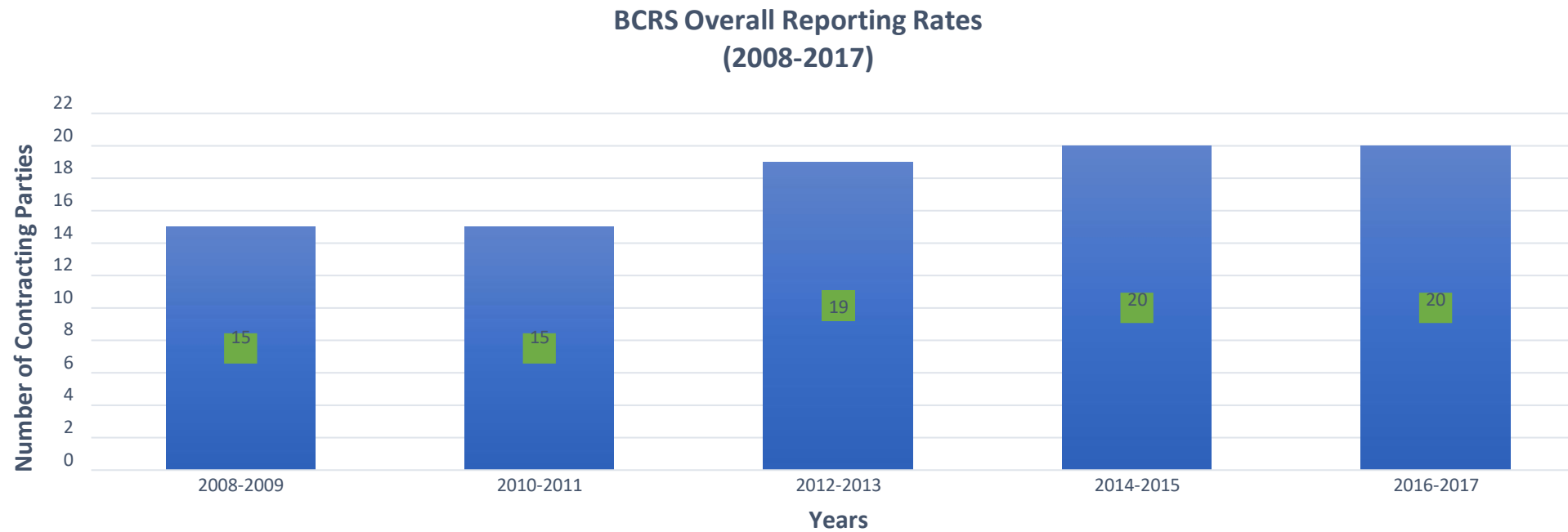
Implementation of Environmental Law

Global Trend



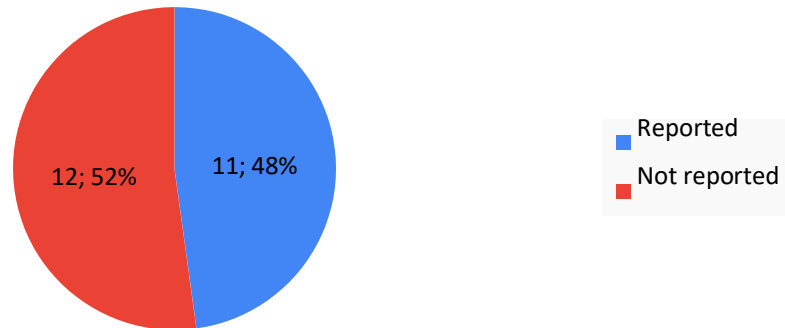
Source: UNEP (2019). Environmental Rule of Law: First GlobalReport.

Online-Barcelona Convention Reporting System(BCRS) Status per Biennia

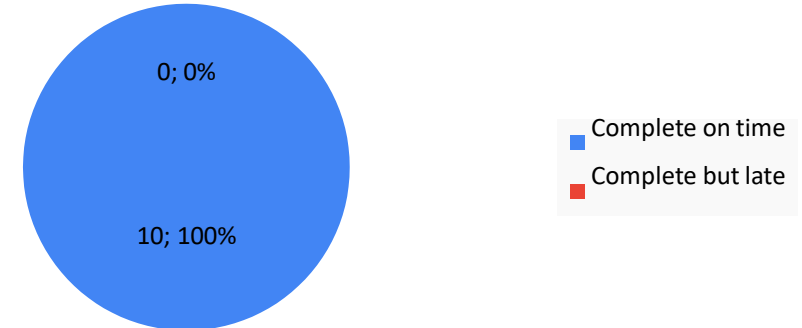


Barcelona Convention: Reporting Rate for submission and completeness

**Reporting rate for submission
2018-2019**

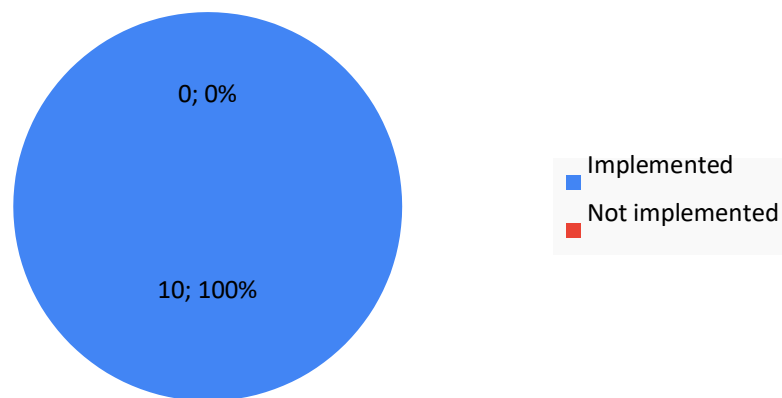


**Reporting rate for completeness
and timeliness 2018-2019**

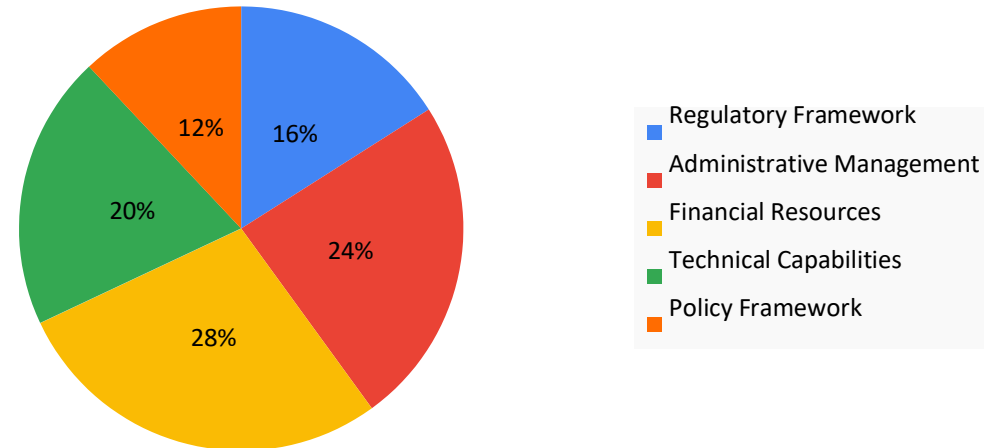


Barcelona Convention: Reporting Rate for implementation and difficulties reported in implementation

Reporting rate for implementation 2018-2019



Difficulties reported in implementation 2018-19



Looking ahead

To continue building synergies and reinforcing capacity building activities to:

- ✓ Increase **ratification** rates
- ✓ Enhance **reporting**
- ✓ Reinforce **compliance**





Thank you <https://www.unep.org/unepmap/>

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