

PROGRAMME DES NATIONS UNIES
POUR L'ENVIRONNEMENT

*Centre d'Activités du
Programme des Mers Régionales*



UNITED NATIONS ENVIRONMENT
PROGRAMME

*Regional Seas
Programme Activity Centre*

NK/acp

21 June 1984

Dear Ms. Borgese,

Following your letter of 3 May 1984, Dr. Keckes has asked me to look into the question of the despatch of the "Ocean Affairs in the Indian Ocean" publication.

Two hundred copies were sent to Halifax on 7 May and 700 to Malta on 9 May. We hope you will have received them by now. However, in the event that they are still en route, a copy is enclosed for your perusal. Would you be kind enough to confirm receipt of the publications, once they reach you.

Also enclosed is an invoice for 8,427 SF to cover printing costs. We would be grateful if, as agreed, you would make the necessary arrangements for payment and invoice us for this amount so that we may reimburse you.

Thank you for your kind co-operation.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Nooriya Koshen'.

Nooriya Koshen
Fund Management Officer

Ms. Elisabeth Mann Borgese
Department of Political Science
Dalhousie University
Halifax, N.S.
Canada B3H 4H6

UNEP REGIONAL SEAS
PROGRAMME ACTIVITY CENTRE
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ACTION *NK*
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acknowledged
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O.N.U.

Place des Nations

1211 GENEVE / 11

Section des impressions

A l'attention de M. BILLAUD

n/réf. MI/bs

v/réf. M. Billaud

Genève, le 30 avril 1984

Travaux effectués pour votre compte, soit :

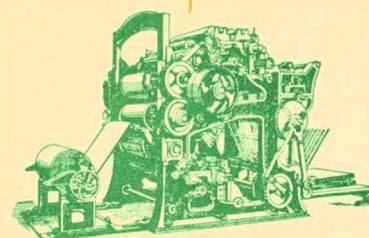
Impression de votre brochure : OCEAN AFFAIRS IN THE
INDIAN OCEAN

(selon notre offre du 31.1.1984)

Format : 17 x 25 cm
Contenu : 248 pages + couverture
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couverture en carton blanc 260 gr CM 3
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couverture pagel en bleu et noir
page 4 en noir
intérieur de la couverture sans impression
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PROJECT DOCUMENT

SECTION 1: PROJECT IDENTIFICATION1.1 Title of Project

UNEP's SUPPORT TO THE INTERNATIONAL OCEAN INSTITUTE

1.2 Project Number

FP/0501-83- ?

1.3 Subject Area

0501 - Marine Pollution

1.4 Geographic Scope

10 Global

1.5 Implementation

Supporting organization: International Ocean Institute (IOI)

1.6 Duration of Project

15 months

Commencing: October 1983

Completion: December 1984

1.7 Cost of ProjectExpressed in US\$

	CC	NCC*	Total	%
Cost to the Fund of UNEP	30,000	40,000	70,000	7.2
Cost to IOI	900,000	-	900,000	92.8
Total cost of project	900,000	40,000	970,000	100.0

*NCC - Roubles

SIGNATURE:

For International Ocean Institute_____
For the Fund of UNEP_____
Name and functional title_____
Name and functional title

Date: _____

Date: _____

STANDARD INTERNAL DISTRIBUTION LIST FOR
PROJECT DOCUMENTS

TO: Chief, Finance Section (2)
Chief, Personnel Section (1)
Chief, General Services Section (1)
Chief, Administrative Service (1)

c.c. Executive Director
Deputy Executive Director
Asst. Executive Director, Environment Fund & Administration
Head, Programme Co-ordination Unit
Fund Management Officer: K. Wissocq
Director, RS/PAC, Geneva (3 copies)
Secretary, Management Committee
Project Control Unit (A. Botan)
Reports to Governments (A. Epstein)
Publications Programme
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Agency Focal Point in UNEP
Registry
Project file
J. Landreth-Smith

PROJECT ACTION SHEET

Project title UNEP's SUPPORT TO THE INTERNATIONAL OCEAN INSTITUTE

Project number FP/0501-83-??

Duration October 1983 - December 1984 (15 months)

Implementation Supporting Organization: International Ocean Institute (IOI)

This Action Sheet, which is transmitted with five (5) copies of the project document, lists the actions required from UNEP in connection with the implementation of the project. It constitutes the authority from the Fund for the Administrative Service to effect the disbursements listed therein.

Signature:.....

A.T. Brough, Chief,

Fund Programme Management Branch

Date:.....

<u>Date</u>	<u>Action</u>	<u>Responsible Office</u>
October 1983	Pay IOI as required upon request for 1983: US \$20,000	Division of Administration (Finance Section)
January 1984	Pay IOI as required upon request for 1984: US \$15,000 CC US \$40,000 NCC	
	Sub-allot to UNOG to cover UNEP participation costs in 1984: US \$5,000 CC	

SECTION 2

2.1 Objectives

(a) Long-term objectives:

- to generate information and train administrators and technical experts from developing countries on legal/management measures to be taken on a national level in order to benefit from the provisions of the Convention on the Law of the Sea and to safeguard the marine environment from pollution.

(b) Short-term objectives:

- to assist in the publication of Volume V of Ocean Yearbook;
- to co-sponsor the meeting Pacem in Maribus XII in Sri Lanka on international co-operation in marine scientific research and to support participation of experts from developing countries and lectures;
- to support the convening of the planning meeting/seminar which will review the training programme of IOI;
- to support participants from developing countries and lecturers in three training courses on the management of economic zones and on ocean uses in general.

2.2 Legislative Authority

The System-Wide Medium-Term Environment Programme (SWMTEP) emphasises the importance of the "rational utilization of the vast mineral and living resources of the sea" (UNEP/GC.10/7, para 14) and of the "awareness on the part of Governments of the development opportunities offered by the marine environment" (ibid. para. 16). In this context, SWMTEP calls for "the provision of assistance to countries in the application of international conventions" (ibid. para. 124).

SECTION 3

3.1 Background Data

The IOI is a non-profit organization. It had an observer status with UNCLOS and has that status with the Preparatory Commission for the International Sea-Bed Authority and the International Tribunal for the Law of the Sea. Since 1970 IOI is involved in:

- (a) research and development of new ideas and approaches on matters related to uses of the oceans and to the Law of the Sea in particular;

- (b) organization of conferences and seminars related to the protection and management of the oceans and their resources; eleven global conferences (Pacem in Maribus) and several regional seminars have been organized until now by IOI;
- (c) annual publication of Ocean Yearbook (about 600 pages) presenting current problems related to ocean uses, including their protection;
- (d) organization of training courses on management and protection of marine resources for participants from developing states (several courses per year).

UNEP, through project FP/0503-77-03, was assisting IOI during the past few years in activities listed under (b), (c) and (d).

3.2 Activities and Workplan

Activity	Timetable	Responsibility
(a) Preparation and convening of the Pacem in Maribus XII convocation in Sri Lanka to review the international co-operation in marine affairs	25 - 28 October 1983	IOI
(b) Preparation and convening of a training course on ocean uses pertinent to African States (attendance only from African region)	October-November 1983 - Algeria	IOI
(c) Convening of the planning meeting/seminar in order to review the curricula and scope of the training programmes of IOI	December 1983	IOI
(d) Preparation and convening of a training course on ocean uses (attendance from all regions)	March-May 1984	IOI
(e) Preparation and convening of a training course in Halifax, Canada, on management of oceanic economic zones (attendance from all regions)	June-August 1984	IOI
(f) Preparation of Vol. V of Ocean Yearbook for publication	November 1984	IOI

3.3 Outputs

- (a) Ocean Yearbook, Volume V (UNEP will receive 100 copies free of charge for distribution).
- (b) Proceedings of the Pacem in Maribus convocation (UNEP will receive 50 copies free of charge for distribution).
- (c) Experts (administrators, scientists and technicians) from developing countries trained in management and protection of oceanic resources.

3.4 Use of Outputs

- (a) Assistance to UNEP focal points interested in ocean affairs in understanding the current problems of ocean management and protection through distribution of Ocean Yearbook;
- (b) Better understanding of the problems related to ocean research, management and protection by experts participating in Pacem in Maribus XII and in the three training seminars.

3.5 Follow-up Action

The activities of IOI supported through this project are of a continuing nature and, subject to satisfactory completion of planned activities, the extension of the project may be envisaged.

3.6 Institutional Framework

The project will be carried out by IOI as the Supporting Organization, in close co-operation with UNEP.

IOI will be specifically responsible for the organization and implementation of activities laid out in paragraph 3.2

UNEP will:

- participate in the planning meeting/seminar which will review the curricula and scope of the IOI training programmes (see paragraph 3.2.c);
- advise on the preparation and organization of meetings convened with UNEP's support (see paragraph 3.2.a, b, d and e); and
- present at these meetings (through RS/PAC staff) the UNEP-sponsored international and regional programmes for the protection and development of the marine environment.

All correspondence relating to the project should be addressed to:

(a) in IOI

Ms. Elisabeth Mann-Borgese
Chairman,
IOI Planning Council
Dalhousie University
Halifax, N.W.
Canada B3H 4H6

Tel: (902) 424 2038
Telex: 01921863

(b) in UNEP

- correspondence relevant to fund management related matters (with copies to S. Keckes) to:

Mr. A. T. Brough
Chief, Fund Programme Management Branch
UNEP
P.O. Box 30552
Nairobi, Kenya

- correspondence relevant to the substantive input of UNEP into the project (with copies to A. T. Brough) to:

Mr. S. Keckes
Director
Regional Seas Programme Activity Centre
UNEP
Palais des Nations
Geneva, Switzerland

3.7 Prerequisite and Assumptions

The agreements to host the planned meetings have already been reached between IOI and the relevant host countries. A large part of financial resources needed for the organization of these meetings has already been raised by IOI from various sources.

3.8 Budget

See attached Appendix I.

3.9 Counterpart Contributions

The contribution of the IOI is estimated at US \$900,000, in cash, kind and services.

3.10 Cash Advance Requirements

IOI will be provided with cash advances on the basis of three months' requirements. An initial cash advance will be made upon signature of the project document by both parties and will cover expenditures expected to be incurred by IOI during the first three months. Subsequent advances are to be made quarterly subject to:

- (a) Confirmation by IOI, at least two weeks before the payment is due, that the expected rate of expenditure and actual cash position necessitate the payment, including a reasonable amount to cover "lead time" for the next remittance is needed (see format of request in annex I attached); and
- (b) The presentation of a satisfactory financial report showing expenditures incurred for the past quarter, under each project in the format of the attached annex II.

SECTION 4 REPORTS

- 4.1 Management Reports (to be submitted to Director, RS/PAC, UNEP, with copy to Chief, Fund Programme Management Branch, UNEP)

- 4.1.1 Half-yearly Progress Reports

The IOI shall submit half-yearly progress reports to UNEP in the format of annex III as at 31 March and 30 September, within thirty days of the end of the period.

- 4.1.2 Terminal Reports

A terminal report will be submitted to UNEP by the IOI within sixty days of the completion of the project. The report should concentrate on the management of the project and should indicate the principal factors which determined the success or failure of the project in meeting the objectives set down in the project document.

- 4.2 Substantive Reports (to be submitted to Director, RS/PAC, UNEP, with copy to Chief, Fund Programme Management Branch, UNEP)

The published Ocean Yearbook, the Proceedings of the Pacem in Maribus convocation and the Final Reports of the training courses (see paragraphs 3.2 and 3.3) will be considered as substantive reports of the project. By including provision for publication in the UNEP component of the appropriate budget line, UNEP thereby affirms itself as copyright-holder of the said text, and may reproduce parts of these reports in its publishing programme.

4.3 Financial Reporting (to be submitted to Chief, Fund Programme Management Branch, UNEP, with copy to Director RS/PAC, UNEP)

4.3.1 Project Expenditure Accounts

- (a) Details of project expenditures should be reported on a project-by-project basis, in line with project budget codes as set out in the project document, as at 31 March, 30 June, 30 September and 31 December (see annex II). All expenditure accounts should be despatched to UNEP within thirty days after the quarter to which they refer, certified by a duly authorized official of IOI.
- (b) The expenditure account as at 31 December, certified by a duly authorized official, should be despatched to UNEP within thirty days as for other quarters but, in addition, UNEP requires that the end of year expenditure account should be reported in an opinion by a recognized firm of public accountants and despatched to UNEP by 31 March. In particular, the auditors should be asked to report that, in their opinion:
 - (i) Proper books of account and records have been maintained;
 - (ii) All project expenditures are supported by vouchers and adequate documentation;
 - (iii) Expenditures have been incurred in accordance with the objectives outlined in the project document.
- (c) Within 90 days of the completion of the project IOI will supply UNEP with a final statement of account in the same format as for the quarterly statement, certified by a recognized firm of public accountants. If requested, IOI shall facilitate an audit (by the United Nations Board of Auditors and/or the Audit Service) of the accounts of the project.
- (d) Any portion of cash advances remaining unspent or uncommitted by the IOI on completion of the project will be reimbursed to UNEP within one month of the presentation of the final statement of accounts. In the event that there is any delay in such disbursement, IOI will be financially responsible for any adverse movement in the exchange rates.

4.3.2 Cash Advance Accounts

A statement of advances of cash provided by UNEP should be submitted quarterly (in the format attached as annex I) as at 31 March, 30 June, 30 September and 31 December.

4.4 Terms and Conditions

4.4.2 Responsibility for Cost Overruns

Any cost overrun (expenditure in excess of the amount budgeted in each sub-budget line) shall be met by the organization responsible for authorizing the expenditure, unless written agreement has been received by letter or cable in advance from UNEP. In those cases where UNEP has indicated its agreement to a cost overrun in a sub-budget line, either to transfer funds from one sub-budget line to another or to increase the total cost to UNEP, a revision to the project document amending the budget will be issued by UNEP.

APPENDIX I

3.8 Budget (UNEP Contribution)

		1983		1984	
		CC	NCC	CC	NCC
30	TRAINING COMPONENT				
	3200 <u>Meetings</u>				
	3202 Travel and DSA of participants attending Pacem in Maribus XII, the three training courses and the planning meeting/seminar	10,000	-	10,000	40,000
50	MISCELLANEOUS COMPONENT				
	5200 <u>Reporting Costs</u>				
	5201 Support to publication of Vol.V of Ocean Yearbook	-	-	5,000	-
	5400 <u>UNEP participation costs</u>				
	5440 Travel of UNEP staff attending and lecturing at planned meetings	-	-	5,000	-
99	GRAND TOTAL	10,000	-	20,000	40,000
		=====			

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Programme des Mers Régionales*



UNITED NATIONS ENVIRONMENT
PROGRAMME

*Regional Seas
Programme Activity Centre*

SK/cc

22 September 1983

Dear Elizabeth,

Your suggestions for Siren and for a project that may be considered by the Caribbean States in the framework of the Caribbean Action Plan have been received. The Siren stuff was passed on to Nikki and I am asking Mr. A. Rodriguez, the programme officer dealing with the Caribbean, to bring your proposal to the attention of the forthcoming meeting of the Monitoring Committee for the Caribbean Action Plan (expected to meet in early November 1983). A few slight unsubstantial modifications have been made in your proposal so that it fits better the standard way of presentation. You have indicated US\$ 380,000 as the cost of the project. I assume that this is the total cost. Be so kind and let us know urgently how much the minimum contribution you expect to receive from us is. Keep in mind that a figure that is too high may scare the Caribbean States.

The other project which was reviewed with you during your visit to Geneva was sent to our Headquarters with a request for further processing. A copy is attached for your information. As soon as we have news, will let you know about it.

Best personal regards.

Yours sincerely,


Stjepan Keckes
Director

Ms. Elizabeth Mann Borgese
Department of Political Science
Dalhousie University
HALIFAX
Nova Scotia B3H 4H6
Canada

TRAINING PROGRAMME FOR THE MANAGEMENT AND CONSERVATION OF MARINE RESOURCES

CENTRE FOR FOREIGN POLICY STUDIES
DALHOUSIE UNIVERSITY



INTERNATIONAL OCEAN INSTITUTE
MALTA

January 7, 1983

Dr. Stjepan Kećkeš
UNEP
Palais des Nations
Geneva, Switzerland

Dear Stjepan:

It was good to hear your voice. Please take note that the RUBLES are of particular interest to us. Fox has made arrangements for some of our travel bills to be paid off in Rubles, and we are counting on them....If we could have them in February, it would be a life-saver. You must have tons of them, so there surely ought to be a way for you to get rid of some of them....

Now, as to the arrangements for Pacem in Maribus XIV:

I am enclosing a telex from Kolodkin, President of the Soviet Maritime Law Association. I have told him to get in touch with UNEP Com., and so everything will have been prepared by the time you get there.

The subject as he suggests is Marine Transportation, Sea-borne Trade and Environmental Problems.

I do see, however, a certain conflict of competences between IMO and UNEP. Would you want IMO to be a fourth co-Sponsor? (IOI, UNEP, IMO, and Soviet Maritime Law Association? It does make things a bit cumbersome. But my guess is that Kolodkin would like an intergovernmental co-Sponsor rather than doing this thing with an NGO. However, I think he is quite flexible. Also, of course, we could deal with coastal environmental problems (ports and harbours) as much as with ship-borne pollution.

My original suggestion had been that his organization and IOI should be the co-sponsors, and that we would get the Rubles from you on the basis of our contract with you. This

also was the understanding of some other Soviet officials while I was there.

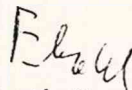
So, see what you can come up with.

/I am enclosing a copy of my report on the Paris meeting. It really was very constructive.

I think that covers it for today.

Much love,

Yours as ever,

A handwritten signature in dark ink, appearing to read 'Elisabeth' with a stylized flourish at the end.

Elisabeth Mann Borgese

+
DALUNIVLIB HFX

28877Z UNEP CH

C671311 (UNEP) GENEVA 03NOV83 1319Z

RS2774 MANN-BORGESE, HALIFAX
FROM: KECKES
RE: CO-OPERATION WITH IOI

AAA REYOUR RECENT UNDATED LETTER DATES PROPOSED FOR INTERAGENCY
CONSULTATION ON SUPPORT TO IOI (DECEMBER 19 AND 20)
UNFORTUNATELY UNSUITABLE FOR MY ATTENDANCE DUE TO PREVIOUS
COMMITMENTS (I SHALL BE IN AFRICA).

BBB NO FINAL DECISION YET ON PROPOSED PROJECT FOR UNEP SUPPORT TO
IOI BUT THINGS MOVING IN RIGHT DIRECTION.

REGARDS.

(RS/PAC, UNEP, GENEVA)

DALUNIVLIB HFX

28877Z UNEP CH

C631529 (UNEP) GENEVA 16SEP83 1040Z

RS2045 TO: MANN-BORGESE, IOI, HALIFAX
RS2046 INFO: VANDERBILT, IOI, MALTA
FROM: KECKES

FURTHER OUR TELECON OF 16-9-83 KINDLY DISPATCH URGENTLY TO
M. TANGI OF UNEP REGIONAL SEAS PROGRAMME IN GENEVA DETAILED
INFORMATION ON PROGRAMME TAKING PLACE IN ALGERIA THIRD WEEK OF
OCTOBER 1983 AS THERE IS NONE IN OUR FILES (THEME AND ORIENTATION
OF PROGRAMME, SYLLABUS, LIST OF PARTICIPANTS, LOGISTICAL
ARRANGEMENTS, CONTACT POINTS, ETC.). AS INDICATED TO YOU TANGI
WILL BE PREPARED TO PRESENT ON 19-9-83 UNEP'S REGIONAL PROGRAMMES
RELEVANT TO AFRICA.
REGARDS.

(UNEP/RSPAC/GENEVA)

COL 2045 2046 16 9 83 1983

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UNEP

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DALUNIVLIB HFX

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DALUNIVLIB HFX

28877Z UNEP CH

0562880 (UNEP) GENEVA 03JUN63 1521Z

RE1113 MANN-BORGESE, 101, HALIFAX
FROM: KECKES
RE: BAD AND GOOD NEWS

AAA REGRET TO INFORM YOU THAT WON'T BE ABLE TO ATTEND YOUR
HALIFAX SEMINAR IN MID JUNE.

BBB GLAD TO INFORM YOU THAT THE PROJECT OUTLINE FOR UNEP'S
SUPPORT TO 101 ACTIVITIES QUOTE HAS BEEN APPROVED FOR
DEVELOPMENT BY THE (UNEP) PROJECT SCREENING COMMITTEE UNQUOTE
AND I WAS REQUESTED TO PRESENT IT TO OUR HEADQUARTERS AS
FORMAL DOCUMENT.

CCC CONSEQUENCES: YOU WON'T SEE ME IN HALIFAX BUT I SHALL SOON
SEND YOU FOR YOUR CLEARANCE THE DRAFT PROJECT DOCUMENT.

REGARDS.

(RE/FAC, UNEP, GENEVA)

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*Centre d'Activités du
Programme des Mers Régionales*

SK/cc



UNITED NATIONS ENVIRONMENT
PROGRAMME

*Regional Seas
Programme Activity Centre*

5 December 1982

Dear Elizabeth,

I am referring to your letter of 17 November 1982 enquiring about our interest in sponsoring a meeting/seminar in Dubrovnik next April, to assess and revise (if necessary) your class B programme and to discuss other matters relevant to the future development of IOI activities.

As you are aware UNEP strongly supports IOI's initiatives and activities, Consequently, I shall do my best to get for IOI some of our funds so that your work could be even more efficient and effective.

Our support to the planned meeting in Dubrovnik and to other IOI activities should be channelled through a project document that would have to be signed by IOI and UNEP. This could cover in 1983 support to :


- publication of Ocean Year Book, Vol. IV;
- Pacem in Maribus XII in Sri Lanka;
- planning meeting/seminar in Dubrovnik; and
- training programmes in Halifax (B), Suva (C) and Algeria (C).

Attached is a rough draft of a project outline prepared according to our standard format. Please let me know whether it meets your approval so that I could submit it for screening at our Headquarters. In addition, be so kind and indicate the tentative dates of Pacem in Maribus XII and of the three training courses. The dates mentioned in the draft were invented by me. I would also need the estimated cost of the activities listed in paragraph 2.1 and 3.2 which would be borne by IOI (directly or through funds you are receiving elsewhere) so that I could reflect this expenditure in paragraph 1.7.

Once the outline of the project is approved by our Headquarters a more detailed project document would have to be prepared. This project document would have to be signed on behalf of IOI and UNEP as the basis for transfer of funds to you.

Best personal regards.

Yours sincerely,


Stjepan Keckes
Director

→
Mrs. Elizabeth Mann-Borgese
Department of Political Science
Dalhousie University
Halifax
N.S. Canada, B3H 4H6



centre for Foreign Policy Study
for
development projects

6136 Coburg Road, Halifax, Nova Scotia, Canada B3H 1Z5

UNEP

KECKES

17 November 1982

Dear Stjepan.

May I take you up on your offer to sponsor a
Seminar in Dubrovnik?

I have in mind a rather important
affair - some time during the second half of next April.

Actually, this meeting would have 3 parts:

- (1) An assessment of our Class B programme:
updating and suggestions for improvements.
- (2) A meeting with you, IMO (Tom Busba)
UNCTAD, and IOC + all organizations
involved in TEMA + UNU, to
discuss cooperation with IOC Training-
Programme: To make it systematic.
To set up an Advisory Committee?
- (3) Meeting of our (IOC) Governing Bodies

→ over

(Board of Trustees + Planning Council) to approve and adopt
a Five-year Plan of Action for 101 (see enclosed Draft.)
This would involve about 30-40 people for two days;
20 people (101) for a third day. UN people would
be expected to pay their own expenses.

Feasible?

Low

Flakky

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UNITED NATIONS ENVIRONMENT
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SK/cc

24 August 1982

Dear Elisabeth,


I enjoyed participating in the recent IOI course and I hope that my contribution was of some use to the participants.

Naturally, I enjoyed your company and hospitality even more.

See you in Goa. I understand that I am expected to talk on Tuesday, 5 October 1982. Hope to arrive on Sunday or Monday at the latest.

Best personal regards.

Yours sincerely,


Stjepan Keckes
Director

Prof Elisabeth Mann-Borgese
International Ocean Institute
P.O. Box 524
Valletta
MALTA

cc: F. Vanderbilt, Malta



International Ocean Institute

P.O. Box 524 Valletta - Malta

December 29, 1982.

→ Dr. Stjepan Keckes
UNEP
Palais des Nations
CH 1211 Geneva 10
Switzerland

Dear Stjepan:

I almost had a heart attack when I read your letter, especially since the good news came in the wake of several other items of good news, so that I must come to the conclusion that our plan of action is pretty good, and things are beginning to add up.

The other good news was:

- (1) CIDA is substantially increasing its already substantial contribution.
- (2) Norway is a new contributor to the Training Programme;
- (3) Alva Myrdal is enthusiastic about Pacem in Maribus in Stockholm on disarmament, and willing to put a lot of money into it;
- (4) The Soviet Union has officially invited us for Pacem in Maribus in 1985.

of course, Jamaica gave my moral a big boost too -- at a time, like ours, when most things go so tragically wrong, one might as well make the most of the few that go right, and enjoy it!

You have done quite a job on the draft proposal. Millions of thanks.

I have filled in a few dates and data, and I have one question: Can Dubrovnik be paid with NCC? That certainly would help a lot.

Next we will have to discuss the details about Dubrovnik, and about Environment Week in Dalhousie, Suva,



Pacem in Maribus

International Ocean Institute

P.O. Box 524 Valletta - Malta

- 2 -

Dr. Stjepan Keckes

29 December 1982.

and Algiers. We are just in the process of preparing the new syllabi.

All the best for 1983, and much love,

Yours as ever,

Elisabeth Mann Borgese
Dalhousie University
Halifax, N.S. B3H 4H6

P.S. What about April 25-26-27 for Dubrovnik?
Or would it be preferable to include a week-end (April 23-24-25?)
It would be good to set this date as quickly as possible.

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UNITED NATIONS ENVIRONMENT
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SK/cc

29 November 1982

Dear Elizabeth,

Many thanks for the copy of your article on "The Politics of the Sea" which you prepared for the Scientific American. The nice words about the Regional Seas Programme are appreciated.

As I am not sure what I have sent you before from the various publications issued by our office, under separate cover I am sending you a new selection which may be of interest to you.

Best regards and looking forward to our increased co-operation.

Yours sincerely,

→ 
Stjepan Keckes
Director

Attachments

Sirens 17-18
1983 Agenda
List of Meetings (October 1982)

Under separate cover

Regional Seas Reports and Studies Nos. 1, 2, 4, 6, 11, 13, 14, 15, 16, 18, 19
Pravdic: GESAMP

Mrs. Elizabeth Mann-Borgese
Department of Political Science
Dalhousie University
Halifax, N.S. CANADA
B3H 4H6

cc: P.S. Thacher



*Centre d'Activités du
Programme des Mers Régionales*



*Regional Seas
Programme Activity Centre*

SK/cc

5 December 1982

Dear Elizabeth,

I am referring to your letter of 17 November 1982 enquiring about our interest in sponsoring a meeting/seminar in Dubrovnik next April, to assess and revise (if necessary) your class B programme and to discuss other matters relevant to the future development of IOI activities.

As you are aware UNEP strongly supports IOI's initiatives and activities, Consequently, I shall do my best to get for IOI some of our funds so that your work could be even more efficient and effective.

Our support to the planned meeting in Dubrovnik and to other IOI activities should be channelled through a project document that would have to be signed by IOI and UNEP. This could cover in 1983 support to :


- publication of Ocean Year Book, Vol. IV;
- Pacem in Maribus XII in Sri Lanka;
- planning meeting/seminar in Dubrovnik; and
- training programmes in Halifax (B), Suva (C) and Algeria (C).

Attached is a rough draft of a project outline prepared according to our standard format. Please let me know whether it meets your approval so that I could submit it for screening at our Headquarters. In addition, be so kind and indicate the tentative dates of Pacem in Maribus XII and of the three training courses. The dates mentioned in the draft were invented by me. I would also need the estimated cost of the activities listed in paragraph 2.1 and 3.2 which would be borne by IOI (directly or through funds you are receiving elsewhere) so that I could reflect this expenditure in paragraph 1.7.

Once the outline of the project is approved by our Headquarters a more detailed project document would have to be prepared. This project document would have to be signed on behalf of IOI and UNEP as the basis for transfer of funds to you.

Best personal regards.

Yours sincerely,


Stjepan Keckes
Director

Mrs. Elizabeth Mann-Borgese
Department of Political Science
Dalhousie University
Halifax
N.S. Canada, B3H 4H6

DEPARTMENT OF POLITICAL SCIENCE

DALHOUSIE UNIVERSITY

HALIFAX, N.S. CANADA

B3H 4H6

CENTRE FOR FOREIGN POLICY STUDIES

November 11, 1982.

Dr. Stjepan Kećkeš

UNEP

United Nations

Geneva, Switzerland

Dear Stjepan:

Here is a piece I just finished for Scientific American. Since it is full of praise for the Regional Seas Programme, I want you to have it. Also, I am attempting some suggestions for the future, which I am sure you cannot touch now even though you may like them, but who knows what the future may bring.

The idea of using the ocean development tax system rather than the U.N. scale of contributions, incidentally, came up in discussions at the Foreign Ministry in Algeria. They were critical of the U.N. scale-based system, and liked the idea of basing it on actual ocean uses.

Love,

Elisabeth

Elisabeth Mann Borgese

TRAINING PROGRAMME FOR THE MANAGEMENT AND CONSERVATION OF MARINE RESOURCES

DEPARTMENT OF POLITICAL SCIENCE
DALHOUSIE UNIVERSITY



INTERNATIONAL OCEAN INSTITUTE
MALTA

March 1, 1982.

Mr. Peter Thacher
UNEP
Nairobi, Kenya

Dear Peter:

I am sure Stjepan Keckes has brought you up to date on our plans for a training programme in Goa this fall.

Let me, quite briefly, set this into the full context of our activities.

Over the past two years we have developed two programmes: each one lasts 10-12 weeks, and we accept up to 25 participants from developing countries, preferably between 25 and 35 years old, and "mid-career civil servants." Our Class A Programme is devoted to ocean mining (all forms) and is carried out in cooperation with the Technical University of Aachen, West Germany. Our Class B Programme is devoted to Economic Zone Management and is carried out in cooperation with Dalhousie University. These programmes were financed by CIDA, SIDA, Commonwealth Secretariat, FAO/UNDP, UNESCO, Mexico, Germany, Netherlands, OPEC Fund, and some others.

We have a quite weighty documentation on the whole thing, but I will not burden you with this at this time. Instead I am enclosing an announcement of our programme for 1982.

On the request of the Government of India, we have added, starting this year, a third programme, based on a regional basis. The first one is the Goas programme. Next year, it will be in Algeria (financed basically by Algeria, with French help), and in 1984 it will be in Mexico.

Whenever we start a new programme, we first have a workshop of 2-3 days, to get all the advice and information we can get, to include in the curriculum & syllabus for that programme.

Such a workshop is planned to take place in New Delhi and Goa, on May 7,8,9. It will be attended by about 15 experts: Three of our own (Sidney Hold, Geoffrey Kesteven, and myself; two of UNEP, one of UNESCO, at least 2 of the Indian Government, the Goa Institute, and other Indian and Southeast Asian experts.

TRAINING PROGRAMME FOR THE MANAGEMENT AND CONSERVATION OF MARINE RESOURCES

DEPARTMENT OF POLITICAL SCIENCE
DALHOUSIE UNIVERSITY



INTERNATIONAL OCEAN INSTITUTE
MALTA

- 2 -

Mr. Peter Thacher

March 1, 1982.

It is in connection with this workshop that I asked for your help -- help of a very modest scale which I hope you can give us.

The programme is really a great success, and rapidly expanding --and improving. There is such a great need, and I do believe we have developed a sort of formula.

It would be very helpful if you could let me know just as soon as possible so that I can inform my colleagues. If you could make it four trips rather than three, I could bring another colleague whose presence would be immensely valuable: Mr. Aaron Kozak, who is an administrative rather than a scientific type (he is the Hon. Secretary-Treasurer of the U.S. Friends of the International Ocean Institute, but he always has excellent and very practical ideas and has been closely associated with this work.

I just was in Mexico and had some interesting talks with Oma Castañeda about the forthcoming 10th anniversary of Stockholm.

With all good wishes, and looking forward to hearing from you soon,

Yours as ever,

Elisabeth Mann Borgese

DEPARTMENT OF POLITICAL SCIENCE

DALHOUSIE UNIVERSITY

HALIFAX, N.S. CANADA

B3H 4H6

CENTRE FOR FOREIGN POLICY STUDIES

March 22, 1982.

The Right Honourable Pierre Elliott Trudeau
Prime Minister
Prime Minister's Office
Ottawa, Ontario
K1A 0A2

Dear Mr. Prime Minister:

Forgive me if I come today with a rather daring proposition. I feel an irresistible urge to do so, having discussed this idea with a number of colleagues -- above all, Ronald MacDonald -- who have encouraged me.

I have been following with some fascination the discussions between the Provinces and the Federal Government on the ownership of offshore hydrocarbon resources. In many ways, of course, they are reminiscent of the discussions in the U.S., in the early 'forties, at the time when the Truman Doctrine was taking shape. The Truman doctrine, though eventually giving rise to the Continental Shelf Convention of 1958, originally was much more concerned with the relations between the States and the Federal Government than with those between the U.S. and the international community. The Truman doctrine is obsolete today.

Mr. Prime Minister: It seems to me the time has come for the Trudeau Doctrine.

Following clearly marked trends, and projecting them only just a little bit further, the Trudeau Doctrine would proclaim that these resources are Common Heritage. It would assert that the concept of ownership of such resources is obsolete. It would assert

- (1) that these resources are inappropriable and cannot be owned by anybody, neither Province nor Federal Government nor Company;
- (2) that they must be managed in common (through Federal/Provincial management boards, as has been suggested from various sides);
- (3) that revenues must be shared (we even have "Heritage Funds!");

DEPARTMENT OF POLITICAL SCIENCE

DALHOUSIE UNIVERSITY

HALIFAX, N.S. CANADA

B3H 4H6

CENTRE FOR FOREIGN POLICY STUDIES

- 2 -

The Right Hon. Pierre Trudeau

March 22, 1982.

- (4) that they must be managed with due consideration for the environment and for future generations.

These are, in fact, four of the five attributes of the Common Heritage of Mankind as it emerges from the Law of the Sea Conference and from Space negotiations. The fifth attribute, that the Common Heritage must be reserved for peaceful purposes only, is less applicable when the principle is translated from the international to the national plane -- where it is self-understood, so long as "war" between Provinces or between Provinces and Federal Government is inconceivable.

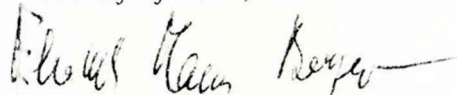
It would not really cost anything to anybody to proclaim these resources Common Heritage -- even Common Heritage of Mankind, which is quite compatible with the sovereign rights over the exploitation of these resources as confirmed by the Law of the Sea Convention.

But it would be a major contribution to a political theory basic for resource policy. It would lay the foundation for a global energy policy, which, eventually, can only be based on a concept of non-ownership, common management, benefit sharing, peaceful uses, and conservation. Such a global energy policy is an essential part of a New International Economic Order.

Incidentally, there is a precedent at the national level, and that is the Yugoslav concept of social ownership, which, as you know, is fundamentally different from the Soviet-Communist concept of State ownership. Social ownership, in Yugoslavia, connotes precisely non-ownership, common management, and revenue sharing.

I apologize again for my temerity.

Sincerely yours,



Elisabeth Mann Borgese
Professor

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Rec'd Mar. 4/82

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ELISABETH MANN ORGESE
DALHOUSIE UNIVERSITY
HALIFAX N.S. (CANADA)

MISC 131-03 LOOK FORWARD RECEIVING INFO ON QA TRAINING WORKSHOP
PLEASE BE SURE KEEP ECKES INFORMED IN GENEVA. ILL BE IN NYC
WEEK 22 MARCH. (THCHER NAIRIORI)

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LT
PETER THACHER
UNEP
NAIROBI (KENYA)

INTERNATIONAL OCEAN INSTITUTE INDIA GOVERNMENT IN COOPERATION
WITH UNEP ORGANIZING THREE-MONTH TRAINING PROGRAMME GOA OCTOBER
DECEMBER. WORKSHOP DETERMINING CURRICULUM SCHEDULED NEW DELHI
GOA MAY 7, 8, 9. WOULD BE DEEPLY GRATEFUL IF YOU COULD ASSIST
WITH FUNDS COVERING THREE AIRTICKETS FROM CANADA ENGLAND AUSTRALIA
LETTER FOLLOWS REGARDS

ELISABETH MANN BORGESE
DALHOUSIE UNIVERSITY HALIFAX N.S. CANADA

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ACCEPTED TMI269 BEING PROCESSED

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POLITICAL SCIENCE DEPT.
DALHOUSIE UNI.

HALIFAX, NOVA SCOTIA B3H 4H6
CANADA

RS75 TO E. MANN-BORCESE

SUB: TRAINING WORKSHOP IN GOA

DANNY ELDER INFORMS ME THAT HIS ONLY AVAILABLE DATES FOR
ATTENDANCE ARE: 17-20 FEB, 24-26 MARCH, ORB-10 APRIL. PLEASE
LET US KNOW SOONEST IF ANY OF THESE DATES AGREEABLE. REGARDS,

(F. SZEKELY, DEPUTY TO DIRECTOR, RS/FAC, GENEVA)

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VIA GRAPHIC SCANNING

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PROGRAMME DES NATIONS UNIES
POUR L'ENVIRONNEMENT

*Centre d'Activités du
Programme des Mers Régionales*



UNITED NATIONS ENVIRONMENT
PROGRAMME

*Regional Seas
Programme Activity Centre*

SK/cc

8 May 1981

Dear Elizabeth,

It was a pleasure to meet you recently here in Geneva and exchange views on subjects of common interest. As confirmed during our telephone conversation of today we are going ahead with the printing of the Vienna Proceedings. Eight hundred copies will be sent to IOI in Malta (PO Box 524, Valletta) and two hundred to your address in Halifax.

We shall try to see what could be done about translation and printing of a Russian version of your Year Book. In order to help our negotiations with the USSR I would appreciate receiving two copies of the first two volumes, and of the third volume as soon as possible.


I have mentioned to you that I may have somebody whom I could propose to be considered for the IOC post. His name is:

Dr. Velimir Pravdic
Centre for Marine Research
Rudjer Boskovic Institute
P.O. Box 1016
YU-41001 Zagreb
Yugoslavia Telephone: 272 611

He is a mature, 49 year old marine scientist, fluent in several languages, who is very much involved in many international activities, including organizing courses related to coastal management, environmental impact assessment, marine resources utilization, etc. If you are interested in him, please contact him directly at the address indicated above.

Best personal regards.

Yours sincerely,


Stjepan Keckes
Director

Prof. Elizabeth Mann Borgese
Dept. of Political Science
Dalhousie University
HALIFAX
Nova Scotia B3H 4H6
CANADA



UNIDO

UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

INTEROFFICE MEMORANDUM

TO: Mr. K. Venkataraman
Special Technical Adviser
UNIDO Technology Programme

DATE: 6 March 1981

REFERENCE:

FROM: Jan van Ettinger
Consultant

SUBJECT: Visit of Elisabeth Mann Borgese, 23-24 March 1981

As far as the visit of Elisabeth Mann Borgese to UNIDO on 23-24 March is concerned, my suggestions are roughly the following:

1. To stage a larger meeting (attendance some 25 persons; duration some two hours) at which she would give an introduction to and answer questions about:-

- the latest developments with respect to the Third Law of the Sea Conference, with special reference to the "common heritage of mankind" and the emerging Sea-bed Authority;

- the latest developments with respect to the exploitation of sea-bed resources about which she is writing a book, with special reference to the work of the Red Sea Commission with respect to "brines" which she has just observed in actual practice;

- the international training course of the International Ocean Institute (IOI) in Malta on sea-bed mining, especially for participants from developing countries.

2. To stage a series of small meetings at which the possible role of UNIDO with respect to exploitation of sea-bed resources could be discussed. This role could vary from:-

- the organization of short seminars to sensitize the political level in developing countries to the main aspects of the exploitation of sea-bed resources; and

- the organization of the setting up of a Third World consortium for the actual exploitation of sea-bed resources.

c.c. Mr. Gouri

PROGRAMME DES NATIONS UNIES
POUR L'ENVIRONNEMENT

*Centre d'Activités du
Programme des Mers Régionales*



UNITED NATIONS ENVIRONMENT
PROGRAMME

*Regional Seas
Programme Activity Centre*

RH/frg

9 February 1981

Dear Ms. Mann Borgese,

Thank you very much for your letter of 17 January 1981, and the proposed timeframe for the training course in Goa. The envisaged dates of October/November 1982 are agreeable as we should be in a much better position in 1982 to provide financial support.

The workshop scheduled for this summer should fit in with our activities in Asia/Pacific. At present the week of 29 June, or alternatively early August seem suitable. As our programmes are gradually taking shape, I will contact you again in early March with a more definite proposal.

With best personal regards, also from Stjepan.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'R. Helmer'.

Richard Helmer
Deputy Director

Ms. Elisabeth Mann Borgese
Department of Political Science
Dalhousie University
Halifax, Nova Scotia, B3H 4H6
Canada



UNU
THE UNITED NATIONS UNIVERSITY ←

29th Floor, Toho Seimei Building
15-1, Shibuya 2-chome, Shibuya-ku,
Tokyo 150, Japan

国際連合大学

〒150 東京都渋谷区渋谷 2-15-1 東邦生命ビル29階
TELEPHONE: (03)499-2811

2 February 1981

Dear Prof. Borgese,

Thank you for your letter of 26 December 1980.

About your enquiries on the possibility for the UNU to contribute scholarships to your programme, I am afraid in the present setting of the UNU we have no scholarship programme. We have only UNU fellows who are supported when they visit institutions associated formally with the UNU. Therefore I regret it very much but I must give you a negative answer.

..... As to the possibilities of some cooperation between the International Ocean Institute and UNU, I am going to discuss the matter with Mr. Soedjatmoko. He is now in the process of reconceptualizing the role of the UNU and the orientations he proposed are mentioned in the attached statement he made to the UNU Council. It would be good if we could keep in touch as the future activities of the UNU will become more clear during the course of this year.

With my warmest personal regards,

Sincerely yours,

Kinhide Mushakoji
Programme Vice-Rector
Human and Social Development Programme

Prof. Elisabeth Mann Borgese
Department of Political Science
Dalhousie University
Halifax, N.S. B3H 4H6
Canada

Dear Prof. Borgese,

Thank you for your letter of 26 December 1980.

2 — Fleming

About your enquiries on the possibility for the UNU to contribute scholarships to your programme, I am afraid in the present setting of the UNU we have no scholarship programme. We have only UNU fellows who are supported when they visit institutions associated formally with the UNU. Therefore I regret it very much but I must give you a negative answer.

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With my warmest personal regards,

Sincerely yours,

UNEP

اتفاقية
لحماية البحر الأبيض المتوسط من التلوث

CONVENTION FOR THE PROTECTION
OF THE MEDITERRANEAN SEA
AGAINST POLLUTION

CONVENTION
POUR LA PROTECTION DE LA MER MEDITERRANEE
CONTRE LA POLLUTION

CONVENIO PARA LA PROTECCION DEL MAR MEDITERRANEO
CONTRA LA CONTAMINACION

CONVENTION FOR THE PROTECTION OF THE MEDITERRANEAN SEA
AGAINST POLLUTION

THE CONTRACTING PARTIES,

Conscious of the economic, social, health and cultural value of the marine environment of the Mediterranean Sea Area,

Fully aware of their responsibility to preserve this common heritage for the benefit and enjoyment of present and future generations,

Recognizing the threat posed by pollution to the marine environment, its ecological equilibrium, resources and legitimate uses,

Mindful of the special hydrographic and ecological characteristics of the Mediterranean Sea Area and its particular vulnerability to pollution,

Noting that existing international conventions on the subject do not cover, in spite of the progress achieved, all aspects and sources of marine pollution and do not entirely meet the special requirements of the Mediterranean Sea Area,

Realizing fully the need for close co-operation among the States and international organizations concerned in a co-ordinated and comprehensive regional approach for the protection and enhancement of the marine environment in the Mediterranean Sea Area,

HAVE AGREED AS FOLLOWS:

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. Except as may be otherwise provided in any proto -
col to this Convention the Mediterranean Sea Area - -
shall not include internal waters of the Contracting -
Parties.

Article 2

Definitions

For the purposes of this Convention:

a) "pollution" means the introduction by man, di--
rectly or indirectly, of substances or energy into -
the marine environment resulting in such deleterious-
effects as harm to living resources, hazards to human
health, hindrance to marine activities including fish
ing, impairment of quality for use of sea water and -
reduction of amenities.

b) "organizations" means the body designated as -
responsible for carrying out secretariat functions -
pursuant to article 13 of this Convention.

Article 3

General provisions

1. The Contracting Parties may enter into bilateral
or multilateral agreements, including regional or -
sub-regional agreements, for the protection of the -
marine environment of the Mediterranean Sea against-
pollution, provided that such agreements are con- -

sistent with this Convention and conform to international law. Copies of such agreements between Contracting Parties to this Convention shall be communicated to the Organization.

2. Nothing in this Convention shall prejudice the codification and development of the Law of the Sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 C (XXV) of the General Assembly of the United Nations, nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

Article 4

General undertakings

1. The Contracting Parties shall individually or jointly take all appropriate measures in accordance with the provisions of this Convention and those protocols in force to which they are party, to prevent, abate and combat pollution of the Mediterranean Sea Area and to protect and enhance the marine environment in that Area.

2. The Contracting Parties shall co-operate in the formulation and adoption of protocols, in addition to the protocols opened for signature at the same time as this Convention, prescribing agreed measures, procedures and standards for the implementation of this Convention.

3. The Contracting Parties further pledge themselves to promote, within the international bodies considered to be competent by the Contracting Parties, measures concerning the protection of the marine environment in the Mediterranean Sea Area from all types and sources of pollution.

Article 5

Pollution caused by dumping from ships and aircraft

The Contracting Parties shall take all appro-

priate measures to prevent and abate pollution of -
the Mediterranean Sea Area caused by dumping from -
ships and aircraft.

Article 6

Pollution from ships

The Contracting Parties shall take all measures
in conformity with international law to prevent, -
abate and combat pollution of the Mediterranean Sea
Area caused by discharges from ships and to ensure -
the effective implementation in that Area of the --
rules which are generally recognized at the inter -
national level relating to the control of this type-
of pollution.

Article 7

Pollution resulting from exploration and exploita- tion of the continental shelf and the seabed and - its subsoil

The Contracting Parties shall take all appro--
priate measures to prevent, abate and combat pol--
lution of the Mediterranean Sea Area resulting - -
from exploration and exploitation of the continen-
tal shelf and the seabed and its subsoil.

Article 8

Pollution from land-based sources

The Contracting Parties shall take all appro--
priate measures to prevent, abate and combat pol--
lution of the Mediterranean Sea Area caused by dis-
charges from rivers, coastal establishments or out-
falls, or emanating from any other land-based sour-
ces within their territories.

Article 9

Co-operation in dealing with pollution emergencies

1. The Contracting Parties shall co-operate in --

taking the necessary measures for dealing with pollution emergencies in the Mediterranean Sea Area, - whatever the causes of such emergencies, and reducing or eliminating damage resulting therefrom.

2. Any Contracting Party which becomes aware of any pollution emergency in the Mediterranean Sea Area shall without delay notify, the Organization and, either through the Organization or directly, any Contracting Party likely to be affected by such emergency.

Article 10

Monitoring

1. The Contracting Parties shall endeavour to establish, in close co-operation with the international bodies which they consider competent, complementary or joint programmes including, as appropriate, programmes at the bilateral or multilateral levels, for pollution monitoring in the Mediterranean Sea Area and shall endeavour to establish a pollution monitoring system for that Area.

2. For this purpose, the Contracting Parties shall designate the competent authorities responsible for pollution monitoring within areas under their national jurisdiction and participate as far as practicable in international arrangements for pollution monitoring in areas beyond national jurisdiction.

3. The Contracting Parties undertake to co-operate in the formulation, adoption and implementation of such annexes to this Convention as may be required to prescribe common procedures and standards for pollution monitoring.

Article 11

Scientific and technological co-operation

1. The Contracting Parties undertake as far as possible to co-operate directly, or when appropriate through competent regional or other international -

organizations, in the fields of science and technology, and to exchange data as well as other scientific information for the purpose of this Convention.

2. The Contracting Parties undertake as far as possible to develop and co-ordinate their national research programmes relating to all types of marine pollution in the Mediterranean Sea Area and to co-operate in the establishment and implementation of regional and other international research programmes for the purposes of this Convention

3. The Contracting Parties undertake to co-operate in the provision of technical and other possible assistance in fields relating to marine pollution, with priority to be given to the special needs of developing countries in the Mediterranean region.

Article 12

Liability and compensation

The Contracting Parties undertake to co-operate as soon as possible in the formulation and adoption of appropriate procedures for the determination of liability and compensation for damage resulting from the pollution of the marine environment deriving from violations of the provisions of this Convention and applicable protocols.

Article 13

Institutional arrangements

The Contracting Parties designate the United Nations Environment Programme as responsible for carrying out the following secretariat functions:

- (i) To convene and prepare the meetings of Contracting Parties and conferences provided for in articles 14, 15, and 16;
- (ii) To transmit to the Contracting Parties notifications, reports and other information received

ticle 17;

(iv) To make recommendations regarding the adoption of any additional protocols or any amendments to this Convention or the protocols in accordance with the provisions of articles 15 and 16;

(v) To establish working groups as required to consider any matters related to this Convention and the protocols and annexes;

(vi) To consider and undertake any additional action that may be required for the achievement of the purposes of this Convention and the protocols.

Article 15

Adoption of additional protocols

1. The Contracting Parties, at a diplomatic conference, may adopt additional protocols to this Convention pursuant to paragraph 2 of article 4.
2. A diplomatic conference for the purpose of adopting additional protocols shall be convened by the Organization at the request of two thirds of the Contracting Parties.
3. Pending the entry into force of this Convention the Organization may, after consulting with the signatories to this Convention, convene a diplomatic conference for the purpose of adopting additional protocols.

Article 16

Amendment of the Convention or Protocols

1. Any Contracting Party to this Convention may propose amendments to the Convention. Amendments shall be adopted by a diplomatic conference which shall be convened by the Organization at the request of two thirds of the Contracting Parties.
2. Any Contracting Party to this Convention may propose amendments to any protocol. Such amendments shall be adopted by a diplomatic conference which

shall be convened by the Organization at the request of two thirds of the Contracting Parties to the protocol concerned.

3. Amendments to this Convention shall be adopted - by a three-fourths majority vote of the Contracting Parties to the Convention which are represented at the diplomatic conference, and shall be submitted - by the Depositary for acceptance by all Contracting Parties to the Convention. Amendments to any protocol shall be adopted by a three-fourths majority--vote of the Contracting Parties to such protocol - - which are represented at the diplomatic conference, - and shall be submitted by the Depositary for accep- - tance by all Contracting Parties to such protocol.

4. Acceptance of amendments shall be notified to - the Depositary in writing. Amendments adopted in - accordance with paragraph 3 of this article shall - enter into force between Contracting Parties having-accepted such amendments on the thirtieth day follow the receipt by the Depositary of notification of - - their acceptance by at least three fourths of the - Contracting Parties to this Convention or to the progocol concerned, as the case may be.

5. After the entry into force of an amendment to - this Convention or to a protocol, any new Contrac- - ting Party to this Convention or such protocol shall become a Contracting Party to the instrument as amended.

Article 17

Annexes and amendments to Annexes

1. Annexes to this Convention or to any protocol -- shall form an integral part of the Convention or such protocol, as the case may be.

2. Except as may be otherwise provided in any pro- - tocol, the following procedure shall apply to the - - adoption and entry into force of any amendments to - annexes to this Convention or to any Protocol, with - the exception of amendments to the Annex on arbitra - tion:

(i) Any Contracting Party may propose amendments to the annexes to this Convention or to protocols at the meetings referred to in article 14: - -

(ii) Such amendments shall be adopted by a three-fourths majority vote of the Contracting Parties to the instrument in question;

(iii) The Depositary shall without delay communicate the amendments so adopted to all Contracting Parties-;

(iv) Any Contracting Party that is unable to approve an amendment to the annexes to this Convention or to any protocol shall so notify in writing the Depositary within a period determined by the Contracting Parties concerned when adopting the amendment;-

(v) The Depositary shall without delay notify all Contracting Parties of any notification received pursuant to the preceding sub-paragraph;- - - - -

(vi) On expiry of the period referred to in sub-paragraph (iv) above, the amendment to the annex shall become effective for all Contracting Parties to this Convention or to the protocol concerned which have not submitted a notification in accordance with the provisions of that sub-paragraph.

3. The adoption and entry into force of a new annex to this Convention or to any protocol shall be subject to the same procedure as for the adoption and entry into force provided that, if any amendment to the Convention or the protocol concerned is involved the new annex shall not enter into force until such time as the amendment to the Convention or the protocol concerned enters into force.

4. Amendments to the annex on arbitration shall be considered to be amendments to this Convention and shall be proposed and adopted in accordance with the procedures set out in article 16 above.

Article 18

Rules of procedure and financial rules

1. The Contracting Parties shall adopt rules of procedure for their meetings and conferences envisaged - in articles 14, 15, and 16 above.

2. The Contracting Parties shall adopt financial - rules, prepared in consultation with the Organiza- - tion, to determine, in particular, their financial - participation.

Article 19

Special exercise of voting right

Within the areas of their competence, the Euro - pean Economic Community and any regional economic - grouping referred to in article 24 of this Convention shall exercise their right to vote with a number of - votes equal to the number of their member States which are Contracting Parties to this Convention and to one - or more Protocols; the European Economic Community and any grouping as referred to above shall not exercise - their right to vote in cases where the member States - concerned exercise theirs, and conversely.

Article 20

Reports

The Contracting Parties shall transmit to the - - Organization reports on the measures adopted in imple - mentation of this Convention and of Protocols to - - which they are Parties, in such form and at such in - tervals as the meetings of Contracting Parties may de - termine.

Article 21

Compliance control

The Contracting Parties undertake to co-operate - in the development of procedures enabling them to con - trol the application of this Convention and the Proto - cols.

Article 22

Settlement of disputes

1. In case of a dispute between Contracting Parties as to the interpretation or application of this Convention or the Protocols, they shall seek a settlement of the dispute through negotiation or any other peaceful means of their own choice.
2. If the parties concerned cannot settle their dispute through the means mentioned in the preceding paragraph, the dispute shall upon common agreement be submitted to arbitration under the conditions laid down in Annex A to this Convention.
3. Nevertheless, the Contracting Parties may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other Party accepting the same obligation, the application of the arbitration procedure in conformity with the provisions of Annex A. Such declaration shall be notified in writing to the Depositary, who shall communicate it to the other Parties.

Article 23

Relationship between the Convention and protocols

1. No one may become a Contracting Party to this Convention unless it becomes at the same time a Contracting Party to at least one of the protocols. No one may become a Contracting Party to a protocol unless it is, or becomes at the same time a Contracting Party to this Convention.
2. Any protocol to this Convention shall be binding only on the Contracting Parties to the protocol in question.
3. Decisions concerning any protocol pursuant to articles 14, 16 and 17 of this Convention shall be taken only by the Parties to the protocol concerned.

Article 24

Signature

This Convention, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping - from Ships and Aircraft and the Protocol concerning- Co-operation in Combating Pollution of the Mediter- ranean Sea by Oil and Other Harmful Substances in - Cases of Emergency shall be open for signature in - Barcelona on 16 February 1976 and in Madrid from - 17 February 1976 to 16 February 1977 by any State in- vited as a participant in the Conference of Pleni - potentiaries of the Coastal States of the Mediterra- nean Region on the Protection of the Mediterranean - Sea, held in Barcelona from 2 to 16 February 1976,-- and by any State entitled to sign any protocol in ac- cordance with the provisions of such Protocol. They shall also be open until the same date for signature by the European Economic Community and by any simi - lar regional economic grouping at least one member of which is a coastal State of the Mediterranean Sea -- Area and which exercise competences in fields covered by this Convention, as well as by any protocol affect- ing them.

Article 25

Ratification, acceptance or approval

This Convention and any protocol thereto shall be subject to ratification, acceptance, or approval. - Instruments of ratification, acceptance or approval - shall be deposited with the Government of Spain, which will assume the functions of Depositary.

Article 26

Accession

1. As from 17 February 1977, the present Convention,- the Protocol for the Prevention of Pollution of the - Mediterranean Sea by Dumping from Ships and Aircraft,-

and the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency shall be open for accession by the States, by the European Economic Community and by any grouping as referred to in article 24.

2. After the entry into force of the Convention and of any protocol, any State not referred to in article 24 may accede to this Convention and to any protocol, subject to prior approval by three-fourths of the Contracting Parties to the protocol concerned.

3. Instruments of accession shall be deposited with the Depositary.

Article 27

Entry into force

1. This Convention shall enter into force on the same date as the protocol first entering into force.

2. The Convention shall also enter into force with regard to the States, the European Economic Community and any regional economic grouping referred to in article 24 if they have complied with the formal requirements for becoming Contracting Parties to any other protocol not yet entered into force.

3. Any protocol to this Convention, except as otherwise provided in such protocol, shall enter into force on the thirtieth day following the date of deposit of at least six instruments of ratification, acceptance, or approval of, or accession to such protocol by the Parties referred to in article 24.

4. Thereafter, this Convention and any protocol shall enter into force with respect to any State, the European Economic Community and any regional economic grouping referred to in article 24 on the thirtieth day following the date of deposit of the instruments of ratification, acceptance, approval or accession.

Article 28

Withdrawal

1. At any time after three years from the date of entry into force of this Convention, any Contracting Party may withdraw from this Convention by giving written notification of withdrawal.
2. Except as may be otherwise provided in any protocol to this Convention, any Contracting Party may, at any time after three years from the date of entry into force of such protocol, withdraw from such protocol by giving written notification of withdrawal.
3. Withdrawal shall take effect 90 days after the date on which notification of withdrawal is received-- by the Depositary.
4. Any Contracting Party which withdraws from this Convention shall be considered as also having withdrawn from any protocol to which it was a Party.
5. Any Contracting Party which, upon its withdrawal from a protocol, is no longer a Party to any protocol to this Convention, shall be considered as also having withdrawn from this Convention.

Article 29

Responsibilities of the Depositary

1. The Depositary shall inform the Contracting Parties, any other Party referred in article 24, and the Organizations:
 - (i) Of the signature of this Convention and of any protocol thereto, and of the deposit of instruments of ratification, acceptance, approval or accession in accordance with articles 24, 25 and 26;
 - (ii) Of the date on which the Convention and any protocol will come into force in accordance with the provisions of article 27;
 - (iii) Of notifications of withdrawal made in accordance with article 28;

(iv) Of the amendments adopted with respect to the Convention and to any protocol, their acceptance by the Contracting Parties and the date of entry into force of those amendments in accordance with the provisions of article 16;

(v) Of the adoption of new annexes and of the amendment of any annex in accordance with article 17.-

(vi) Of declarations recognizing as compulsory the application of the arbitration procedure mentioned in paragraph 3 of article 22.

2. The original of this Convention and of any protocol thereto shall be deposited with the Depositary, the Government of Spain, which shall send certified copies thereof to the Contracting Parties, to the Organization, and to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the United Nations Charter.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Convention.

DONE at Barcelona on 16 February 1976 in a single-copy in the Arabic, English, French and Spanish languages, the four texts being equally authoritative.

ANNEX A

Arbitration

Article 1

Unless the Parties to the dispute otherwise agree, the arbitration procedure shall be conducted in accordance with the provisions of this Annex.

Article 2

1. At the request addressed by one Contracting Party to another Contracting Party in accordance with the provisions of paragraph 2 or paragraph 3 of article 22 of the Convention, an arbitral tribunal shall be constituted. The request for arbitration shall state the subject matter of the application including, in particular, the articles of the Convention or the Protocols, the interpretation or application of which is in dispute.

2. The claimant party shall inform the Organization that it has requested the setting up of an arbitral tribunal, stating the name of the other party to the dispute and articles of the Convention or the Protocols the interpretation or application of which is in its opinion in dispute. The Organization shall forward the information thus received to all Contracting Parties to the Convention.

Article 3

The arbitral tribunal shall consist of three members: each of the parties to the dispute shall appoint an arbitrator; the two arbitrators so appointed shall designate by common agreement the third arbitrator who shall be the chairman of the tribunal. The latter shall not be a national of one of the parties to the dispute, nor have his usual place of residence in the territory of one of these parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

Article 4

1. If the chairman of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of the most diligent party, designate him within a further two months' period.

2. If one of the parties to the dispute does not appoint an arbitrator within two months of receipt, of the request, the other party may inform the Secretary-General of the United Nations who shall designate the chairman of the arbitral tribunal within a further two months' period. Upon designation, the chairman of the arbitral tribunal shall request the party which has not appointed an arbitrator to do so within two months. After such period, he shall inform the Secretary-General of the United Nations, who shall make this appointment within a further two months' period.

Article 5

1. The arbitral tribunal shall decide according to the rules of international law and, in particular, those of this Convention and the protocols concerned.

2. Any arbitral tribunal constituted under the provisions of this Annex shall draw up its own rules of procedure.

Article 6

1. The decisions of the arbitral tribunal, both on procedure and on substance, shall be taken by majority vote of its members.

2. The tribunal may take all appropriate measures in order to establish the facts. It may, at the request of one of the parties, recommend essential interim measures of protection.

3. If two or more arbitral tribunals constituted - under the provisions of this Annex are seized of requests with identical or similar subjects, they may inform themselves of the procedures for establish--ing the facts and take them into account as far as possible.

4. The parties to the dispute shall provide all - facilities necessary for the effective conduct of the proceedings.

5. The absence or default of a party to the dis--pute shall not constitute an impediment to the proceedings.

Article 7

1. The award of the arbitral tribunal shall be accompanied by a statement of reasons. It shall be final and binding upon the parties to the dispute.

2. Any dispute which may arise between the par---ties concerning the interpretation or execution of the award may be submitted by the most diligent -- party to the arbitral tribunal which made the - -- award or, if the latter cannot be seized thereof, - to another arbitral tribunal constituted for this purpose in the same manner as the first.

Article 8

The European Economic Community and any regional economic grouping referred to in article 24 of the Convention, like any Contracting Party to - the Convention, are empowered to appear as com- - plainants or as respondents before the arbitral - tribunal.

CONVENTION
POUR LA PROTECTION DE LA MER MEDITERRANEE
CONTRE LA POLLUTION

LES PARTIES CONTRACTANTES,

Conscientes de la valeur économique, sociale et culturelle - du milieu marin de la zone de la mer Méditerranée et de son importance pour la santé,

Pleinement conscientes qu'il leur incombe de préserver ce patrimoine commun dans l'intérêt des générations présentes et futures,

Reconnaissant que la pollution fait poser une menace sur le milieu marin, son équilibre écologique, ses ressources et ses utilisations légitimes,

Tenant compte des caractéristiques hydrographiques et écologiques spéciales de la zone de la mer Méditerranée et de sa vulnérabilité particulière à la pollution,

Notant que, malgré les progrès réalisés, les conventions internationales existant en la matière ne s'appliquent pas à tous les aspects et à toutes les sources de la pollution du milieu marin et ne répondent pas entièrement aux besoins spéciaux de la zone de la mer Méditerranée,

Appréciant pleinement la nécessité d'une coopération étroite entre les Etats et les organisations internationales concernées, dans le cadre d'un vaste ensemble de mesures concertées à l'échelon régional, pour protéger et améliorer le milieu marin de la zone de la mer Méditerranée,

SONT CONVENUES DE CE QUI SUIT :

Article premier

Champ d'application géographique

1. Aux fins de la présente Convention, la zone de la mer Méditerranée désigne les eaux maritimes de la Méditerranée proprement dite et des golfes et mers qu'elle comprend, la limite occidentale étant le méridien qui passe par le phare du cap Spartel, à l'entrée du détroit de Gibraltar, et la limite orientale étant constituée par la limite méridionale du détroit des Dardanelles, entre les phares de Mehemetcik et de Kumkale.

2. Sauf disposition contraire de l'un quelconque des protocoles relatifs à la présente Convention, la zone de la mer Méditerranée ne comprend pas les eaux intérieures des Parties contractantes.

Article 2

Définitions

Aux fins de la présente Convention :

a) On entend par "pollution" l'introduction directe ou indirecte, par l'homme, de substances ou d'énergie dans le milieu marin, lorsqu'elle a des effets nuisibles tels que dommages aux ressources biologiques, risques pour la santé de l'homme, entrave aux activités maritimes y compris la pêche, altération de la qualité de l'eau de mer du point de vue de son utilisation, et dégradation des valeurs d'agrément;

b) On entend par "Organisation" l'organisme chargé d'assurer les fonctions de secrétariat en vertu de l'article 13 de la présente Convention.

Article 3

Dispositions générales

1. Les Parties contractantes peuvent conclure des accords bilatéraux ou multilatéraux, y compris des accords régionaux ou sous-régionaux, pour la protection du milieu marin de la zone de la mer Méditerranée contre la pollution, sous réserve que de tels accords soient compatibles avec la présente Convention et conformes au droit international. Copie de ces accords sera communiquée à l'Organisation.

2. Aucune disposition de la présente Convention ne peut porter atteinte à la codification et à l'élaboration du droit de la mer par la Conférence des Nations Unies sur le droit de la mer convoquée en vertu de la résolution 2750 C (XXV) de l'Assemblée générale des Nations Unies, ni aux revendications ou positions juridiques présentes ou futures de tout Etat touchant le droit de la mer et la nature et l'étendue de la juridiction de l'Etat riverain et de l'Etat du pavillon.

Article 4

Engagements généraux

1. Les Parties contractantes prennent individuellement ou conjointement toutes mesures appropriées conformes aux dispositions de la présente Convention et des protocoles en vigueur - auxquels elles sont parties pour prévenir, réduire et combattre la pollution dans la zone de la mer Méditerranée et pour protéger et améliorer le milieu marin dans cette zone.

2. Les Parties contractantes coopèrent en vue d'élaborer et d'adopter, en plus des protocoles ouverts à la signature en même temps que la présente Convention, des protocoles additionnels - prescrivant des mesures, des procédures et des normes convenues en vue d'assurer l'application de la Convention.

3. Les Parties contractantes s'engagent en outre à promouvoir - dans le cadre des organismes internationaux qu'elles considèrent comme qualifiés, des mesures concernant la protection du milieu marin dans la zone de la mer Méditerranée contre tous - les types et sources de pollution.

Article 5

Pollution due aux opérations d'immersion effectuées par les navires et les aéronefs

Les Parties contractantes prennent toutes mesures appropriées pour prévenir et réduire la pollution de la zone de la mer Méditerranée due aux opérations d'immersion effectuées par les navires et les aéronefs.

Article 6

Pollution par les navires

Les Parties contractantes prennent toutes mesures conformes-
au droit international pour prévenir, réduire et combattre la- -
pollution de la zone de la mer Méditerranée causée par les re- -
jets des navires et pour assurer la mise en oeuvre effective, -
dans cette zone, des règles généralement admises sur le plan in-
ternational relatives à la lutte contre ce type de pollution.

Article 7

Pollution résultant de l'exploration et de l'exploitation du plateau continental, du fond de la mer et de son sous-sol

Les Parties contractantes prennent toutes mesures appro - -
priées pour prévenir, réduire et combattre la pollution de la zo
ne de la mer Méditerranée résultant de l'exploration et de l' -
exploitation du plateau continental, du fond de la mer et de son
sous-sol.

Article 8

Pollution d'origine tellurique

Les Parties contractantes prennent toutes mesures appro - -
priées pour prévenir, réduire et combattre la pollution de la -
zone de la mer Méditerranée due aux déversements par les fleu -
ves, les établissements côtiers ou les émissaires, ou émanant -
de toute autre source située sur leur territoire.

Article 9

Coopération

en cas de pollution résultant d'une situation critique

1. Les Parties contractantes coopèrent pour prendre les dispo
sitions nécessaires en cas de situation critique génératrice -
de pollution dans la zone de la mer Méditerranée, quelles que
soient les causes de cette situation critique, et pour réduire
ou éliminer les dommages qui en résultent.
2. Toute Partie contractante ayant connaissance d'une situa -
tion critique génératrice de pollution dans la zone de la mer-
Méditerranée informe sans délai l'Organisation ainsi que, par-
l'Organisation ou directement, toute Partie contractante qui -

pourrait être affectée par une telle situation critique.

Article 10

Surveillance continue de la pollution

1. Les Parties contractantes s'efforcent d'instaurer, en étroite coopération avec les organismes internationaux qu'elles considèrent comme qualifiés, des programmes complémentaires ou communs de surveillance continue de la pollution dans la zone de la mer Méditerranée, y compris, le cas échéant, des programmes bilatéraux ou multilatéraux, et s'efforcent d'instituer dans cette zone un système de surveillance continue de la pollution.
2. A cette fin, les Parties contractantes désignent les autorités chargées d'assurer la surveillance continue de la pollution dans les zones relevant de leur juridiction nationale et participent, autant que faire se peut, à des arrangements internationaux pour la surveillance continue de la pollution dans les zones situées au-delà des limites de leur juridiction nationale.
3. Les parties contractantes s'engagent à coopérer pour élaborer, adopter et mettre en oeuvre les annexes à la présente Convention qui peuvent être requises pour prescrire des procédures et normes communes en vue de la surveillance continue de la pollution.

Article 11

Coopération scientifique et technologique

1. Les Parties contractantes s'engagent, dans la mesure du possible, à coopérer directement ou, s'il y a lieu, par l'entremise d'organisations régionales ou autres organisations internationales qualifiées dans les domaines de la science et de la technologie, ainsi qu'à échanger des données et autres renseignements d'ordre scientifique, aux fins de la réalisation des objectifs de la présente Convention.
2. Les Parties contractantes s'engagent, dans la mesure du possible, à promouvoir et à coordonner leurs programmes nationaux de recherche concernant tous les types de pollution du milieu marin dans la zone de la mer Méditerranée et à coopérer pour instaurer et mettre en oeuvre des programmes régionaux et autres programmes internationaux de recherche aux fins de la réalisation des objectifs de la présente Convention.

3. Les Parties contractantes s'engagent à coopérer pour fournir une assistance technique et d'autres formes possibles d'assistance dans les domaines en rapport avec la pollution du milieu marin, en accordant la priorité aux besoins spéciaux des pays en voie de développement de la région méditerranéenne.

Article 12

Responsabilité et réparation des dommages

Les Parties contractantes s'engagent à coopérer aussitôt que possible pour élaborer et adopter des procédures appropriées concernant la détermination des responsabilités et la réparation des dommages résultant de la pollution du milieu marin en violation des dispositions de la présente Convention et des protocoles applicables.

Article 13

Arrangements de caractère institutionnel

Les Parties contractantes désignent le Programme des Nations-Unies pour l'environnement pour assurer les fonctions de secrétariat ci-après :

- i) Convoquer et préparer les réunions des Parties contractantes et les conférences prévues aux articles 14, 15 et 16;
- ii) Communiquer aux Parties contractantes les notifications, rapports et autres renseignements reçus en conformité des articles 3, 9 et 20;
- iii) Examiner les demandes de renseignements et les informations émanant des Parties contractantes et consulter lesdites parties sur les questions relatives à la présente Convention, à ses protocoles et à ses annexes;
- iv) Accomplir les fonctions qui lui sont confiées en vertu des protocoles à la présente Convention;
- v) Accomplir toutes autres fonctions qui lui sont confiées, le cas échéant, par les Parties contractantes;
- vi) Assurer la coordination nécessaire avec d'autres organismes internationaux que les Parties contractantes considèrent comme qualifiés, et prendre notamment les dispositions administratives requises, le cas échéant, pour s'acquitter efficacement des fonctions de secrétariat.

Article 14

Réunions des Parties contractantes

1. Les Parties contractantes tiennent une réunion ordinaire tous les deux ans et, chaque fois qu'elles le jugent nécessaire, des réunions extraordinaires à la demande de l'Organisation ou à la demande d'une Partie contractante, à condition que ces demandes soient appuyées par au moins deux Parties contractantes.

2. Les réunions des Parties contractantes ont pour objet de veiller à l'application de la présente Convention et des protocoles et, en particulier :

i) De procéder à un examen général des inventaires établis par les Parties contractantes et par les organismes internationaux qualifiés sur l'état de la pollution marine et sur ses effets dans la zone de la mer Méditerranée;

ii) D'étudier les rapports soumis par les Parties contractantes conformément à l'article 20;

iii) D'adopter, de réviser et d'amender, le cas échéant, conformément à la procédure établie à l'article 17, les annexes à la présente Convention et aux protocoles;

iv) De faire des recommandations concernant l'adoption de protocoles additionnels ou d'amendements à la présente Convention ou aux protocoles, conformément aux dispositions des articles 15 et 16;

v) De constituer, le cas échéant, des groupes de travail chargés d'examiner toute question en rapport avec la présente Convention et les protocoles et annexes;

vi) D'étudier et de mettre en oeuvre toute mesure supplémentaire requise, le cas échéant, pour la réalisation des objectifs de la présente Convention et des protocoles.

Article 15

Adoption de protocoles additionnels

1. Les Parties contractantes, au cours d'une conférence diplomatique, peuvent adopter des protocoles additionnels à la présente Convention, conformément au paragraphe 2 de l'article 4.

2. Une conférence diplomatique en vue de l'adoption de protocoles additionnels est convoquée par l'Organisation si les deux -

tiers des Parties contractantes en font la demande.

3. En attendant l'entrée en vigueur de la présente Convention, - l'Organisation peut, après avoir consulté les signataires de la - présente Convention, convoquer une conférence diplomatique en vue de l'adoption de protocoles additionnels.

Article 16

Amendements à la Convention ou aux protocoles

1. Toute Partie contractante à la présente Convention peut proposer des amendements à la Convention. Les amendements sont adoptés au cours d'une conférence diplomatique convoquée par l'Organisation à la demande des deux tiers des Parties contractantes.

2. Toute Partie contractante à la présente Convention peut proposer des amendements à l'un quelconque des protocoles. Les amendements sont adoptés au cours d'une conférence diplomatique convoquée par l'Organisation à la demande des deux tiers des Parties contractantes au protocole concerné.

3. Les amendements à la présente Convention sont adoptés à la majorité des trois quarts des Parties contractantes à la Convention représentées à la conférence diplomatique, et soumis par le Dépositaire à l'acceptation de toutes les Parties contractantes à la Convention. Les amendements à tout protocole sont adoptés à la majorité des trois quarts des Parties contractantes audit protocole représentées à la Conférence diplomatique, et soumis par le Dépositaire à l'acceptation de toutes les Parties contractantes audit protocole.

4. L'acceptation des amendements est notifiée par écrit au Dépositaire. Les amendements adoptés conformément au paragraphe 3 du présent article entreront en vigueur, entre les Parties contractantes les ayant acceptés, le trentième jour après que le Dépositaire aura reçu notification de leur acceptation par les trois quarts au moins des Parties contractantes à la présente Convention ou au protocole concerné, selon le cas.

5. Après l'entrée en vigueur d'un amendement à la présente Convention ou à un protocole, toute nouvelle Partie contractante à la présente Convention ou audit protocole devient Partie contractante à l'instrument tel qu'amendé.

Article 17

Annexes et amendements aux annexes

1. Les annexes à la présente Convention ou à l'un quelconque des protocoles font partie intégrale de la Convention ou du protocole, selon le cas.

2. Sauf disposition contraire de l'un quelconque des protocoles, la procédure suivante s'applique à l'adoption et à l'entrée en vigueur de tout amendement aux annexes de la présente Convention ou de l'un quelconque des protocoles, exception faite des amende - - ments à l'annexe concernant l'arbitrage :

i) Toute Partie contractante peut proposer des amendements - aux annexes de la présente Convention ou des protocoles lors des réunions prévues à l'article 14;

ii) Les amendements sont adoptés à la majorité des trois - - quarts des Parties contractantes à l'instrument dont il s'agit;

iii) Le Dépositaire communique sans délai à toutes les Parties contractantes les amendements ainsi adoptés;

iv) Toute Partie contractante qui n'est pas en mesure d' - - approuver un amendement aux annexes de la présente Convention ou de l'un quelconque des protocoles en donne par écrit notification au Dépositaire avant l'expiration d'une période déterminée par - les Parties contractantes concernées lors de l'adoption de l' - - amendement;

v) Le Dépositaire informe sans délai toutes les Parties contractantes de toute notification reçue conformément au sous- - - paragraphe précédent;

vi) A l'expiration de la période indiquée au sous-paragraphe-iv) ci-dessus, l'amendement à l'annexe prend effet pour toutes- - les Parties contractantes à la présente Convention ou au protocole concerné qui n'ont pas soumis de notification en conformité- - des dispositions dudit sous-paragraphe.

3. L'adoption et l'entrée en vigueur d'une nouvelle annexe à la présente Convention ou à l'un quelconque des protocoles sont soumises aux mêmes procédures que l'adoption et l'entrée en vigueur d'un amendement à une annexe conformément aux dispositions du paragraphe 2 du présent article; toutefois, si cela implique un a - mendement à la Convention ou au protocole dont il s'agit, la nouvelle annexe n'entre en vigueur qu'après amendement de la Conven-

tion ou du protocole.

4. Les amendements à l'annexe concernant l'arbitrage sont considérés comme des amendements à la présente Convention et ils sont proposés et adoptés conformément à la procédure indiquée à l' - - article 16 ci-dessus.

Article 18

Règlement intérieur et règles financières

1. Les Parties contractantes adoptent un règlement intérieur - - pour les réunions et conférences visées aux articles 14, 15 et 16 ci-dessus.

2. Les Parties contractantes adoptent des règles financières, préparées en consultation avec l'Organisation, pour déterminer notamment leur participation financière.

Article 19

Exercice particulier du droit de vote

Dans les domaines relevant de leurs compétences, la Communauté économique européenne et tout groupement économique régional visé à l'article 24 exercent leur droit de vote avec un nombre de voix égal au nombre de leurs Etats membres qui sont Parties contractantes à la présente Convention et à un ou plusieurs protocoles; la - Communauté économique européenne et tout groupement mentionné ci - dessus n'exercent pas leur droit de vote dans les cas où les Etats membres concernés exercent le leur et réciproquement.

Article 20

Rapports

Les Parties contractantes adressent à l'Organisation des rapports sur les mesures adoptées en application de la présente Convention et des protocoles auxquels elles sont parties, la forme et la fréquence de ces rapports étant déterminée lors des réunions des réunions des Parties contractantes.

Article 21

Contrôle de l'application

Les Parties contractantes s'engagent à coopérer pour élaborer-

des procédures leur permettant de veiller à l'application de la -
présente Convention et des protocoles.

Article 22

Règlement des différends

1. Si un différend surgit entre des Parties contractantes à propos de l'interprétation ou de l'application de la présente Convention ou des protocoles, ces parties s'efforcent de le régler par voie de négociation ou par tout autre moyen pacifique de leur - -
choix.
2. Si les parties concernées ne peuvent régler leur différend -
par les moyens mentionnés au paragraphe précédent, le différend -
est d'un commun accord soumis à l'arbitrage dans les conditions -
définies dans l'annexe A à la présente Convention.
3. Toutefois, les Parties contractantes peuvent à n'importe quel -
moment déclarer reconnaître comme obligatoire de plein droit et -
sans convention spéciales, à l'égard de toute autre Partie accep-
tant la même obligation, l'application de la procédure d'arbitra-
ge conformément aux dispositions de l'annexe A. Une telle déclara-
tion est notifiée par écrit au Dépositaire, qui en donne communi-
cation aux autres Parties.

Article 23

Relation entre la Convention et les protocoles

1. Nul ne peut devenir Partie contractante à la présente Conven-
tion s'il ne devient en même temps partie à l'un au moins des pro-
tocolles. Nul ne peut devenir partie contractante à l'un quelcon-
que des protocoles s'il n'est pas, ou ne devient pas en même - -
temps, Partie contractante à la présente Convention.
2. Tout protocole à la présente Convention n'engage que les par-
ties contractantes à ce protocole.
3. Seules les parties contractantes à un protocole peuvent pren-
dre les décisions relatives audit protocole pour l'application- -
des articles 14, 16 et 17 de la présente Convention.

Article 24

Signature

La présente Convention, le Protocole relatif à la prévention de la pollution de la mer Méditerranée par les opérations d'immersion effectuées par les navires et aéronefs et le Protocole relatif à la coopération en matière de lutte contre la pollution de la mer Méditerranée par les hydrocarbures et autres substances nuisibles en cas de situation critique seront ouverts à Barcelone le 16 février 1976 et à Madrid du 17 février 1976 au 16 février 1977 à la signature des Etats invités en tant que participants à la Conférence de plénipotentiaires des Etats côtiers de la région méditerranéenne sur la protection de la mer Méditerranée, tenue à Barcelone du 2 au 16 février 1976, et de tout Etat habilité à signer l'un quelconque des protocoles, conformément aux dispositions de ce protocole. Ils seront également ouverts, jusqu'à la même date, à la signature de la Communauté économique européenne et de tout groupement économique régional similaire dont l'un au moins des membres est un Etat côtier de la zone de la mer Méditerranée et qui exercent des compétences dans des domaines couverts par la présente Convention ainsi que par tout protocole les concernant.

Article 25

Ratification, acceptation ou approbation

La présente Convention et tout protocole y relatif seront soumis à ratification, acceptation ou approbation. Les instruments de ratification, d'acceptation ou d'approbation seront déposés auprès du Gouvernement de l'Espagne, qui assumera les fonctions de Dépositaire.

Article 26

Adhésion

1. A partir du 17 février 1977, la présente Convention, le Protocole relatif à la prévention de la pollution de la mer Méditerranée par les opérations d'immersion effectuées par les navires et aéronefs et le Protocole relatif à la coopération en matière de lutte contre la pollution de la mer Méditerranée par les hydrocarbures et autres substances nuisibles en cas de situation critique seront ouverts à l'adhésion des Etats visés à l'article 24, de la Communauté économique européenne et de tout groupement visé audit article.

2. Après l'entrée en vigueur de la présente Convention et de tout protocole y relatif, tout Etat non visé à l'article 24 pourra adhérer à la présente Convention et à tout protocole, sous réserve d'approbation préalable par les trois quarts des parties contractantes au protocole concerné.

3. Les instruments d'adhésion seront déposés auprès du dépositaire.

Article 27

Entrée en vigueur

1. La présente Convention entrera en vigueur à la même date que le premier des protocoles à entrer en vigueur.

2. La Convention entrera également en vigueur à l'égard des Etats, de la Communauté économique européenne et de tout groupe ment économique régional, visés à l'article 24, qui auront accompli les formalités requises pour devenir parties contractantes à tout autre protocole qui ne serait pas encore entré en vigueur.

3. Tout protocole à la présente Convention, sauf disposition contraire de ce protocole, entrera en vigueur le trentième jour à compter de la date du dépôt d'au moins six instruments de ratification, d'acceptation ou d'approbation de ce protocole ou d'adhésion à celui-ci par les parties visées à l'article 24.

4. Par la suite, la présente Convention et tout protocole entreront en vigueur à l'égard de tout Etat, de la Communauté économique européenne et de tout groupement économique régional, visés à l'article 24, le trentième jour après le dépôt de l'instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

Article 28

Dénonciation

1. A tout moment après l'expiration d'un délai de trois ans à compter de la date à laquelle la présente Convention sera entrée en vigueur, toute Partie contractante pourra dénoncer la Convention en donnant par écrit une notification à cet effet.

2. Sauf disposition contraire de l'un quelconque des protocoles à la présente Convention, toute Partie contractante pourra, à tout moment après l'expiration d'un délai de trois ans à compter de la date d'entrée en vigueur de ce protocole, dénoncer le proto

cole en donnant par écrit une notification à cet effet.

3. La dénonciation prendra effet 90 jours après la date à laquelle elle aura été reçue par le dépositaire.

4. Toute Partie contractante qui dénonce la présente Convention sera considérée comme ayant également dénoncé tout protocole auquel elle était partie.

5. Toute Partie contractante qui, à la suite de sa dénonciation d'un protocole, n'est plus partie à aucun des protocoles à la présente Convention, sera considérée comme ayant également dénoncé la présente Convention.

Article 29

Fonctions du Dépositaire

1. Le Dépositaire notifie aux Parties contractantes, à toute autre partie visée à l'article 24, ainsi qu'à l'Organisation :

i) La signature de la présente Convention et de tout protocole y relatif et le dépôt des instruments de ratification, d'acceptation, d'approbation ou d'adhésion, effectués conformément aux dispositions des articles 24, 25 et 26;

ii) La date à laquelle la Convention et tout protocole entreront en vigueur conformément aux dispositions de l'article 27;

iii) Les notifications de dénonciation faites conformément aux dispositions de l'article 28;

iv) Les amendements adoptés en ce qui concerne la Convention et tout protocole, leur acceptation par les Parties contractantes et la date d'entrée en vigueur de ces amendements conformément aux dispositions de l'article 16;

v) L'adoption de nouvelles annexes et les amendements à toute annexe conformément aux dispositions de l'article 17.

vi) Les déclarations d'acceptation de l'application obligatoire de la procédure d'arbitrage conformément au paragraphe 3 de l'article 22.

2. L'original de la présente Convention et de tout protocole y relatif sera déposé auprès du Dépositaire, le Gouvernement de l'Espagne, qui en adressera des copies certifiées conformes aux Parties contractantes et à l'Organisation, ainsi qu'au Secrétaire général de l'Organisation des Nations Unies, pour enregistrement et publication conformément à l'Article 102 de la Charte des Nations

Unies

EN FOI DE QUOI les soussignés, dûment autorisés par leurs gouvernements respectifs, ont signé la présente Convention.

FAIT à BARCELONE, le seize février mil neuf cent soixante-seize, en un seul exemplaire en langues anglaise, arabe, espagnole et française, les quatre textes faisant également foi.

ANNEXE A

Arbitrage

Article premier

A moins que les parties au différend n'en conviennent autrement, la procédure d'arbitrage est conduite conformément aux dispositions de la présente annexe.

Article 2

1. Sur requête adressée par une Partie contractante à une autre Partie contractante en application des paragraphes 2 ou 3 de l'article 22 de la Convention, il est constitué un tribunal arbitral. La requête d'arbitrage indique l'objet de la requête, y compris, notamment, les articles de la Convention ou des protocoles dont l'interprétation ou l'application sont en litige.

2. La partie requérante informe l'Organisation du fait qu'elle a demandé la constitution d'un tribunal arbitral, du nom de l'autre partie au différend ainsi que des articles de la Convention ou des protocoles dont l'interprétation ou l'application font à son avis l'objet du différend. L'Organisation communique les informations ainsi reçues à toutes les Parties contractantes à la Convention.

Article 3

Le tribunal arbitral est composé de trois membres : chacune des parties au différend nomme un arbitre; les deux arbitres ainsi nommés désignent d'un commun accord le troisième arbitre, qui assume la présidence du tribunal. Ce dernier ne doit pas être ressortissant de l'une des parties au différend, ni avoir sa résidence habituelle sur le territoire de l'une de ces parties, ni se trouver au service de l'une d'elles, ni s'être déjà occupé de l'affaire à aucun autre titre.

Article 4

1. Si dans un délai de deux mois après la nomination du deuxième arbitre, le président du tribunal arbitral n'est pas désigné, le Secrétaire général des Nations Unies procède, à la requête de

la partie la plus diligente, à sa désignation dans un nouveau délai de deux mois.

2. Si dans un délai de deux mois après la réception de la requête, l'une des parties au différend ne procède pas à la nomination d'un arbitre, l'autre partie peut saisir le Secrétaire général - des Nations Unies qui désigne le président du tribunal arbitral - dans un nouveau délai de deux mois. Dès sa désignation, le président du tribunal arbitral demande à la partie qui n'a pas nommé d'arbitre de le faire dans un délai de deux mois. Passé ce délai, il saisit le Secrétaire général des Nations Unies qui procède à - cette nomination dans un nouveau délai de deux mois.

Article 5

1. Le tribunal arbitral décide selon les règles du droit international et, en particulier, de la présente Convention et des protocoles concernés.

2. Tout tribunal arbitral constitué aux termes de la présente annexe établit ses propres règles de procédure.

Article 6

1. Les décisions du tribunal arbitral, tant sur la procédure que sur le fond, sont prises à la majorité des voix de ses membres.

2. Le tribunal peut prendre toutes mesures appropriées pour établir les faits. Il peut, à la demande de l'une des parties, recommander les mesures conservatoires indispensables.

3. Si deux ou plusieurs tribunaux arbitraux constitués aux termes de la présente annexe se trouvent saisis de requête ayant des objets identiques ou analogues, ils peuvent s'informer de procédures relatives à l'établissement des faits et en tenir compte - dans la mesure du possible.

4. Les parties au différend fourniront toutes facilités nécessaires pour la conduite efficace de la procédure.

5. L'absence ou le défaut d'une partie au différend ne fait pas obstacle à la procédure.

Article 7

1. La sentence du tribunal arbitral est motivée. Elle est défini

tive et obligatoire pour les parties au différend.

2. Tout différend qui pourrait surgir entre les parties concernant l'interprétation ou l'exécution de la sentence peut être soumis par la partie la plus diligente au tribunal arbitral qui l'a rendue ou, si ce dernier ne peut en être saisi, à un autre tribunal arbitral constitué à cet effet de la même manière que le premier.

Article 8

La Communauté économique européenne et tout groupement économique visé à l'article 24 de la Convention, comme toute autre Partie contractante à la Convention, sont habilités à agir comme requérants ou appelés devant le tribunal arbitral.

CONVENIO PARA LA PROTECCION DEL MAR MEDITERRANEO
CONTRA LA CONTAMINACION

LAS PARTES CONTRATANTES,

Conscientes del valor económico, social y cultural del medio marino de la Zona del Mar Mediterráneo y de su importancia para la salud;

Plenamente conscientes de su deber de conservar este patrimonio común para el beneficio y uso de las generaciones presentes y futuras;

Reconociendo la amenaza que representa la contaminación para el medio marino, su equilibrio ecológico, sus recursos y sus usos legítimos;

Teniendo en cuenta las especiales características - hidrográficas y ecológicas de la Zona del Mar Mediterráneo y su especial vulnerabilidad a la contaminación;

Advirtiendo que los convenios internacionales existentes en la materia, a pesar del progreso conseguido, no comprenden todos los aspectos y fuentes de la contaminación del mar y no satisfacen enteramente los requisitos especiales de la Zona del Mar Mediterráneo;

Convencidas de la necesidad de una estrecha cooperación, entre los Estados y las organizaciones internacionales interesadas en un enfoque regional coordinado y amplio para proteger y mejorar el medio marino de la Zona del Mar Mediterráneo;

HAN CONVENIDO LO SIGUIENTE:

Artículo 1

Ambito geográfico

1. A los efectos del presente Convenio, la Zona del Mar Mediterráneo comprende las aguas marítimas del Mediterráneo propiamente dicho, con sus golfos y mares tributarios, limitada al Oeste por el meridiano que pasa por el faro del Cabo Espartel, en la entrada del Estrecho de Gibraltar, y al Este por los límites meridionales del Estrecho de los Dardanelos, entre los faros Mehmetcik y Kumkale.
2. Salvo que se disponga otra cosa en un protocolo del presente Convenio, la Zona del Mar Mediterráneo no comprende las aguas interiores de las Partes Contratantes.

Artículo 2

Definiciones

A los efectos del presente Convenio:

a) por "contaminación" se entiende la introducción directa o indirecta en el medio marino, por el hombre, de sustancias o energía que produzcan efectos deletéreos, tales como daños a los recursos vivos, peligros para la salud humana, obstáculos para las actividades marinas, incluida la pesca, la deterioración cualitativa del agua del mar y la reducción de las posibilidades de esparcimiento;

b) por "Organización" se entiende el organismo encargado del desempeño de las funciones de secretaría de conformidad con el artículo 13 del presente Convenio.

Artículo 3

Disposiciones generales

1. Las Partes Contratantes podrán celebrar acuerdos bilaterales o multilaterales, incluidos acuerdos a nivel regional o subregional, para la protección del medio marino de la Zona del Mar Mediterráneo contra la -

contaminación, siempre que tales acuerdos sean compatibles con el presente Convenio y estén en conformidad con el derecho internacional.

Copias de tales acuerdos serán comunicadas a la Organización.

2. Nada de lo dispuesto en el presente Convenio afectará a la codificación y al desarrollo del derecho del mar por la Conferencia de las Naciones Unidas sobre el Derecho del Mar, convocada de conformidad con la resolución 2750 C (XXV) de la Asamblea General de las Naciones Unidas, ni a las reivindicaciones y tesis jurídicas presentes o futuras de cualquier Estado en lo que respecta al derecho del mar y a la naturaleza y al alcance de la jurisdicción de los Estados ribereños y de los Estados de pabellón.

Artículo 4

Compromisos generales

1. Las Partes Contratantes tomarán, individual o colectivamente, todas las medidas apropiadas, de acuerdo con las disposiciones del presente Convenio y de los protocolos en vigor en los que sean parte para prevenir, reducir y combatir la contaminación de la Zona del Mar Mediterráneo y para proteger y mejorar el medio marino en dicha Zona.

2. Las Partes Contratantes cooperarán en la elaboración y adopción, además de los protocolos abiertos a la firma juntamente con el presente Convenio, de protocolos adicionales que establezcan medidas, procedimientos y normas convenidos para la aplicación del presente Convenio.

3. Las Partes Contratantes se comprometen asimismo a promover, en el seno de los organismos internacionales que consideren competentes, la adopción de medidas destinadas a proteger el medio marino en la Zona del Mar Mediterráneo contra todos los tipos y fuentes de contaminación.

Artículo 5

Contaminación causada por operaciones de vertido efectuadas desde buques y aereonaves

Las Partes Contratantes tomarán todas las medidas apropiadas para prevenir y reducir la contaminación de la Zona del Mar Mediterráneo causada por operaciones - de vertido efectuadas desde buques y aereonaves.

Artículo 6

Contaminación causada por buques

Las Partes Contratantes tomarán todas las medidas conformes con el derecho internacional para prevenir, reducir y combatir la contaminación de la Zona del - Mar Mediterráneo causada por descargas desde buques - y para asegurar la aplicación efectiva, en dicha Zona, de las normas generalmente reconocidas en el ámbito - internacional relativas a la lucha contra ese tipo de contaminación.

Artículo 7

Contaminación causada por la exploración y explotación de la plataforma continental, del fondo del mar y de su subsuelo

Las Partes Contratantes tomarán todas las medidas apropiadas para prevenir, reducir y combatir la contaminación de la Zona del Mar Mediterráneo causada por la exploración y explotación de la plataforma continental, del fondo del mar y de su subsuelo.

Artículo 8

Contaminación de origen terrestre

Las Partes Contratantes tomarán todas las medidas apropiadas para prevenir, reducir y combatir la contaminación de la Zona del Mar Mediterráneo causada por - desagües de ríos, establecimientos costeros o emisa-

rios, o procedente de cualesquiera otras fuentes terrestres situadas dentro de sus respectivos territorios.

Artículo 9

Cooperación en casos de contaminación resultante de situaciones de emergencia

1. Las Partes Contratantes cooperarán entre sí para tomar las disposiciones necesarias en situaciones de emergencia que ocasionen contaminación en la Zona del Mar Mediterráneo, cualquiera que sea la causa, así como para reducir o eliminar los daños resultantes.
2. Cualquier Parte Contratante que tenga noticia de una situación de emergencia que ocasione contaminación en la Zona del Mar Mediterráneo deberá notificarlo, sin demora, a la Organización y, sea a través de la Organización sea directamente, a cualquier Parte Contratante que pueda resultar afectada por dicha situación.

Artículo 10

Vigilancia de la contaminación

1. Las Partes Contratantes tratarán de establecer, en estrecha colaboración con los organismos internacionales que consideren competentes, programas complementarios o conjuntos de vigilancia de la contaminación en la Zona del Mar Mediterráneo, incluidos, en su caso, programas bilaterales o multilaterales, y tratarán de establecer en dicha Zona un sistema de vigilancia de la contaminación.
2. A tales efectos, las Partes Contratantes designarán las autoridades encargadas de la vigilancia de la contaminación dentro de las zonas bajo su jurisdicción nacional y participarán, en la medida en que sea factible, en arreglos internacionales para la vigilancia de la contaminación en las zonas situadas fuera de los límites de su jurisdicción nacional.

3. Las Partes Contratantes se comprometen a cooperar en la elaboración, adopción y aplicación de los anexos del presente Convenio que puedan ser necesarios para establecer procedimientos y normas comunes para la vigilancia de la contaminación.

Artículo 11

Cooperación científica y tecnológica

1. Las Partes Contratantes se comprometen, en la medida de lo posible, a cooperar directamente o, en su caso, a través de organizaciones regionales u otras organizaciones internacionales competentes, en los campos de la ciencia y la tecnología y a intercambiar datos y cualquier otra información científica, para los fines del presente Convenio.

2. Las Partes Contratantes se comprometen, en la medida de lo posible, a promover y coordinar sus programas nacionales de investigación sobre todos los tipos de contaminación del medio marino en la Zona del Mar Mediterráneo y a cooperar en el establecimiento y la aplicación de programas regionales y otros programas internacionales de investigación, para los fines del presente Convenio.

3. Las Partes Contratantes se comprometen a cooperar en la prestación de asistencia técnica y de otras formas posibles de asistencia en sectores relacionados con la contaminación del mar, dando prioridad a las necesidades especiales de los países en desarrollo de la región mediterránea.

Artículo 12

Responsabilidad e indemnización

Las Partes Contratantes se comprometen a cooperar, tan pronto como sea posible, en la elaboración y adopción de procedimientos apropiados para la determinación de la responsabilidad y de la indemnización por daños resultantes de la contaminación del medio marino como consecuencia de cualquier violación de las dispo-

siciones del presente Convenio y de los protocolos aplicables.

Artículo 13

Disposiciones institucionales

Las Partes Contratantes designan al Programa de las Naciones Unidas para el Medio Ambiente para que desempeñe las siguientes funciones de secretaría:

i) Convocar y preparar las reuniones de las Partes Contratantes y las conferencias previstas en los artículos 14, 15 y 16;

ii) Enviar a las Partes Contratantes las notificaciones, los informes y otros datos recibidos de conformidad con los artículos 3, 9 y 20;

iii) Examinar las peticiones de datos y la información provenientes de las Partes Contratantes y consultar con ellas sobre cuestiones relativas al presente Convenio, a los protocolos y a los anexos;

iv) Desempeñar las funciones que le atribuyan los protocolos del presente Convenio;

v) Desempeñar cualesquiera otras funciones que puedan atribuirle las Partes Contratantes;

vi) Mantener la coordinación necesaria con los organismos internacionales que las Partes Contratantes consideren competentes y, en particular, concertar los arreglos administrativos que puedan ser necesarios para el eficaz desempeño de las funciones de secretaría.

Artículo 14

Reuniones de las Partes Contratantes

1. Las Partes Contratantes celebrarán reuniones ordinarias cada dos años y, cuando lo estimen necesario, reuniones extraordinarias a petición de la Organización o de cualquier Parte Contratante siempre que tal petición sea apoyada al menos por dos Partes Contratantes.

2. Las reuniones de las Partes Contratantes tendrán como misión velar por la aplicación del presente Convenio y de los protocolos y, en particular:

i) Proceder a un examen general de los inventarios realizados por las Partes Contratantes y los organismos internacionales competentes sobre la situación de la contaminación del mar y sus efectos en la Zona del Mar Mediterráneo;

ii) Examinar los informes presentados por las Partes contratantes de conformidad con el artículo 20;

iii) Adoptar, revisar y enmendar, según proceda, los anexos del presente Convenio y de los protocolos, de conformidad con el procedimiento establecido en el artículo 17;

iv) Formular recomendaciones sobre la adopción de protocolos adicionales o enmiendas al presente Convenio o a los protocolos, de conformidad con las disposiciones de los artículos 15 y 16 ;

v) Crear los grupos de trabajo que puedan ser necesarios para examinar cualquier materia relacionada con el presente Convenio y los protocolos y anexos;

vi) Examinar y aplicar cualquier medida adicional que pueda ser necesaria para el logro de los objetivos del presente Convenio y los protocolos.

Artículo 15

Adopción de protocolos adicionales

1. Las Partes Contratantes podrán adoptar, en una conferencia diplomática, protocolos adicionales al presente Convenio, de conformidad con lo establecido en el párrafo 2 del artículo 4.

2. A petición de dos tercios de las Partes Contratantes, la Organización convocará una conferencia diplomática para adoptar protocolos adicionales.

3. Antes de la entrada en vigor del presente Convenio, la Organización podrá, tras consultar a los signatarios del presente Convenio, convocar una conferencia diplomática

para adoptar protocolos adicionales.

Artículo 16

Enmiendas al Convenio o a los protocolos

1. Cualquier Parte Contratante en el presente Convenio podrá proponer enmiendas al Convenio. Tales enmiendas serán adoptadas en una conferencia diplomática convocada por la Organización, a petición de dos tercios de las -- Partes Contratantes.

2. Cualquier Parte Contratante en el presente Convenio podrá proponer enmiendas a cualquier protocolo. Tales enmiendas serán adoptadas en una conferencia diplomática convocada por la Organización, a petición de dos tercios de las Partes Contratantes en el protocolo de que se trate.

3. Las enmiendas al presente Convenio serán adoptadas -- por mayoría de tres cuartos de las Partes Contratantes -- en el Convenio representadas en la conferencia diplomática y serán sometidas por el Depositario a la aceptación de todas las Partes Contratantes en el Convenio. Las -- enmiendas a cualquier protocolo serán adoptadas por mayoría de tres cuartos de las Partes Contratantes en el protocolo de que se trate representadas en la conferencia -- diplomática y serán sometidas por el Depositario a la -- aceptación de todas las Partes Contratantes en dicho protocolo.

4. La aceptación de las enmiendas será notificada por -- escrito al Depositario. Las enmiendas adoptadas de conformidad con el párrafo 3 del presente artículo entrarán en vigor respecto de las Partes Contratantes que las hayan aceptado el trigésimo día después de la fecha en que el Depositario haya recibido notificación de su aceptación por tres cuartos por lo menos de las Partes Contratantes en el presente Convenio o en el protocolo de que se trate, según el caso.

5. Después de la entrada en vigor de una enmienda al -- presente Convenio o a un protocolo, cualquier nueva Parte Contratante en el Convenio o en dicho protocolo pasará a ser Parte Contratante en el instrumento enmendado.

Artículo 17

Anexos y enmiendas a los anexos

1. Los anexos del presente Convenio o de cualquiera de sus protocolos formarán parte integrante del Convenio o del protocolo de que se trate, según el caso.

2. Salvo que se disponga otra cosa en cualquier protocolo, se aplicará el siguiente procedimiento para la -- adopción y la entrada en vigor de toda enmienda a los -- anexos del presente Convenio o de cualquier protocolo, -- con excepción de las enmiendas al anexo sobre arbitraje:

i) Cualquier Parte Contratante podrá proponer enmiendas a los anexos del presente Convenio o de cualquier -- protocolo en las reuniones previstas en el artículo 14;

ii) Tales enmiendas serán adoptadas por mayoría de -- tres cuartos de las Partes Contratantes en el instrumen-- to de que se trate;

iii) El Depositario comunicará sin demora las enmiendas adoptadas a todas las Partes Contratantes;

iv) Cualquier Parte Contratante que no pueda aprobar una enmienda a los anexos del presente Convenio o de -- cualquiera de sus protocolos, lo notificará por escrito al Depositario dentro del plazo fijado por las Partes -- Contratantes interesadas al adoptar la enmienda;

v) El Depositario comunicará sin demora a todas las Partes Contratantes las notificaciones rebidias en vir-- tud del apartado iv) de este párrafo;

vi) Al expirar el plazo a que se refiere el apartado iv) de este párrafo, la enmienda al anexo surtirá efec-- tos respecto de todas las Partes Contratantes en el pre-- sente Convenio o en el protocolo de que se trate que no hayan cursado la notificación prevista en dicho apartado.

3. Para la adopción y entrada en vigor de un nuevo -- anexo del presente Convenio o de cualquier protocolo, se aplicará el mismo procedimiento que para la adopción y -- entrada en vigor de una enmienda a un anexo de conformidad con las disposiciones del párrafo 2 del presente ar-- tículo; sin embargo, si ello implica una enmienda al Con-- venio o a un protocolo, el nuevo anexo sólo entrará en --

vigor cuando entre en vigor la enmienda al Convenio o al protocolo de que se trate.

4. Las enmiendas al anexo sobre arbitraje se considerarán como enmiendas al presente Convenio y serán propuestas y adoptadas conforme al procedimiento establecido en el artículo 16.

Artículo 18

Reglamentos interno y financiero

1. Las Partes Contratantes adoptarán un reglamento - interno para sus reuniones y conferencias de conformidad con lo dispuesto en los artículos 14, 15 y 16 del presente Convenio.

2. Las Partes Contratantes adoptarán un reglamento - financiero, elaborado en consulta con la Organización, para determinar en particular su participación financiera.

Artículo 19

Ejercicio especial del derecho de voto

En las esferas de su competencia, la Comunidad -- Económica Europea y cualquier agrupación económica regional a que se refiere el artículo 24 ejercerán su derecho de voto con un número de votos igual al número de sus Estados miembros que sean Partes Contratantes en el presente Convenio y en uno o varios de sus protocolos. La Comunidad Económica Europea y cualquier agrupación arriba mencionada no ejercerán su derecho de voto en los casos en que sus Estados miembros interesados ejerzan el suyo, y viceversa.

Artículo 20

Informes

Las Partes Contratantes transmitirán a la Organización informes sobre las medidas adoptadas para la aplicación del presente Convenio y de los protocolos en los que sean parte, en la forma y en los plazos establecidos por la reunión de las Partes Contratantes.

Artículo 21

Control de la aplicación

Las Partes Contratantes se comprometen a cooperar en la elaboración de procedimientos que les permiten velar por la aplicación del presente Convenio y de los protocolos.

Artículo 22

Arreglo de controversias

1. En caso de que suscite una controversia entre -- Partes Contratantes sobre la interpretación o aplicación del presente Convenio o de los protocolos, dichas Partes se esforzarán por resolverla mediante negociaciones o cualquier otro medio pacífico de su -- elección.
2. Si las partes interesadas no consiguen resolver la controversia por los medios mencionados en el párrafo anterior, la controversia será, de común -- acuerdo, sometida a arbitraje conforme a las disposiciones del Anexo A del presente Convenio.
3. No obstante, las Partes Contratantes podrán declarar en cualquier momento que reconocen como obligatoria ipso facto y sin convenio especial, respecto a cualquier otra Parte que acepte la misma obligación, la aplicación del procedimiento de arbitraje -- de conformidad con las disposiciones del Anexo A. Dicha declaración será notificada por escrito al Depositario, quien la comunicará a las demás Partes.

Artículo 23

Relación entre el Convenio y los protocolos

1. Sólo se podrá llegar a ser Parte Contratante en el presente Convenio si al mismo tiempo se llega a ser Parte Contratante en uno de los protocolos por lo menos. Sólo se podrá llegar a ser Parte Contratante en un protocolo si ya se es o se llega a ser al mismo tiempo Parte Contratante en el presente Conve-

2. Cualquier protocolo del presente Convenio sólo - obligará a las Partes Contratantes en el protocolo - de que se trate.

3. Solamente las Partes Contratantes en un protocolo podrán tomar las decisiones relativas a ese protocolo, en lo que respecta a la aplicación de los artículos 14, 16 y 17 del presente Convenio.

Artículo 24

Firma

El presente Convenio, el Protocolo sobre la prevención de la contaminación del Mar Mediterráneo causada por vertidos desde buques y aeronaves y el Protocolo sobre cooperación para combatir en situaciones de emergencia la contaminación del Mar Mediterráneo causada por hidrocarburos y otras sustancias perjudiciales estarán abiertos en Barcelona, el 16 de Febrero de 1976, y en Madrid, del 17 de Febrero de 1976 al 16 de Febrero de 1977, a la firma de los Estados invitados como participantes a la Conferencia de Plenipotenciarios de los Estados Ribereños de la Región del Mediterráneo sobre la Protección del Mar Mediterráneo, celebrada en Barcelona del 2 al 16 de Febrero de 1976, y de cualquier Estado facultado para firmar un determinado protocolo, de conformidad con las disposiciones de dicho protocolo. Estarán también abiertos hasta esa misma fecha a la firma de la Comunidad Económica Europea y de cualquier agrupación económica regional semejante en la que al menos uno de sus miembros sea Estado ribereño de la Zona del Mar Mediterráneo y que ejerzan competencias en esferas comprendidas dentro del ámbito del presente Convenio y de cualquier protocolo que les afecte.

Artículo 25

Ratificación, aceptación o aprobación

El presente Convenio y cualquiera de sus proto-

colos estarán sujetos a ratificación, aceptación o -
aprobación. Los instrumentos de ratificación, acep-
tación o aprobación serán depositados en poder del -
Gobierno de España, que asumirá las funciones de De-
positario.

Artículo 26

Adhesión

1. A partir del 17 de febrero de 1977, el presente Convenio, el Protocolo sobre la prevención de la con-
taminación del Mar Mediterráneo causada por vertidos
desde buques y aeronaves y el Protocolo sobre coope-
ración para combatir en situaciones de emergencia la
contaminación del Mar Mediterráneo causada por hidro-
carburos y otras sustancias perjudiciales estarán --
abiertos a la adhesión de los Estados, de la Comuni-
dad Económica Europea y de cualquier agrupación eco-
nómica regional a los que se refiere el artículo 24.
2. Después de la entrada en vigor del presente Con-
venio y de cualquiera de sus protocolos, cualquier -
Estado no comprendido entre aquellos a los que se re-
fiere el artículo 24 podrá adherirse al presente Con-
venio y a cualquiera de sus protocolos con la aproba-
ción previa de tres cuartos de las Partes Contratan-
tes en el protocolo de que se trate.
3. Los instrumentos de adhesión serán depositados -
en poder del Depositario.

Artículo 27

Entrada en vigor

1. El presente Convenio entrará en vigor en la mis-
ma fecha que el primer protocolo que entre en vigor.
2. El Convenio también entrará en vigor respecto de
los Estados, de la Comunidad Económica Europea y de
cualquier agrupación económica regional a los que se
refiere el artículo 24 que hayan cumplido los requi-
sitos formales para ser Partes Contratantes en cual-
quier otro protocolo que todavía no haya entrado en-

en vigor.

3. Cualquier protocolo del presente Convenio, salvo que se disponga otra cosa en ese protocolo, entrará en vigor el trigésimo día después de la fecha en que hayan sido depositados al menos seis instrumentos de ratificación, aceptación o aprobación de dicho protocolo o de adhesión al mismo por las Partes a las que se refiere el artículo 24.

4. Ulteriormente, el presente Convenio y cualquiera de sus protocolos entrarán en vigor respecto de cualquier Estado, de la Comunidad Económica Europea y de cualquier agrupación económica regional a los que se refiere el artículo 24 el trigésimo día después de la fecha de depósito del instrumento de ratificación, aceptación, aprobación o adhesión.

Artículo 28

Retiro

1. Cualquier Parte Contratante podrá retirarse del presente Convenio, mediante notificación por escrito, en cualquier momento después de transcurrido un plazo de tres años contados a partir de la fecha de la entrada en vigor del Convenio.

2. Salvo que se disponga otra cosa en cualquier protocolo del presente Convenio, cualquier Parte Contratante podrá retirarse de ese protocolo, mediante notificación por escrito, en cualquier momento después de transcurrido un plazo de tres años contados a partir de la fecha de la entrada en vigor del protocolo.

3. El retiro surtirá efecto el nonagésimo día después de la fecha en que el Depositario haya recibido la notificación.

4. Se considerará que cualquier Parte Contratante que se retire del presente Convenio se retira también de los protocolos en los que sea parte.

5. Se considerará que cualquier Parte Contratante que, habiéndose retirado de un protocolo, ya no sea parte en ningún protocolo del presente Convenio, se ha retirado también del Convenio.

Artículo 29

Funciones del Depositario

1. El Depositario comunicará a las Partes Contratantes, a cualquier otra de las Partes a que se refiere el artículo 24 y a la Organización:

i) La firma del presente Convenio y de cualquiera de sus protocolos y el depósito de los instrumentos - de ratificación, aceptación, aprobación o adhesión, - efectuados de conformidad con los artículos 24, 25 y 26;

ii) La fecha en que el Convenio y cualquiera de sus protocolos entre en vigor, de conformidad con el artículo 27;

iii) Las notificaciones de retiro de conformidad con el artículo 28;

iv) Las enmiendas adoptadas respecto del Convenio y de cualquiera de sus protocolos, la aceptación de esas enmiendas por las Partes Contratantes y la fecha de su entrada en vigor, de conformidad con el artículo 16.

v) La adopción de nuevos anexos y las enmiendas a cualquier anexo, de conformidad con el artículo 17.

vi) La declaración de aceptación de la aplicación obligatoria del procedimiento de arbitraje de conformidad con el párrafo 3 del artículo 22.

2. El texto original del presente Convenio y de cualquiera de sus protocolos será depositado en poder del Depositario, el Gobierno de España, que enviará copias certificadas conformes a las Partes Contratantes, a la Organización y al Secretario General de las Naciones Unidas para su registro y publicación, de conformidad con el artículo 102 de la Carta de las Naciones Unidas.

EN TESTIMONIO DE LO CUAL, los infrascritos, debidamente autorizados por sus respectivos Gobiernos, -- han firmado el presente Convenio.

HECHO EN BARCELONA, el dieciséis de febrero de mil novecientos setenta y seis, en un solo ejemplar en los idiomas árabe, español, francés e inglés, haciendo fe por igual cada una de las versiones.

ANEXO A

Arbitraje

Artículo 1

Salvo que las partes en la controversia acuerden otra cosa, el procedimiento de arbitraje se regirá - por las disposiciones del presente Anexo.

Artículo 2

1. Si, de conformidad con los párrafos 2 ó 3 del artículo 22 del presente Convenio, una Parte Contratante dirige a otra una demanda al efecto, se constituirá un tribunal arbitral. La demanda de arbitraje indicará su objeto y, en particular, los artículos del Convenio o de los protocolos cuya interpretación o aplicación estén en litigio.

2. La parte demandante hará saber a la Organización que ha pedido que se constituya un tribunal arbitral, indicando el nombre de la otra parte en la controversia y los artículos del Convenio o de los protocolos cuya interpretación o aplicación sean en su opinión objeto de la controversia. La Organización comunicará las informaciones así recibidas a las demás Partes Contratantes en el Convenio.

Artículo 3

El tribunal arbitral estará compuesto de tres -- miembros: cada una de las partes en la controversia nombrará un árbitro; los dos árbitros así nombrados designarán de común acuerdo al tercer árbitro, quien asumirá la presidencia del tribunal. Ese último árbitro no deberá ser nacional de ninguna de las partes en la controversia, ni tener su residencia habitual en el territorio de ninguna de esas partes, ni estar al servicio de ninguna de ellas ni haberse ocupado - ya del asunto en ningún otro concepto.

Artículo 4

1. Si dos meses después de haberse nombrado el segundo árbitro no se ha designado al presidente del tribunal arbitral, el Secretario General de las Naciones Unidas, a petición de la parte más diligente, procederá a su designación en un nuevo plazo de dos meses.

2. Si dos meses después de la recepción de la demanda una de las partes en la controversia no ha procedido al nombramiento de un árbitro, la otra parte podrá dirigirse al Secretario General de las Naciones Unidas, quien designará al presidente del tribunal arbitral en un nuevo plazo de dos meses. Una vez designado, el presidente del tribunal arbitral pedirá a la parte que aún no haya nombrado un árbitro que lo haga en un plazo de dos meses. Transcurrido este plazo, el presidente del tribunal arbitral se dirigirá al Secretario General de las Naciones Unidas, quien procederá a dicho nombramiento en un nuevo plazo de dos meses.

Artículo 5

1. El tribunal arbitral decidirá con arreglo a las normas del derecho internacional y, en particular, del presente Convenio y de los protocolos de que se trate.

2. Cualquier tribunal arbitral que se constituya de conformidad con el presente Anexo adoptará su propio reglamento.

Artículo 6

1. Las decisiones del tribunal arbitral, tanto en materia de procedimiento como sobre el fondo, serán adoptadas por mayoría de sus miembros.

2. El tribunal podrá adoptar las medidas apropiadas para determinar los hechos. A petición de una de las partes, podrá recomendar las medidas cautelares indispensables.

3. Si dos o más tribunales arbitrales constituidos de conformidad con el presente Anexo recibieran demandas cuyo contenido fuera idéntico o análogo, podrán informarse recíprocamente de los procedimientos relativos a la determinación de los hechos y tenerlos en cuenta en la medida de lo posible.
4. Las partes en la controversia darán todas las facilidades necesarias para el desarrollo eficaz del procedimiento.
5. La ausencia o no comparecencia de una parte en la controversia no interrumpirá el procedimiento.

Artículo 7

1. El laudo del tribunal arbitral será motivado. -- Será definitivo y obligatorio para las partes en la controversia.
2. Cualquier controversia que surja entre las partes relativa a la interpretación o ejecución del laudo podrá ser sometida por la parte más diligente al tribunal arbitral que lo haya dictado o, si no es posible someterla a éste, a otro tribunal constituido al efecto de la misma manera que el primero.

Artículo 8

La Comunidad Económica Europea y cualquier agrupación económica regional a que se refiere el artículo 24 del Convenio, como cualquier otra Parte Contratante en el Convenio, podrán actuar como parte demandante o demandada ante un tribunal arbitral.

اتفاقية لحماية البحر الأبيض المتوسط من التلوث

ان الأطراف المتعاقدة ،

ان تدرك القيمة الاقتصادية والاجتماعية والصحية والثقافية للبيئة البحرية ففى منطقة البحر الأبيض المتوسط ،

وتعى تمام الوعى المسؤ وليات الملقاه على عاتقها من أجل الحفاظ على
هذا التراث المشترك ، تأمينا لمصلحة الأجيال الحاضرة والمقبلة ،

وان تعترف بما يترتب على التلوث من تهديد للبيئة البحرية وتوازنها
الأيكولوجى ولمواردها ولاستخداماتها المشروعة ،

وتعى المميزات الخاصة بهيد روجرافيا منطقة البحر الأبيض المتوسط
وأيكولوجيتها وقابليتها الخاصة للتلوث ،

وان تلاحظ ان الاتفاقيات الدولية المعمول بها فى هذا المجال لاتغطى
رغم التقدم الذى تم احرازه ، جميع نواحي التلوث البحرى ومصادره ولاتفى
بالاحتياجات الخاصة لمنطقة البحر الأبيض المتوسط ،

وان تدرك تماما الحاجة الى توثيق التعاون بين الدول والمنظمات
الدولية المعنية والى اتباع نهج منسق وشامل على الصعيد الاقليمى لحماية
البيئة البحرية فى منطقة البحر الأبيض المتوسط وتحسينها ،

قد اتفقت على ما يلى :

المادة الأولى

مجال التطبيق الجغرافى

- 1 - لأغراض هذه الاتفاقية ، يقصد بمنطقة البحر الأبيض المتوسط ، المياه
البحرية للبحر الأبيض المتوسط ذاته ، وخليجانه وبحاره التى يحدها
غربا خط الطول الذى يمر بمنارة رأس سبارتل عند مدخل مضيق جبل

المادة الرابعة

تعهدات عامة

١ - تتخذ الأطراف المتعاقدة ، سواء منفردة أو مشتركة ، كافة التدابير المناسبة ، وبقا لأحكام هذه الاتفاقية والبروتوكولات المعمول بها ، مما هي أطراف فيها ، وذلك بغية وقاية منطقة البحر الأبيض المتوسط من التلوث والتخفيف من حدته ومكافحته وحماية البيئة البحرية فى المنطقة وتحسينها .

٢ - تتعاون الأطراف المتعاقدة فى صياغة واعتماد بروتوكولات بالاضافـة الى البروتوكولات المفتوحة للتوقيع عليها فى نفس الوقت الذى تفتح فيه الاتفاقية للتوقيع عليها ، تبين فيها التدابير والاجراءات والقواعد التى يتم تحديدها والاتفاق عليها لتنفيذ هذه الاتفاقية .

٣ - تتعهد الأطراف المتعاقدة كذلك بتعزيز التدابير المتعلقة بحماية البيئة البحرية من جميع أنواع التلوث ومصادره فى منطقة البحر الأبيض المتوسط ، وذلك ضمن اطار الهيئات الدولية التى تعتبرها الأطراف المتعاقدة من ذات الاختصاص .

المادة الخامسة

التلوث الناجم عن القاء الفضلات من السفن والطائرات

تتخذ الأطراف المتعاقدة كافة التدابير المناسبة لوقاية منطقة البحر الأبيض المتوسط من التلوث الناجم عن القاء الفضلات من السفن والطائرات ، والتخفيف من حدته .

المادة السادسة

التلوث الناجم عن السفن

تتخذ الأطراف المتعاقدة كافة التدابير التى تتوافق والقانون الدولى لوقاية منطقة البحر الأبيض المتوسط من التلوث الناجم عن عمليات التصريف من السفن والتخفيف من حدة هذا التلوث ومكافحته ، كما تعمل على ضمان التنفيذ الفعال ، فى هذه المنطقة ، للأنظمة المعترف بها عموما على المستوى الدولى فيما يتعلق بمكافحة هذا النوع من التلوث فى المنطقة المذكورة .

طارق، وشرقاً التخوم الجنوبية لمضيق الدردنيل مابين منارتي مهمتيك
وكمكالى .

٢ - لا تشمل منطقة البحر الأبيض المتوسط ، المياه الداخلية للأطراف
المتعاقدة ، ما لم ينص على خلافه فى أى بروتوكول ملحق بهذه الاتفاقية .

المادة الثانية

تعريفات

لأغراض هذه الاتفاقية :

(أ) يقصد بالتلوث قيام الانسان ، سواء بطريقة مباشرة أو غير مباشرة
بإدخال أية مواد أو أية صنوف من الطاقة الى البيئة البحرية ،
مما يسبب آثاراً مؤذية كالحاق الضرر بالموارد الحية ، أو أن تكون
مصدر خطر على الصحة البشرية وعائقاً للنشاطات البحرية
بما فى ذلك صيد الأسماك وإفساداً لنوعية مياه البحر
المستخدمة وانقاصاً لمدى التمتع بها .

(ب) يقصد " بالمنظمة " الهيئة التى تعهد اليها مسؤولية تنفيذ مهام
السكرتارية وفقاً للمادة الثالثة عشرة من هذه الاتفاقية .

المادة الثالثة

أحكام عامة

١ - للأطراف المتعاقدة أن تدخل فى اتفاقيات ثنائية أو متعددة الأطراف
بما فى ذلك الاتفاقات الإقليمية وشبه الإقليمية لحماية البيئة البحرية
لمنطقة البحر الأبيض المتوسط من التلوث شريطة أن تتماشى مثل هذه
الاتفاقيات مع هذه الاتفاقية وتتفق والقانون الدولى وترسل نسخ من مثل
هذه الاتفاقيات الى المنظمة .

٢ - لا يخل أى حكم من أحكام هذه الاتفاقية بتقنين وتطوير قانون البحار الذى
يضعه مؤتمر الأمم المتحدة لقانون البحار والذى دعى للانعقاد وفقاً
لقرار الجمعية العامة للأمم المتحدة رقم ٢٧٥٠ ج (الدورة ٢٥) كما
لا يمس بالمطالب الراهنة أو المستقبلية ولا بوجهات النظر القانونية
لأية دولة فيما يتعلق بقانون البحار ومدى السيادة الساحلية وسيادة
دولة العلم .

- ٣ - تتعهد الأطراف المتعاقدة بأن تتعاون في صياغة أية ملاحق قد تدعو الحاجة اليها بالنسبة لهذه الاتفاقية واعتمادها وتنفيذها، بغية وضع اجراءات وقواعد مشتركة للرصد المستمر للتلوث .

المادة الحادية عشرة

التعاون العلمى والتكنولوجيا

- ١ - تحقيقا لأغراض هذه الاتفاقية، تتعهد الأطراف المتعاقدة ما أمكن ذلك بالتعاون، سواء مباشرة أم عندما يكون ذلك ملائما، من خلال المنظمات الإقليمية المختصة أو المنظمات الدولية الأخرى في مجالى العلم والتكنولوجيا، وتبادل البيانات وغيرها من المعلومات العلمية .
- ٢ - تحقيقا لأغراض هذه الاتفاقية، تتعهد الأطراف المتعاقدة، ما أمكن ذلك، بتطوير وتنسيق برامجها الوطنية للبحوث المتعلقة بجميع أنواع التلوث البحرى في منطقة البحر الأبيض المتوسط وبالتعاون في اعداد وتنفيذ برامج إقليمية وبرامج دولية أخرى للبحوث.
- ٣ - تتعهد الأطراف المتعاقدة بالتعاون في توفير المعونة الفنية وغيرها من المعونات الممكنة الأخرى في المجالات المتعلقة بالتلوث البحرى في منطقة البحر الأبيض المتوسط، مع اسناد الأولوية للاحتياجات الخاصة في البلدان النامية في اقليم البحر الأبيض المتوسط.

المادة الثانية عشرة

المسؤولية القانونية والتعويض عن الأضرار

تتعهد الأطراف المتعاقدة بالتعاون، في أقرب وقت ممكن، في صياغة وقرار الاجراءات المناسبة المتعلقة بتحديد المسؤولية القانونية والتعويض عن الأضرار الناجمة عن تلوث البيئة البحرية بسبب خرق أحكام هذه الاتفاقية والبروتوكولات المعمول بها .

المادة الثالثة عشرة

الترتيبات التنظيمية

تعيّن الأطراف المتعاقدة برنامج الأمم المتحدة للبيئة للاضطلاع بمسؤولية تنفيذ وظائف السكرتارية التالية :

- (١) الدعوة الى اجتماعات الأطراف المتعاقدة والمؤتمرات، المنصوص عليها في المواد ١٤ و ١٥ و ١٦ ، والاعداد لها .
- (٢) احاطة الأطراف المتعاقدة بالاطار والخطارات والتقارير وغيرها من المعلومات التى يتم استلامها وفقا للمواد ٣ و ٩ و ٢٠ .

المادة السابعة

التلوث الناجم عن عمليات استكشاف الأفریز القارى وقاع البحر وطبقات تربته الجوفية واستغلالها

تتخذ الأطراف المتعاقدة كافة التدابير المناسبة لوقاية منطقة البحر الأبيض المتوسط من التلوث الناجم عن عمليات استكشاف واستغلال الأفریز القارى وقاع البحر وطبقات تربته الجوفية ، والعمل على التخفيف من حدة هذا التلوث ومكافحته .

المادة الثامنة

التلوث من مصادر برية

تتخذ الأطراف المتعاقدة كافة التدابير المناسبة لوقاية منطقة البحر الأبيض المتوسط من التلوث الناجم عن التصريف من الأنهار والمنشآت الساحلية أو التساقط ، أو الناتجة عن أية مصادر واقعة ضمن حدود أراضيها، والعمل على التخفيف من حدة هذا التلوث ومكافحته .

المادة التاسعة

التعاون في معالجة حالات التلوث الطارئة

- ١ - على الأطراف المتعاقدة أن تتعاون في اتخاذ الاجراءات الضرورية لمعالجة حالات التلوث الطارئة في منطقة البحر الأبيض المتوسط ، مهما كانت أسبابها ، والحد من التلف الناجم عن ذلك أو ازالته .
- ٢ - على أى طرف متعاقد ، عند علمه بأى حالة تلوث طارئة في منطقة البحر الأبيض المتوسط ، أن يقوم ، دون ابطاء ، بإخطار المنظمة وأى طرف من الأطراف المتعاقدة ، يحتمل أن يتأثر بمثل هذه الحالة الطارئة ، أما من خلال المنظمة أو بصورة مباشرة .

المادة العاشرة

الرصد المستمر للتلوث

- ١ - على الأطراف المتعاقدة أن تسعى بالتعاون الوثيق مع الهيئات الدولية التى تعتبرها مختصة الى اعداد برامج تكميلية أو مشتركة ، بما فى ذلك برامج ثنائية أو متعددة الأطراف كلما كان ذلك مناسباً ، من أجل رصد التلوث فى منطقة البحر الأبيض المتوسط . كما عليها أن تسعى الى احداث نظام للرصد المستمر للتلوث فى هذه المنطقة .
- ٢ - ولهذا الغرض ، على الأطراف المتعاقدة أن تسمى السلطات المختصة المسؤولة عن الرصد المستمر للتلوث فى المناطق الخاضعة لسيادتها الوطنية ، وأن تشترك ما أمكن ذلك عملياً ، فى الترتيبات الدولية للرصد المستمر فى المناطق الخارجة عن نطاق سيادتها الوطنية .

- (هـ) تشكيل مجموعات عمل ، حسب الحاجة ، للنظر في أية مسائل تتعلق بهذه الاتفاقية والبروتوكولات والملاحق .
- (و) دراسة واتخاذ أية اجراءات اضافية قد تدعو الحاجة اليها لتحقيق أغراض هذه الاتفاقية والبروتوكولات .

المادة الخامسة عشرة

اعتماد بروتوكولات اضافية

- ١ - للأطراف المتعاقدة ، أن تعتمد ، في مؤتمر دبلوماسي ، بروتوكولات اضافية لهذه الاتفاقية ، طبقاً للفقرة الثانية من المادة الرابعة .
- ٢ - تدعو المنظمة ، بناء على طلب يتقدم به ثلثا الأطراف المتعاقدة ، السى عقد مؤتمر دبلوماسي لاعتماد بروتوكولات اضافية .
- ٣ - الى حين نفاذ هذه الاتفاقية ، للمنظمة ، بعد التشاور مع الأطراف الموقعة عليها ، أن تدعو الى عقد مؤتمر دبلوماسي لاعتماد بروتوكولات اضافية .

المادة السادسة عشرة

تعديل الاتفاقية أو البروتوكولات

- ١ - يجوز لأى طرف من الأطراف المتعاقدة فى هذه الاتفاقية أن يقترح ادخال تعديلات على الاتفاقية . وتعتمد التعديلات من مؤتمر دبلوماسي تدعو المنظمة الى عقده ، بناء على طلب ثلثى الأطراف المتعاقدة .
- ٢ - يجوز لأى طرف من الأطراف المتعاقدة فى هذه الاتفاقية أن يقترح ادخال تعديلات على أى بروتوكول . وتعتمد مثل هذه التعديلات من مؤتمر دبلوماسي تدعو المنظمة الى عقده ، بناء على طلب ثلثى الأطراف المتعاقدة فى البروتوكول المعنى .
- ٣ - تعتمد التعديلات على هذه الاتفاقية بأغلبية ثلاثة أرباع أصوات الأطراف المتعاقدة فى هذه الاتفاقية الممثلة فى المؤتمر الدبلوماسي وتحيلها أمانة الايداع للموافقة من جميع الأطراف المتعاقدة فى هذه الاتفاقية . وتعتمد التعديلات على أى بروتوكول بأغلبية ثلاثة أرباع أصوات الأطراف المتعاقدة فى مثل هذا البروتوكول الممثلة فى المؤتمر الدبلوماسي وتحيلها أمانة الايداع ، للموافقة ، من جميع الأطراف المتعاقدة فى مثل هذا البروتوكول .

(٣) النظر في الاستفسارات والمعلومات الواردة من الأطراف المتعاقدة ،
والتشاور معها بشأن المسائل المتعلقة بهذه الاتفاقية والبروتوكولات
والملاحق الملحقة بها .

(٤) مباشرة الوظائف التي تعهد اليها بمقتضى بروتوكولات هـ هذه
الاتفاقية .

(٥) مباشرة أية وظائف أخرى تسند لها اليها الأطراف المتعاقدة .

(٦) تأمين التنسيق الضروري مع الهيئات الدولية الأخرى التي تعتبرها
الأطراف المتعاقدة مختصة ، وبصورة خاصة ، القيام بوضع الترتيبات
الادارية ، كلما نشأت الحاجة اليها ، من أجل مباشرة وظائف
السكرتارية على نحو فعال .

المادة الرابعة عشرة

اجتماعات الأطراف المتعاقدة

١ - تعقد الأطراف المتعاقدة اجتماعات عادية مرة كل عامين ، كما تعقد
اجتماعات استثنائية في أى وقت آخر تراه ضروريا ، وذلك بناء على
طلب المنظمة أو أى طرف من الأطراف المتعاقدة ، شريطة أن تلقى
مثل هذه الطلبات تأييدا من طرفين متعاقدين على الأقل .

٢ - على اجتماعات الأطراف المتعاقدة أن تستعرض بصورة متواصلة أمر تنفيذ
هذه الاتفاقية والبروتوكولات ، وبصورة خاصة :

(أ) اجراء استعراض عام لعمليات الجرد التي تضطلع بها الأطراف
المتعاقدة والهيئات الدولية المختصة بشأن حالة التلوث البحري
وأثارها على منطقة البحر الأبيض المتوسط .

(ب) النظر في التقارير التي ترفعها الأطراف المتعاقدة وفقا للمادة ٢ .

(ج) اعتماد ملاحق هذه الاتفاقية وملاحق البروتوكولات ، ومراجعتها
وتعديلها عند الحاجة ، وفقا للاجراءات المنصوص عليها فى
المادة ١٧ .

(د) تقديم توصيات بشأن اعتماد أية بروتوكولات اضافية أو أية
تعديلات لهذه الاتفاقية أو للبروتوكولات ، وفقا لأحكام المادتين
١٥ و ١٦ .

(و) عند انقضاء الفترة المشار إليها في الفقرة الفرعية (د) الواردة فيما تقدم يصبح تعديل الملحق نافذا بالنسبة لجميع الأطراف المتعاقدة في هذه الاتفاقية أو البروتوكول المعنى ، التي لم تتقدم بأي اخطار وفقا لأحكام تلك الفقرة الفرعية .

٣ - يخضع اعتماد ونفاذ أى ملحق جديد لهذه الاتفاقية أولاً بـ بروتوكول لنفس الاجراء المعمول به لاعتماد ونفاذ أى تعديل لأى ملحق وفقاً لأحكام الفقرة ٢ من هذه المادة . الا أنه في حالة وجود تعديل للاتفاقية أو البروتوكول المعنى فلن يصبح الملحق الجديد نافذا الى أن يصبح تعديل الاتفاقية أو البروتوكول المعنى نافذا .

٤ - تعتبر التعديلات التي تدخل على الملحق الخاص بالتحكيم بمثابة تعديلات لهذه الاتفاقية ، ويتعين اقتراحها واعتمادها وفقاً للاجراءات المنصوص عليها في المادة ١٦ الواردة فيما تقدم .

المادة الثامنة عشرة

النظام الداخلي والقواعد المالية

- ١ - تعتمد الأطراف المتعاقدة نظاماً داخلياً لاجتماعاتها ومؤتمراتها المنصوص عليها في المواد ١٤ و ١٥ و ١٦ الواردة فيما تقدم .
- ٢ - تعتمد الأطراف المتعاقدة قواعد مالية يتم اعدادها بالتشاور مع المنظمة ، بصورة خاصة ، لتحديد مساهمتها المالية .

المادة التاسعة عشرة

ممارسة خاصة لحق التصويت

تمارس المجموعة الاقتصادية الأوروبية وأى مجموعة اقتصادية اقليمية نصت عليها المادة الرابعة والعشرون من هذه الاتفاقية ، حقها في التصويت ، ضمن نطاق اختصاصها ، بعدد من الأصوات يعادل عدد دولها الأعضاء التي هي أطراف متعاقدة في الاتفاقية الحالية وفي واحد أو أكثر من البروتوكولات . ولا تمارس المجموعة الاقتصادية الأوروبية ولا المجموعات المشار إليها فيما تقدم حقها في التصويت في الحالات التي تمارس فيها دولها الأعضاء المعنية هذا الحق والعكس صحيح .

٤ - يتم الإبلاغ بقبول التعديلات كتابة الى أمانة الايداع وتصبح التعديلات التي تعتمد بمقتضى الفقرة ٣ من هذه المادة نافذة المفعول بين الأطراف المتعاقدة التي توافق على مثل هذه التعديلات فى اليوم الثلاثين الذى يلي وصول اخطار بالقبول الى أمانة الايداع مما لا يقل عن ثلاثة أسابيع الأطراف المتعاقدة فى هذه الاتفاقية أو فى البروتوكول المعنى حسب الحالة .

٥ - بعد نفاذ أى تعديل على هذه الاتفاقية أو على أى بروتوكول يصبح أى طرف متعاقد جديد فى هذه الاتفاقية أو مثل هذا البروتوكول طرفاً متعاقداً فى الوثيقة المعدلة .

المادة السابعة عشرة

الملاحق وتعديلات الملاحق

١ - تشكل ملاحق هذه الاتفاقية أو ملاحق أى بروتوكول جزءاً لا يتجزأ من الاتفاقية أو من مثل هذا البروتوكول ، حسب الحالة .

٢ - ما لم ينص على خلاف ذلك فى أى بروتوكول ، يطبق الاجراء التالى لاعتماد ونفاذ أية تعديلات لملاحق هذه الاتفاقية أو لأى بروتوكول ، باستثناء تعديلات الملحق الخاص بالتحكيم :

(أ) لأى طرف متعاقد أن يقترح ادخال تعديلات على ملاحق الاتفاقية والبروتوكولات ، فى الاجتماعات المنصوص عليها فى المادة ١٤ .

(ب) تعتمد مثل هذه التعديلات بأغلبية ثلاثة أرباع أصوات الأطراف المتعاقدة فى الوثيقة .

(ج) تقوم أمانة الايداع ، دون تأخير ، باخطار جميع الأطراف المتعاقدة بالتعديلات المعتمدة على هذا النحو .

(د) اذا تعذر على أى طرف متعاقد الموافقة على تعديل ملاحق هذه الاتفاقية أو أى بروتوكول ، عليه أن يخطر أمانة الايداع بذلك كتابة خلال مهلة تحدد ها الأطراف المتعاقدة عند اعتماد ها التعديلات .

(هـ) على أمانة الايداع أن تتقدم دون أى تأخير ، بإبلاغ جميع الأطراف المتعاقدة بأى اخطار يتم استلامه وفقاً للفقرة الفرعية السابقة .

٢ - يعتبر أى بروتوكول لهذه الاتفاقية ملزماً فقط بالنسبة للأطراف المتعاقدة فى البروتوكول قيد النظر.

٣ - الأطراف المتعاقدة فى بروتوكول ما، هى وحدها التى لها حق اتخاذ القرارات فيما يتعلق بالبروتوكول بالنسبة لتطبيق المواد ١٤ و ١٦ و ١٧ من هذه الاتفاقية .

المادة الرابعة والعشرون

التوقيع

تفتح هذه الاتفاقية والبروتوكول الخاص بالوقاية من تلوث البحر الأبيض المتوسط من القاء نفايات السفن والطائرات والبروتوكول الخاص بالتعاون فى مكافحة التلوث فى البحر الأبيض المتوسط بالنفط وغير ذلك من المواد الضارة فى حالات الطوارئ، للتوقيع عليها فى برشلونة فى ١٦ فبراير ١٩٧٦ وفى مدريد بين ١٧ فبراير ١٩٧٦ و ١٦ فبراير ١٩٧٧، من جانب أية دولة مدعيت للاشتراك فى مؤتمر المفوضين للدول الساحلية فى اقليم البحر الأبيض المتوسط بشأن حماية البحر الأبيض المتوسط، الذى تم انعقاده فى برشلونه من ٢ الى ١٦ فبراير ١٩٧٦ ومن أية دولة لها حق التوقيع على أى بروتوكول بمقتضى أحكام مثل ذلك البروتوكول وتفتح كذلك، حتى نفس التاريخ، للتوقيع من جانب المجموعة الاقتصادية الأوروبية ومن جانب أى مجموعة اقتصادية اقليمية مشابهة يكون عضو واحد منها على الأقل من الدول الساحلية فى منطقة البحر الأبيض المتوسط ويكون لها حق ممارسة اختصاصات تدخل ضمن المجالات التى تشمل عليها هذه الاتفاقية وأى من البروتوكولات المتعلقة بها .

المادة الخامسة والعشرون

المصادقة أو القبول أو الموافقة

تخضع هذه الاتفاقية وأى بروتوكول ملحق بها للمصادقة أو القبول أو الموافقة . وتودع وثائق المصادقة أو القبول أو الموافقة لدى حكومة اسبانيا التى ستضطلع بمهام أمانة الايداع .

المادة السادسة والعشرون

الانضمام

١ - اعتباراً من ١٧ فبراير ١٩٧٧، تفتح الاتفاقية الحالية والبروتوكول الخاص بحماية البحر الأبيض المتوسط من التلوث الناتج عن الاغراق من السفن والطائرات، والبروتوكول الخاص بالتعاون فى مكافحة تلوث البحر الأبيض المتوسط بالنفط وغير ذلك من المواد الضارة فى حالات الطوارئ، لانضمام

المادة العشرون

التقارير

تقوم الأطراف المتعاقدة برفع تقارير الى المنظمة بشأن التدابير المتخذة لتنفيذ هذه الاتفاقية والبروتوكولات التي هي أطراف فيها ، وذلك على النحو الذي تقرره الأطراف المتعاقدة في اجتماعاتها وفي الفترات التي تحددها فيها .

المادة الواحدة والعشرون

تتبع الالتزام

تتعهد الأطراف المتعاقدة بأن تتعاون في وضع الاجراءات التي تكفل لها تتبع هذه الاتفاقية والبروتوكولات .

المادة الثانية والعشرون

تسوية النزاعات

١ - في حالة قيام أى نزاع بين الأطراف المتعاقدة حول تفسير أو تطبيق هذه الاتفاقية أو البروتوكولات ، على هذه الأطراف أن تسعى الى الوصول الى تسوية لهذا النزاع بالتفاوض أو بأى أسلوب سلمي آخر ، حسب اختيارها .

٢ - اذا عجزت الأطراف المعنية عن تسوية خلافاتها بالأساليب المنصوص عليها في الفقرة السابقة يرفع النزاع بالاتفاق العام ، الى التحكيم وفقا للشروط المنصوص عليها في الملحق " أ " بهذه الاتفاقية .

٣ - وعلى الرغم من ذلك ، يجوز للأطراف المتعاقدة أن تصرح في أى وقت ، بأنها بذات تصريحها هذا ، وبدون حاجة الى اتفاق خاص ، بالنسبة لأى طرف آخر يقبل الالتزام ذاته ، تقبل الالتزام الجبرى بتطبيق اجراء التحكيم وذلك تمشيا مع نصوص الملحق " أ " . ويبلغ مثل هذا التصريح كتابة الى أمانة الايداع التي تقوم بدورها بإبلاغه الى الأطراف الأخرى .

المادة الثالثة والعشرون

العلاقة بين الاتفاقية والبروتوكولات

١ - لا يجوز لأى طرف أن يصبح طرفا متعاقدا في هذه الاتفاقية مالم يصبح ، في الوقت ذاته ، طرفا متعاقدا في مالا يقل عن بروتوكول واحد . ولا يجوز لأى طرف من الأطراف أن يصبح طرفا متعاقدا في بروتوكول ما مالم يكن ، أو يصبح ، في الوقت ذاته ، طرفا متعاقدا في هذه الاتفاقية .

- ٢ - مالم ينص على خلاف ذلك في أى بروتوكول من هذه الاتفاقية، يجوز لأى طرف، في أى وقت من الأوقات، بعد انقضاء ثلاث سنوات من تاريخ نفاذ مثل هذا البروتوكول، أن ينسحب منه بتقديم اخطار كتابي بالانسحاب.
- ٣ - يصبح الانسحاب نافذا بعد ٩٠ يوما من تاريخ تلقى أمانة الايداع اخطار الانسحاب .
- ٤ - اذا انسحب أى طرف من الأطراف المتعاقدة من هذه الاتفاقية يعتبر كذلك منسحبا من أى بروتوكول كان طرفا فيه .
- ٥ - اذا أصبح أى طرف من الأطراف المتعاقدة، عند انسحابه من بروتوكول ما، غير طرف في أى من بروتوكولات الاتفاقية، يعتبر منسحبا كذلك من هذه الاتفاقية .

المادة التاسعة والعشرون

مسؤوليات أمانة الايداع

- ١ - على أمانة الايداع أن تحيط الأطراف المتعاقدة وأى طرف آخر مشار اليه في المادة ٢٤ وكذلك المنظمة :
 - (أ) بالتوقيع على هذه الاتفاقية وأى بروتوكول متعلق بها وبايداع وثائق المصادقة والقبول والموافقة أو الانضمام وذلك وفقا للمواد ٢٤ و ٢٥ و ٢٦ .
 - (ب) بتاريخ نفاذ الاتفاقية وأى من البروتوكولات، وذلك وفقا لأحكام المادة ٢٧ .
 - (ج) باخطارات الانسحاب المقدمة وفقا للمادة ٢٨ .
 - (د) بالتعديلات التي يتم اعتمادها فيما يتعلق بالاتفاقية وبأى من البروتوكولات وبقبولها من الأطراف المتعاقدة وبتاريخ نفاذ هذه التعديلات وفقا لأحكام المادة ١٦ .
 - (هـ) باعتماد أية ملاحق جديدة وتعديل أى من الملاحق وفقا للمادة ١٧ .
 - (و) بصدر تصريحات تعترف بالزامية تطبيق اجراء التحكيم المنصوص عليه في الفقرة ٣ من المادة ٢٢ .
- ٢ - يودع أصل هذه الاتفاقية وأى بروتوكول لها لدى أمانة الايداع، وهي حكومة اسبانيا التي عليها أن ترسل صورة مصدقة منها الى الأطراف المتعاقدة والى المنظمة والى الأمين العام للأمم المتحدة، لتسجيلها ونشرها وفقا للمادة ١٠٢ من ميثاق الأمم المتحدة .

الدول والمجموعة الاقتصادية الأوروبية وأية مجموعة أخرى أشير إليها في المادة ٢٤ .

- ٢ - بعد نفاذ الاتفاقية وأي من البروتوكولات، يجوز لأية دولة لم يشر إليها في المادة ٢٤، أن تنضم لهذه الاتفاقية ولأي من البروتوكولات بعد موافقة ثلاثة أرباع الأطراف المتعاقدة في البروتوكول المعنى .
- ٣ - تودع وثائق الانضمام لدى أمانة الأيداع .

المادة السابعة والعشرون

النفاذ

- ١ - تصبح هذه الاتفاقية نافذة في نفس الموعد الذي يصبح فيه أول بروتوكول نافذ المفعول .
- ٢ - تصبح هذه الاتفاقية نافذة أيضا بالنسبة للدول وللمجموعة الاقتصادية ولأية مجموعة اقتصادية إقليمية أشير إليها إذا استوفت الشروط الرسمية لتصبح أطرافاً متعاقدة في أي بروتوكول آخر لم يصبح بعد نافذ المفعول ،
- ٣ - يصبح أي من البروتوكولات الملحقه في هذه الاتفاقية ، ما لم ينص على خلاف ذلك في مثل ذلك البروتوكول ؛ نافذ المفعول في اليوم الثلاثين الذي يلي تاريخ ايداع ما لا يقل عن ستة وثائق تصديق أو قبول أو موافقة من الأطراف المشار إليها في المادة ٢٤ أو انضمام هذه الأطراف التي مثل ذلك البروتوكول .
- ٤ - من ثم ، تصبح هذه الاتفاقية وأي من البروتوكولات نافذة بالنسبة لأية دولة وبالنسبة للمجموعة الاقتصادية الأوروبية ولأي مجموعة اقتصادية أشير إليها في المادة ٢٤ ، في اليوم الثلاثين الذي يلي تاريخ ايداع وثائق التصديق أو القبول أو الموافقة أو الانضمام .

المادة الثامنة والعشرون

الانسحاب

- ١ - يجوز لأي طرف من الأطراف المتعاقدة ، في أي وقت من الأوقات بعد انقضاء ثلاث سنوات من تاريخ نفاذ هذه الاتفاقية ، أن ينسحب من الاتفاقية بتقديم اخطار كتابي بالانسحاب .

الملحق (أ)

التحكيم

المادة الأولى

مالم تتفق أطراف النزاع على خلاف ذلك تتخذ اجراءات التحكيم وفقاً لأحكام هذا الملحق .

المادة الثانية

- ١ - بناء على طلب يوجهه طرف من الأطراف المتعاقدة الى طرف متعاقد آخر وفقاً لأحكام الفقرة ٢ أو الفقرة ٣ من المادة ٢٢ من الاتفاقية، تشكل محكمة تحكيم . ويذكر في طلب التحكيم موضوع الطلب، بما في ذلك، وبوجه خاص، مواد الاتفاقية أو البروتوكولات التي يكون تفسيرها أو تطبيقها موضع النزاع .
- ٢ - يخطر الطرف المدعى المنظمة بأنه طالب بتشكيل محكمة تحكيم، مبنياً اسم الطرف الآخر في النزاع ، ومواد الاتفاقية أو البروتوكولات التي يرى أن تفسيرها أو تطبيقها موضع النزاع . وتحيل المنظمة المعلومات التي تتلقاها على هذا النحو الى جميع الأطراف المتعاقدة في الاتفاقية .

المادة الثالثة

تتكون محكمة التحكيم من ثلاثة أعضاء : يعين كل طرف في النزاع حكماً، ويختار الحكمان المعينان على هذا النحو، بالاتفاق ، الحكم الثالث الذي يرأس المحكمة . ولا يجوز أن يكون الحكم الأخير من مواطني أحد الأطراف في النزاع ولا أن يكون مكان اقامته الاعتيادية في أراضي أحد هذه الأطراف أو يكون مستخدماً في أي منها ولا أن يكون قد عالج القضية بأي صفة أخرى .

المادة الرابعة

- ١ - في حالة عدم تعيين رئيس محكمة التحكيم خلال شهرين من تعيين الحكم الثاني، على الأمين العام للأمم المتحدة أن يقوم ببناءً على طلب أكر الطرفين اهتماماً بتعيينه خلال فترة أخرى مدتها شهران .

واثباتا لذلك ، قام الموقعون أدناه ، المفوضون بذلك رسميا من حكوماتهم بالتوقيع على هذه الاتفاقية .

حرر في برشلونة في ١٦ فبراير ١٩٧٦ ، في نسخة واحدة باللغات الاسبانية والانجليزية والعربية والفرنسية . وتعتبر النصوص الأربعة متساوية في الحجية .

المادة الثامنة

للمجموعة الاقتصادية الأوروبية أو أية مجموعة اقتصادية اقليمية أشير اليها
في الفقرة ٢٤ من هذه الاتفاقية ، شأنها في ذلك شأن أى طرف متعاقد
في الاتفاقية ، الحق في المثل كطرف شاك أو مجيب أمام محكمة التحكيم .

- ٢ - ان لم يعين أحد الأطراف في النزاع حكما خلال شهرين من تلقى الطلب، للطرف الآخر أن يخطر الأمين العام للأمم المتحدة الذي عليه أن يعين رئيس محكمة التحكيم خلال فترة أخرى مدتها شهران . ولدى تعيين رئيس محكمة التحكيم عليه أن يطلب الى الطرف الذي لم يعين حكما بالقيام بذلك خلال شهرين . وبعد انقضاء هذه المهلة، عليه اخطار الأمين العام للأمم المتحدة الذي يقوم بتنفيذ هذا التعيين خلال فترة أخرى مدتها شهران .

المادة الخامسة

- ١ - تقضى محكمة التحكيم في النزاع وفقا لقواعد القانون الدولي ، وبوجهه ، خاص ، وفقا لقواعد هذه الاتفاقية والبروتوكولات المعنية .
- ٢ - على أى محكمة تحكيم تنشأ بمقتضى أحكام هذا الملحق أن تضع نظاما داخليا لها .

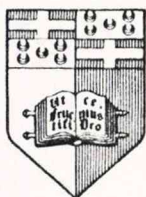
المادة السادسة

- ١ - تتخذ قرارات محكمة التحكيم بالنسبة للاجراءات والموضوع ، بأغلبية أصوات أعضائها .
- ٢ - للمحكمة أن تتخذ كافة التدابير المناسبة لاثبات الوقائع . ويجوز لها ، بناء على طلب أحد الأطراف ، التوصية باتخاذ اجراءات الوقاية المؤقتة .
- ٣ - اذا وجهت طلبات تتعلق بموضوعات مطابقة أو مشابهة الى محكمتين للتحكيم أو أكثر نشئت بمقتضى أحكام هذا الملحق ، يجوز لها أن تخطر بعضها بالاجراءات المتبعة لاثبات الوقائع وأخذها بعين الاعتبار قدر الامكان .
- ٤ - على الأطراف في النزاع أن تقدم كافة التسهيلات اللازمة لسير الاجراءات بصورة فعالة .
- ٥ - لا يحول غياب أو تخلف طرف من الأطراف في النزاع دون سير الاجراءات .

المادة السابعة

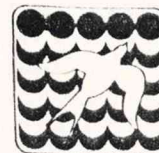
- ١ - يكون قرار محكمة التحكيم معطلا . ويكون كذلك نهائيا وملزما للأطراف في النزاع .
- ٢ - في حالة نشوء أى نزاع بين الأطراف بشأن تفسير القرار أو تنفيذه ، يجوز لأكثر الأطراف اهتماما احالة النزاع الى محكمة التحكيم التي أصدرت القرار أو اذا تعذرت حالته الى هذه المحكمة فيجوز حالته الى محكمة تحكيم أخرى تشكل لهذا الغرض وعلى نفس النحو الذي شكلت به المحكمة الأولى .

International Ocean Institute



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Pacem in Maribus

December 10, 1979.

→ Dr. S. Keškeš
UNEP
United Nations
Geneva, Switzerland.

Dear Dr. Keškeš:

We are now making final preparations for Pacem in Maribus X, which will take place in Nicosia, Cyprus, next April. It will be co-sponsored by the International Ocean Institute and the Government of Cyprus.

The topic we have chosen for discussion is monitoring, surveillance and enforcement in Economic Zones, especially of developing countries, with particular emphasis on the Mediterranean.

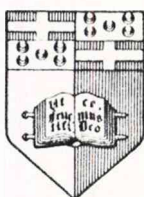
I am pleased to enclose our draft agenda, together with an Annex setting forth, albeit in a very condensed form a kind of conceptual framework for the discussions.

You will note that we have tentatively listed you as a speaker to introduce the subject of monitoring and surveillance in the management of the marine environment. Could you, once more, accept our invitation and make this presentation?

Incidentally, we were tremendously pleased with UNEP's contribution to Vol. II of the Ocean Yearbook. In summarizing and reviewing the content of this volume, I had the following observations:

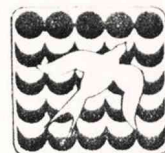
"Remarkable, in this connection, is the sea-centered regional network emerging from the developments fostered by UNEP in cooperation with a multitude of national governments and inter-governmental and nongovernmental organizations (see report by Peter Thacher and Nikki Meith). UNEP's Regional Seas Program is exemplary in that it begins to build an institutional infrastructure for the implementation of Parts XII, XIII, and XIV of the proposed Law of the Sea Convention (see pp. 646-60 in Ocean yearbook I), long before UNLOS comes into force, or even is agreed upon. With all the difficulties it is necessarily encountering, UNEP's Regional Strategy is a successful example for the interweaving of international and national activities, sea-based, land-based, and outer-space-based. It demonstrates the need for integrating the management of traditional uses of the sea (fishing, navigation, mining, and tourism) with new and "unconventional" ones. Raising its sights far above the horizon of the Third U.N. Conference on the Law of the Sea, UNEP's Blue Plan for the Mediterranean constitutes an important beginning in investigating the international

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Pacem in Maribus

- 2 -

Dr. S. Keškeš

December 10, 1979.

regional requirements of mariculture and in advancing its development at the national and international level; and mariculture, it can be safely predicted, is going to play a rapidly increasing role in the world fisheries strategy. UNEP's Regional Program -- far ahead of UNCLOS -- is turning its attention to the new "alternative" technologies to produce renewable energy from the seas and oceans, such as Ocean Thermal Energy Conversion (OTEC). The Program is remarkable, also, in that it stresses the importance of water management in a comprehensive sense, including both sea water and fresh water in their multiple uses. In this emphasis, too, UNEP's Program extends beyond both the U.N. Conference on Water (Rio de la Plata, 1977), which ignores sea water, and UNCLOS, the scope of which does not include fresh water. Water management as an integrated concept, IOI research has stressed on other occasions, could instead be a basic instrument for the integration of land-based and sea-based regional economic planning, in other words, for the integration of marine resources and ocean management into national and regional development strategies. Here, then, is a challenge for the remaining years of this century, integrated water management, a tool essential for development, beneficial for the further evolution of the law of the sea, and conducive to the building of a New International Economic Order."

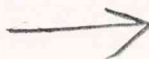
I hope I did not read more into the Programme than you intended to: But these seem to me basically important points for discussion. And certainly, the role of monitoring and surveillance in this whole development is important. We feel that a nongovernmental organization like ours could provide a good forum for advancing new arguments and solutions in this new and challenging field, especially from the point of view of institutional requirements and interaction of uses.

Please let me know as soon as possible. I shall be in Zurich (Alte Landstrasse 39, Kilchberg/Zurich) from December 22 to January 2.

Let me use this occasion to send you my most fervent wishes for pleasant holidays and a successful 1980.

Yours cordially,

Elisabeth Mann Borgese
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Halifax, N.S. B3H 4H6
Canada.



UNITED NATIONS ENVIRONMENT PROGRAMME

REPORT OF THE AD HOC EXPERT GROUP MEETING ON

THE DRAFT WORLD CHARTER FOR NATURE

NAIROBI, 24-27 AUGUST 1981

EXECUTIVE SUMMARY

1. The relationship between mankind, nature, and natural resources is of paramount importance. In 1975, the President of Zaire articulated the need for world-wide attention to man's stewardship of nature by calling for a charter based on the idea that all human conduct affecting nature must be guided and judged. Such a charter would become a code of conduct for managing nature and natural resources.
2. Since 1975, the International Union for Conservation of Nature and Natural Resources (IUCN) has been working, under a project of the United Nations Environment Programme (UNEP), on the preparation of a draft world charter for nature. The Government of Zaire requested the inclusion of the draft Charter as an item on the agenda of the Thirty-fifth session of the General Assembly, which on 30 October 1980 adopted resolution 35/7, calling for Member States to communicate to the Secretary-General their views and observations on the draft and the efforts they are making in the conservation and protection of nature.
3. By 27 August 1981, 50 States had responded to a letter soliciting such views and observations. The majority endorsed the draft Charter, emphasizing its importance and value.
4. Information from States, and from other sources, indicates that a wide array of activities is under way to conserve and protect nature. Particularly notable strides are being made in institutional development; legislation, policy and administration; international conventions and treaties; national parks and other protected areas; and the control of pollution. Considerably less attention is being paid to the control of desertification and the conservation and protection of marine resources and tropical rain forests.

5. UNEP sponsored an ad hoc expert group meeting, held at Nairobi from 24 to 27 August 1981, which examined the responses from States, and proposed a revised text of the draft Charter which integrates State's comments with the original document and improves its accuracy and clarity.

6. The ad hoc expert group, in addition to proposing a revised text for the draft World Charter for Nature, suggested the following points for consideration by the Executive Director of UNEP:

- (a) The revised text should be submitted to the General Assembly forthwith;
- (b) The responses from 50 States should be interpreted as conveying a strong endorsement for proceeding with deliberations aimed at the timely adoption of the draft Charter;
- (c) The United Nations system, particularly UNEP in collaboration with the other members of the Ecosystem Conservation Group (FAO, UNESCO and IUCN), is competent to respond to the wishes of States regarding the administration and possible implementation of the Charter;
- (d) The information provided by some States regarding their activities to conserve and protect nature can be usefully employed by UNEP and should be complemented by data from sources of information within the United Nations system and from the IUCN Conservation Monitoring Centre.

INTRODUCTION

The importance of nature and natural resources to the development of mankind's potential is paramount. Yet, as all nations strive in a multiplicity of ways to meet basic human needs and live in dignity, the natural resource base of the planet is often misused, overexploited and degraded.

The World Conservation Strategy calls for a more focused approach to the management of living resources, in order:

- (a) To maintain essential processes and life-support systems;
- (b) To preserve genetic diversity;
- (c) To ensure the sustainable utilization of species and ecosystems.

Most issues of immediate concern relate to those natural resources which lie within the limits of national jurisdiction. Clearly, therefore, the primary responsibility for action to achieve these objectives must be taken by individual States and their citizens, through the diverse institutions and practices employed locally.

There are exceptions requiring international co-operation, however. Examples are the natural resources that lie in the seas and in Antarctica. Furthermore, the location and distribution of ecological processes, species, and germplasm in general, do not necessarily conform to national boundaries. Species may move over great distances, they may exist either in small isolated areas totally under the jurisdiction of individual States, or they may span massive regions encompassing many nations.

Viewed globally, nature and natural resources provide people with food, water, medicines, shelter, energy, and opportunities for research, rest and recreation, among other benefits. The supply of these goods and services is a fundamental concern of all mankind. Unfortunately, the pressing problems of meeting basic needs tend to overshadow the often less tangible role of underlying ecological processes and genetic resources. The demands for food and water today overwhelm the capacity to take action to ensure the existence of tomorrow's soils, watersheds, firewood, seeds, pharmaceuticals, building materials, and emotional and physical health.

Given the seriousness of this matter and its global character, it is only fitting that it be addressed under the auspices of the United Nations. The original proposal for a world charter for nature, put forward by the President of Zaire on the occasion of the twelfth General Assembly of the International Union for Conservation of Nature and Natural Resources (IUCN) (Kinshasa, 1975), clearly emphasized the urgency of action by rich and poor nations alike.

Through the co-operative efforts of IUCN and its various bodies, the United Nations Environment Programme (UNEP) and Zairian experts, a draft World Charter for Nature was prepared. This was distributed at the thirty-fifth session of the General Assembly as document A/35/141, annex II (see the appendix to the present report for an historical summary).

By resolution 35/7 of 30 October 1980, the General Assembly invited Member States "to communicate to the Secretary-General their views and observations on the draft world Charter for Nature and the efforts they are making in the conservation and protection of nature." The Assembly also requested the Secretary-General "to transmit the views and observations of Member States to the General Assembly at its thirty-sixth session and to formulate on the basis of replies received, in co-operation with the United Nations Environment Programme and the International Union for Conservation of Nature and Natural Resources, appropriate recommendations with a view to the adoption of a world charter for nature."

The meeting focused principally upon the comments submitted by Member States (see table 1 for list of States). To assist the meeting, a UNEP consultant had prepared a report, dated 31 July 1981, in which all letters of response from States were analysed.

The Group also had available to it the following documents:

- UN GA Resolution 35/8 -- Historical responsibility of States for the preservation of nature for present and future generations. (Progress report on its implementation will be distributed when available.)
- Verbatim record on discussion in Plenary of the 35th session of the UN GA on Draft World Charter for Nature and Historical Responsibility of States for the preservation of nature for present and future generations.
- Text of Treaty of Amazonian Co-operation.
- Elements of a World Soils Policy and FAO draft on World Soils Charter.
- Stockholm Action Plan.
- World Conservation Strategy.

Each paragraph of the draft Charter was examined in light of the comments received from States. Members of the Group considered scientific and technical aspects of each issue. Recognition was also given to economic, social and cultural aspects, and a special effort was made to ensure clarity in the text.

The present report contains the findings of the ad hoc expert group. Chapter 2 presents the draft text of the World Charter, observations of the Group on each paragraph, and a revised text. The group's suggestions for consideration by the Executive Director are found in chapter 3.

ORIGINAL TEXT

Table 2. Draft World Charter for Nature: specific comments and

ORIGINAL TEXT OF THE DRAFT CHARTER, WITH COMMENTS PROVIDED BY
STATES AND THE AD HOC EXPERT GROUP

PREAMBLE

Life on earth is part of nature. Mankind has evolved from the same origins as other forms of life, and lives in constant interaction with them and the physical elements of the environment.

It is important to open the Charter with the concept of mankind being a part of nature. The original second sentence raises questions regarding the theory of evolution to which several countries object on religious grounds. The sentence was deleted and the second original paragraph brought forward to form part of paragraph one, to link mankind to natural systems and supplies of energy and nutrients.

Life depends on the uninterrupted functioning of natural systems which ensure the supply of energy and nutrients.

This paragraph is moved forward to join first paragraph.

Civilization is rooted in nature; nature has shaped human culture and influences all artistic and scientific achievement. Living in harmony with nature gives man his best opportunities for creativity, rest and recreation.

This paragraph provides the linkage between nature and civilization. There was no comment by Governments and the paragraph stands as is.

ORIGINAL TEXT

Every form of life is unique, warranting respect regardless of its present worth to man. To accord other organisms such recognition, man requires a moral code of action, which takes into account the control of deleterious organisms.

The key element is that every form of life warrants respect regardless of its worth to man. This covers the present as well as future value perceived by man as well as intrinsic value associated with nature. For man to achieve this, a moral code is necessary. The charter for nature has to be seen in this context. It is difficult to define "deleterious organisms" and therefore reference to this aspect is not included.

Man can alter nature and exhaust natural resources by wilful action or its consequences. Therefore man must fully recognize the urgency of maintaining the stability and quality of nature and of conserving natural resources.

Man can alter nature and exhaust natural resources by wilful or non-wilful acts, thus wilful is removed from the sentence, and replaced by "his". There were no comments from Governments.

Benefits from nature depend upon the maintenance of natural processes and the diversity of life forms, which are jeopardized through excessive exploitation and habitat destruction by man.

Several elements are added to the sentence to include a basic objective of the World Conservation Strategy; this change fits in well with the original concept of the paragraph.

Failure to conserve natural systems due to excessive consumption and misuse of resources leads to the breakdown of the economic, social and political framework of civilization. Competition for scarce resources creates conflicts among States. Thus, the conservation of nature and natural resources contributes to the maintenance of peace.

This paragraph required considerable analysis and discussion. It presents the most favourable place to respond to comments from Governments and the expert group regarding the relationship of nature to peace and to economic order. Both concepts are integrated into the original text.

REVISED TEXT

Every form of life is unique, warranting respect regardless of its worth to man. To accord other organisms such recognition, man must be guided by a moral code of action.

Man can alter nature and exhaust natural resources by his action or its consequences. Therefore, man must fully recognize the urgency of maintaining the stability and quality of nature and of conserving natural resources.

Lasting benefits from nature depend upon the maintenance of essential ecological processes and life support systems, and upon the diversity of life forms, which are jeopardized through excessive exploitation and habitat destruction by man.

Failure to conserve natural systems due to excessive consumption and misuse of natural resources, as well as failure to establish an appropriate economic order among peoples and among States, leads to the breakdown of the economic, social and political framework of civilization. Competition for scarce resources creates conflicts. Thus, the conservation of nature and natural resources contributes to justice and the maintenance of peace. Equally validly, the conservation of nature and natural resources cannot be achieved until mankind learns to live at peace with itself and forsake war and armaments.

ORIGINAL TEXT

Man must acquire the knowledge to maintain and enhance his ability to use resources in a manner which benefits present and future generations without lasting injury to nature. Man can be in harmony with nature if the human community acts as a steward for nature in the interests of future generations.

An additional basic objective of the World Conservation Strategy is added to link man's ability to use natural resources with his efforts to achieve the sustainable use of species and ecosystems. The second sentence is considered as no longer necessary.

To this end this World Charter for Nature is proclaimed and the following principles of conservation established as the common standard by which all human conduct affecting nature is to be guided and judged.

The goals of the World Charter for Nature are various. The concept of "standard" is considered to be formal and inflexible for a Charter which is to be applied by countries with differing economic and ecological situations. The sentence has been improved to focus on the importance of "proclaiming the Charter".

I. GENERAL PRINCIPLES

1. Nature shall be respected and its essential processes shall not be disrupted.

In a charter, it is appropriate to employ the form "shall" rather than "should", even though the document is not legally binding. The need for research to assist mankind in avoiding the disruption of processes is dealt with in paragraph 18.

REVISED TEXT

Man must acquire the knowledge to maintain and enhance his ability to use natural resources in a manner which ensures sustainable utilization of species and ecosystems for the benefit of present and future generations.

To these ends this World Charter for Nature is adopted and the following principles of conservation, by which all human conduct affecting Nature is to be guided and judged, are proclaimed.

I. GENERAL PRINCIPLES

1. Nature shall be respected and its essential processes shall not be disrupted.

ORIGINAL TEXT

2. The continued existence of all forms of life shall not be compromised; the population levels of all species must be at least sufficient for their survival and to this end necessary habitats shall be maintained.

The term "species" is understood to include "organisms". The continued existence of all species cannot be "guaranteed" in an absolute sense, but compromises which threaten the genetic diversity must be avoided. The term "life forms" covers, in the broadest possible way species, discrete populations and varieties, both wild and domesticated.

3. All areas shall be subject to the principles of conservation; special protection shall be given to unique areas, representative samples of all ecosystems and the habitats of rare and endangered species.

Specific mention of land and seas is added to ensure that a complete view of areas is taken. It is to be understood that the term "ecosystem" covers both wild and man-made landscapes.

4. Ecosystems and organisms which are utilized by man shall be managed to achieve and maintain optimum sustainable productivity, but not in such a way as to endanger the integrity of the ecosystems and organisms with which they coexist.

Several improvements are suggested for the sake of clarity. Specific mention of "land, marine and atmospheric resources" is added to make clear that all elements of nature which are utilized by mankind are understood to be covered by the Charter.

5. Nature shall be secured against degradation caused by warfare or other hostile activities.

This paragraph is meant to provide a strong indication of the relationship between the conservation of nature and the negative effects of war and other types of hostilities.

REVISED TEXT

2. The genetic viability on the Earth shall not be compromised; the population levels of all life forms, wild and domesticated, must be at least sufficient for their survival, and to this end necessary habitats shall be maintained.

3. All areas, both land and sea, shall be subject to these principles of conservation; special protection shall be given to unique areas, representative samples of all ecosystems and the habitats of rare and endangered species.

4. Ecosystems and organisms, as well as land, marine and atmospheric resources, which are utilized by man shall be managed to achieve and maintain optimum sustainable productivity, but not in such a way as to endanger the integrity of those other ecosystems or species with which they coexist.

5. Nature shall be secured against degradation caused by warfare or other hostile activities.

II. RESPONSIBILITIES

The title "RESPONSIBILITIES" is changed to "FUNCTIONS", since a Charter is not a binding document, and the word "responsibility" has legal connotations.

6. In the decision-making process it shall be recognized that man's needs can be met only by ensuring the proper functioning of natural systems, and by acting in accordance with the principles of this Charter.

The wording of the paragraph is simplified. The provisions of this Charter cannot be enforced, as such, because of their legally non-binding character; however, individual States may choose to enforce similar provisions within the context of national sovereignty.

A new paragraph is included in response to Governments' observations that the conservation of nature should be regarded as an integral aspect of social and economic planning.

7. The growth and concentrations of human populations shall be correlated with the capacity of natural systems to sustain them

A new paragraph is suggested to add to the document specific reference to the relationship of the conservation of nature to economic and social planning and development.

The paragraph is reformulated to note the need to consider the capacity of ecosystems as an integral aspect of planning, and to mention specifically the role of science and technology in the enhancement of ecosystems to sustain human life.

8. Natural resources shall not be wasted, but used with a restraint appropriate to the principles of conservation.

It is suggested that this concept be transferred and integrated with paragraph 10.

REVISTED TEXT

II. FUNCTIONS

6. In the decision-making process it shall be recognized that man's needs can be met only by ensuring the proper functioning of natural systems, and by respecting the principles of this Charter.

7. In the planning and implementation of social and economic development activities, due account shall be taken of the fact that the conservation of nature is an integral facet of those activities.

8. In formulating long-term plans for economic development, population growth and the improvement of standards of living, due account shall be taken of the long-term capacity of natural systems to sustain populations and settlements, recognizing that this capacity may be enhanced through science and technology.

9. Allocation of areas by man to various uses shall be planned, paying regard to their physical constraints, biological productivity and diversity and their natural beauty.

Clarification is given to the importance of planning and the need to expand planning methods and criteria to consider the conservation of nature.

10. The use of natural resources shall be as follows:

The basic concept of "non-wastefulness" from paragraph 8 is incorporated here. The sub-paragraphs have been reordered to improve the logic of the ideas.

(a) Living resources shall not be utilized in excess of their natural powers of regeneration;

The phrase "natural powers of regeneration" has been changed to "capacity for regeneration"; while the term "renewable" is more common than "living" in many uses, emphasis is retained here on those natural resources which are "living"

(b) Resources, including water, which are not consumed as they are used shall be reused or recycled;

Paragraph has been moved to (c); it is to be understood that in the case of conservation of resources through recycling or reuse and of all other paragraphs in the Charter, these concepts are normative and States can apply them when feasible.

(c) Non-renewable resources which are consumed as they are used shall be exploited with restraint according to their abundance, the efficiency with which they can be converted to use, and the compatibility of their development with the functioning of natural systems; and

Paragraph has been moved to (d);

(d) The productivity of soils shall be maintained or enhanced through measures which safeguard their continuing fertility and the process of organic composition, and prevent erosion and other forms of degradation.

Paragraph has been moved to (b); although of considerable importance, greater detail on soil pollution has not been added here to avoid an imbalance among resources in the paragraphs.

9. Allocation of areas to various uses shall be planned; due regard shall be paid within the planning process to the physical constraints, biological productivity and diversity and to the natural beauty of the areas concerned.

10. Natural resources shall not be wasted, but used with a restraint appropriate to the principles of this Charter, as follows:

- (a) Living resources shall not be utilized in excess of their capacity for regeneration;
- (b) The productivity of soils shall be maintained or enhanced through measures which safeguard their continuing fertility and the processes of organic decomposition, and prevent erosion and other forms of degradation;
- (c) Resources, including water, which are not consumed as they are used shall be reused or recycled;
- (d) Non-renewable resources which are consumed as they are used shall be exploited with restraint according to their abundance, the efficiency with which they can be converted to use, and the compatibility of their development with the functioning of natural systems.

11. Activities which might have an impact on nature shall be controlled and in particular:

It is to be understood that the term "impact" covers all types of influence. The concept has been left general to cover all types of methods employed to control activities which might have an impact upon nature, including "environmental impact assessment" procedures:

- (a) Activities which may cause irreversible damage to nature shall be avoided;

The statement is restructured for practical reasons by changing "may cause" to "are likely to cause". While many forms of development are accompanied by a permanent change in nature at the given site, ecosystems and species in the overall context need not be irreversibly damaged.

- (b) Activities which pose a high risk to nature shall be preceded by an exhaustive examination of that risk; their proponents shall demonstrate that expected benefits outweigh potential damage to nature, and where potential adverse effect are not fully understood, the activities should not proceed;

Improvements have been suggested for clarity. Also, those activities which are likely to pose a risk to nature require examination. The degree of risk may be difficult to determine, but the significance of the risk to nature is what may be critical.

- (c) Activities which may disturb nature shall be preceded by assessment of their consequences, and, if to be undertaken, such activities shall be planned and carried out so as to minimize adverse effects; and

- (d) Areas degraded by human activities shall be rehabilitated for purposes in accordance with their natural potential and compatible with human well-being in nearby settlements.

Paragraph has been moved to (e) to allow for the insertion of a new suggested sub-paragraph. The rehabilitation of areas should be implemented in a way which is compatible with the people who have been affected by the degradation of resources and with those who will be affected by the restoration of those resources.

A new sub-paragraph (d) is suggested to cover the need for the development and use of appropriate technology in restoration and management of terrestrial and marine ecosystems.

11. Activities which might have an impact on nature shall be controlled and in particular:

- (a) Activities which are likely to cause irreversible damage to nature shall be avoided;
- (b) Activities which are likely to pose a significant risk to nature shall be preceded by an exhaustive examination; their proponents shall demonstrate that expected benefits outweigh potential damage to nature, and where potential adverse effects are not fully understood, the activities should not proceed;
- (c) Activities which may disturb nature shall be preceded by assessment of their consequences, and if to be undertaken, such activities shall be planned and carried out so as to minimize adverse effects;
- (d) Agriculture, grazing, forestry and fisheries practices shall be adopted to the natural characteristics and constraints of given areas;
- (e) Areas degraded by human activities shall be rehabilitated for purposes in accordance with their natural potential and compatible with the human well-being of affected populations.

ORIGINAL TEXT

12. All discharge of pollutants into natural systems shall be avoided:

The paragraph raises questions regarding the realities on dealing with pollution. Improvements are suggested to make the concepts more practical.

- (a) Where this is not possible, such discharge shall be treated at the source using the best methods available; and

The term "discharge" is changed to "pollutants" in the sense employed in the Stockholm Declaration, and reference is made to the "best practicable means available".

- (b) Special precautions shall be taken to prevent discharge of radioactive or other toxic wastes.

Text is improved to eliminate the inconsistency whereby "toxic wastes" may, or may not, be "radioactive".

13. Measures intended to prevent, control and mitigate natural disasters, infestations and diseases shall be specifically directed to the causes of these and avoid secondary effects in nature.

The measures taken are directed not only to the cause of the problem, but to its elimination. Adverse side effects on nature which may be caused by these measures may be considered carefully and avoided when possible.

REVISED TEXT

12. Discharge of pollutants into natural systems shall be avoided:

(a) Where this is not feasible, such pollutants shall be treated at the sources using the best practicable means available;

(b) Special precautions shall be taken to prevent discharge of radioactive or toxic wastes.

13. Measures intended to prevent, control and mitigate natural disasters, infestations and diseases shall be specifically directed to the elimination of the causes of these and avoid adverse side effects on nature.

III. REQUIREMENTS FOR IMPLEMENTATION

The sub-title "REQUIREMENTS FOR IMPLEMENTATION" is changed to simply "IMPLEMENTATION" to reflect the legally non-binding character of the Charter.

14. The principles set forth in this Charter shall be reflected in the law of each State.

The principles are to be reflected both in law and in practice, and at the national and international levels. It is recognized that the paragraph is normative and that each State will strive to deal with the principles in an appropriate manner within the framework of national sovereignty.

15. Knowledge of nature shall be broadly disseminated by all possible means, particularly by conservation education as an integral part of general education.

The paragraph notes the importance of conservation education. It is understood that the social and moral values of conservation are covered by the term "conservation education".

16. Conservation strategies, inventories of ecosystems and assessments of the effects on nature of proposed policies and developments shall be essential elements of planning; all of these should be disclosed to the public in time to permit effective consultation.

There is a variety of methods employed to assess different kinds of impacts upon economic, social, cultural and general environmental factors. The paragraph emphasizes the need to incorporate consideration of nature conservation within these methods. Questions concerning administration and institutions are covered in paragraph 17. The results of studies on the impacts of proposed policies and developments on nature should be available to the public not only in a timely manner but by means which are useful for achieving effective consultation and participation.

III. IMPLEMENTATION

14. The principles set forth in this Charter shall be reflected appropriately in the law and practice of each State, as well as at the international level.

15. Knowledge of nature shall be broadly disseminated by all possible means, particularly by conservation education as an integral part of general education.

16. Conservation strategies, inventories of ecosystems and assessments of the effects on nature of proposed policies and developments shall be essential elements of planning; all of these should be disclosed to the public by appropriate means in time to permit effective consultation and participation.

17. Funds, programmes and administrative structures necessary to achieve conservation objectives shall be provided.

It is considered appropriate and necessary that all nations, rich or poor, must dedicate funds and devise programmes to achieve conservation objectives relevant to the local context if development is to be sustainable and the quality of life enhanced. However, such efforts will involve both public and private initiatives.

18. Knowledge of nature shall be constantly increased by research and extended by the wide dissemination of information unimpeded by restrictions of any kind.

Emphasis is placed upon the need for constant efforts to increase knowledge through research. The flow of information about nature must be unrestricted to ensure timely and proper use of knowledge, and so that action can follow where warranted.

19. The status of habitats and species shall be monitored to enable early detection of degradation or threat and evaluation of conservation policies and methods.

It is considered more appropriate and all-inclusive to cover "natural processes, ecosystems and species". These are the important elements for monitoring purposes and conform more practically to measureable units. Monitoring is seen as an important tool for management to review and revise plans and policies. It is vital for the conservation of nature, however, that the process of monitoring facilitate the initiation of action, when warranted, to alter plans and policies and take remedial steps to reorient inappropriate activities.

20. Military activity damaging to nature shall be avoided, and in particular:

- (a) Further development, testing and use of nuclear, biological, chemical or environmental modification methods of warfare shall be prohibited; and

REVISED TEXT

17. Funds, programmes and administrative structures necessary to achieve conservation objectives shall be provided.

18. Constant efforts shall be made to increase knowledge of nature by research, and to disseminate such knowledge unimpeded by restrictions of any kind.

19. The status of natural processes, ecosystems and species shall be monitored to enable early detection of degradation or threat, ensure timely intervention, and facilitate the evaluation of conservation policies and methods.

20. Military activity damaging to nature should be avoided.

- (b) Protected areas, the Antarctic region and outer space shall be free of military activity.

The fundamental implications of war and military activities upon nature are noted in the preamble and in paragraph 5. Nuclear weapons, chemical warfare, environmental modification methods of warfare and the control of military activity in Antarctica and outer space are already the subject of international conventions. Thus, it is considered sufficient that a Charter for Nature state the basic point: that military activities damaging to nature should be avoided. This is meant to cover manouvres and installations, and to note the imperative of keeping military activities out of protected natural areas.

21. States, governments, and all other public authorities and, as they are able, individuals, groups and corporations shall:

- (a) Co-operate in the conservation of nature and exchange relevant information;
- (b) Ensure that activities within their jurisdictions or control do not cause damage to natural systems located within other States or in areas beyond the limits of natural jurisdiction;
- (c) Implement the international legal provisions for conservation of nature and environmental protection;
- (d) Establish standards for products and processes that may adversely affect nature; and
- (e) Safeguard and conserve nature in areas beyond natural jurisdiction.

Various improvements are made in the text. International organizations also have a key role to play in the exchange of information, development projects, international co-operation and nature conservation.

22. Each State shall give effect to the requirements of this Charter through all of its competent organs and in co-operation with other States.

Consistent with earlier discussion on the legally non-binding character of the Charter, the term "requirements" is changed to "provisions". The text is improved by removing "all of". There were no comments from Governments.

21. States, and to the extent they are able, public authorities, international organizations, individuals, groups and corporations shall:

- (a) Co-operate in the task of conserving nature through common activities and other relevant actions;
- (b) Establish standards for products and processes that may adversely affect Nature as well as agreed methodologies for assessing their effects;
- (c) Implement the applicable international legal provisions for conservation of nature and environmental protection;
- (d) Ensure that activities within their jurisdictions or control do not cause damage to natural systems located within other States or in areas beyond the limits of natural jurisdiction;
- (e) Safeguard and conserve nature in areas beyond natural jurisdiction.

22. Taking fully into account the sovereignty of States over their natural resources, each State shall give effect to the provisions of this Charter through its component organs and in co-operation with other States.

ORIGINAL TEXT

23. All persons shall have the right to participate, singly or with others, in the formulation of decisions which directly concern their environment and shall have access to means of redress when their environment has suffered damage or deterioration.

While persons may have the "right" to participate the "opportunity" to do so may not exist. Each nation has its particular ways for involving its citizenry in decision-making. In fact, people participate in the process leading to the formulation of decisions, distinct from joining the formulation step directly. Changes are made to reflect these points and meet the observations of governments and the Expert Group.

24. Each person has a duty to act in accordance with the requirements set forth in this Charter; acting alone or in groups and through the political process, each person shall strive to ensure that these principles, responsibilities and requirements are met.

As elsewhere, "requirements" is changed to "provisions". Other improvements in the presentation of the paragraph are made to strengthen the key points and provide an appropriate closing to the Charter.

REVISED TEXT

23. All persons, in accordance with national law, shall have the opportunity to participate, singly or with others, in the process leading to the formulation of decisions which directly concern their environment, and shall have access to means of redress when their environment has suffered damage or deterioration.

24. Each person has a duty to act in accordance with the provisions of this Charter for Nature; acting alone, in groups or through the political process, each person shall strive to ensure that the objectives and requirements of this Charter are met.

SUGGESTIONS FROM AD HOC EXPERT GROUP
TO THE UNEP EXECUTIVE DIRECTOR

The ad hoc expert group, meeting at Nairobi from 24 to 27 August 1981, respectfully wishes to call the attention of the Executive Director of UNEP to the following suggestions:

- (a) The revised text of the draft World Charter for Nature, as presented in chapter 2, addresses the concerns of States which responded to his letter addressed to them pursuant to General Assembly resolution 35/7. The revised text faithfully adheres to the concepts and intent of the original paragraphs, but offers improvements in accuracy and clarity;
- (b) The revised text can, therefore, be submitted to the General Assembly at its thirty-sixth session;
- (c) Fifty member States responded to the Executive Director's letter. Furthermore, the member States of the Organization of African Unity and the Parties to the Treaty of Amazonian Co-operation have also made special mention of the draft Charter. Upon examination of the comments and concerns of these States, the ad hoc group considers this response to be representative of all nations, rich and poor, north and south, east and west. Thus, it is felt that the response can justifiably be interpreted as conveying a strong endorsement for proceeding with deliberations aimed at the timely adoption of the draft Charter;

- (d) The Group feels that there is no need to create a new mechanism or organization to administer or implement the Charter. The United Nations system, particularly UNEP, and other members of the Ecosystem Conservation Group (UNESCO, FAO and IUCN) are appropriately competent to deal with the Charter. The Ecosystem Conservation Group can provide a viable mechanism for future implementation of the Charter when such a step is called for by States;
- (e) Reports from member States on their efforts to conserve and protect nature should be compiled and used by UNEP to note and review work currently under way in the field. This information can be complemented by data from the various sources of information from other UN organizations and the IUCN's Conservation Monitoring Centre.
- (f) It is suggested that additional responses from member States be analysed by the UNEP staff. The consultant and the chairman of the group are prepared to assist the Executive Director in this respect if he so chooses;
- (g) Finally, the members of the ad hoc expert group wish to express their deep commitment to the development and adoption of the World Charter for Nature. They are ready to reconvene or work through correspondence to continue this endeavour, as the Executive Director finds appropriate.

BACKGROUND INFORMATION ON THE ORIGIN AND DEVELOPMENT
OF THE WORLD CHARTER FOR NATURE

President Mobutu Sese Seko of Zaire, in his address to the twelfth General Assembly of the International Union for Conservation of Nature and Natural Resources (IUCN), meeting at Kinshasa in September 1975, proposed that IUCN to draw up a charter for nature based on the idea that "all human conduct affecting nature must be guided and judged." It was the intention of President Mobutu Sese Seko that such a charter serve as "a code of conduct for managing nature and natural resources."

The Chairman of the IUCN Commission on Law, Policy and Administration was requested by the IUCN Council to appoint an international group of experts to draw up a draft charter. A first draft charter was submitted to the special session of the IUCN General Assembly held at Geneva in 1977. A further revision was presented to the thirteenth General Assembly of IUCN in 1978 held at Ashkhabad (Union of Soviet Socialist Republics), for review by members.

The present text was prepared by the IUCN ad hoc working group and Zairian experts in July 1979. One month later, the IUCN President, Professor Kassas of Egypt, and the chairman of the working group, Mr Burhenne of the Federal Republic of Germany, presented the draft World Charter for Nature to President Mobutu Sese Seko, who had suggested its preparation.

In a letter to the Secretary-General of the United Nations dated 2 June 1980, the Permanent Representative of Zaire to the United Nations proposed the inclusion of an item entitled "Draft World Charter for Nature" in the agenda of the thirty-fifth session of the General Assembly of the United Nations.

The draft was submitted to the Assembly at its thirty-fifth session under item 113, and on 30 October 1980 the Assembly adopted Resolution 35/7 by which it took note with interest of the draft Charter;

Solemnly invited Member States, in the exercise of their permanent sovereignty over their natural resources, to conduct their activities in recognition of the supreme importance of protecting natural systems, maintaining the balance and quality of nature and conserving natural resources, in the interests of present and future generations; invited Member States to communicate to the Secretary-General their views and observations on the draft World Charter for Nature and the efforts they are making in the conservation and protection of nature; requested the Secretary-General to transmit the views and observations of Member States to the General Assembly at its thirty-sixth session and to formulate on the basis of the replies received, in co-operation with the United Nations Environment Programme and the International Union for Conservation of Nature and Natural Resources, appropriate recommendations with a view to the adoption of a world charter for nature; decided to include in the provisional agenda of its thirty-six session an item entitled "Draft World Charter for Nature: report of the Secretary-General".

The Executive Director of the United Nations Environment Programme (UNEP) sent a letter to all member States concerning this matter on 9 March 1981, requesting them to respond by 31 May 1981.

A meeting of experts was held at UNEP Headquarters, Nairobi, from 24 to 27 August 1981 to examine the responses from Member States to the letter and to formulate recommendations for consideration by the Executive Director of UNEP.



REGIONAL SEAS

UNITED NATIONS ENVIRONMENT PROGRAMME

CIRCULATION:
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UNEP

MEETINGS ORGANIZED OR CO-SPONSORED BY RS/PAC AND RS/PAC RELATED UNITS

Note: This is a periodically updated unofficial list of meetings. Corrections and additions should be communicated to Mr. F. Szekely.

DISTRIBUTION:

B. Bohte	A. Al-Futaih	P.A. Bliss-Guest	J. Carmichael (UNIDO)
A.T. Brough	A. Al-Zaidan	D. Elder	B. Dieterich (WHO)
A. Epstein	L. Arriaga	S. Keckes	R. Dudal (FAO)
G.N. Golubev	N. Brown	N. Meith	Head ILMR (IAEA)
G. Gomez de Silva	A. Cruzado	P. Ress	D. Krause (UNESCO)
D. Kaniaru	A. Dahl	A. Rodriguez	J.P. Levy (UN/DIESA)
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P.S. Thacher	D. Larre		E. Zuleta (UNCLOS)
	R. Lesaca		
	J. Lizarraga		
	A. Manos		
	L. Obeng		
	U. Svensson		

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Meeting	Date and place	Organizer and co-sponsor (co-sponsor in brackets)	Responsible UNEP officer capitalised. Attendance marked with asterisk	Remarks and/or reference to reports of meetings
Meeting of Government Experts on Regional Marine Programmes	18-21 January Nairobi	RS/PAC	P. BLISS-GUEST* S. Keckes* M. Tangi*	UNEP/WG.63/4 29.1.82
Meeting of the Bureau of Contracting Parties to the Barcelona Convention	12-13 February Geneva	MED	A. MANOS*	UNEP/BUR/10 13.1.82
Fifth Meeting of the Joint Co-ordinating Group for SPREP	7 March Rarotonga	SPC (SPEC, ESCAP, RS/PAC)	S. KECKES*	Report for restricted (internal) use only
Regional Conference on Human Environment in the South Pacific	8-11 March Rarotonga	SPC (SPEC, ESCAP, RS/PAC)	S. KECKES*	SPREP/Conf. Human Environment/Report
XIII Meeting of the Inter-agency Advisory Committee (IAAC) for MED POL	15-18 March Geneva	MED	F.S. Civili* A. CRUZADO*	UNEP/IAAC XIII/3 18.3.82
Meeting of the Bureau of Contracting Parties to the Barcelona Convention	28 March Geneva	MED	A. MANOS*	No report prepared
Extraordinary Meeting of Contracting Parties to the Barcelona Convention	29 March - 1 April Geneva	MED	P. Bliss-Guest* F.S. Civili* A. Cruzado* A. MANOS*	UNEP/IG.36/8 21.4.82
Meeting of Plenipotentiaries on Protocol on Mediterranean Specially Protected Areas	2-3 April Geneva	MED	P. Bliss-Guest* A. MANOS*	Final Act 1982
First Meeting of the Co-ordinating Body on the Seas of East Asia (COBSEA)	3 April Bangkok	RS/PAC	D.ELDER*	UNEP/IG.37/10 3.4.82
Meeting of National Authorities for West and Central African Action Plan	19-21 April Geneva	RS/PAC	S. Keckes* M. TANGI*	UNEP/WG.71/4 21.4.82
Meeting of the Steering Committee for the Marine Environment of West and Central Africa	22-23 April Geneva	RS/PAC	S. Keckes* M. TANGI*	UNEP/WG.72/3 23.4.82
Workshop on Oil Spill Response	26-30 April Guam	US Coast Guard (SPC, UNEP)	S. KECKES	Report for restricted (internal) use only
Interagency Meeting on the Kuwait Action Plan	3-5 May Geneva	RS/PAC (ROPME)	A. Al-Zaidan* D. ELDER* S. Keckes*	UNEP/KAP-IAM.1/4 5.5.82

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455.	Meeting of GESAMP WG.19	3-7 May Halifax	IAEA (IMO, UNESCO, UNEP)	S. KECKES	Progress report for internal use only
456.					
457.					
458.	Inter-agency Meeting on	7-9 June	IAEA (IMO,	S. KECKES*	No report prepared
459.	Technical Committee Meeting	Vienna	UNEP)		
460.	on Environmental Assessment				
461.	Methodologies				
462.					
463.	Sixth Meeting of the Joint	28-29 June	SPC (SPEC,	S. KECKES*	Report for restricted
464.	Co-ordinating Group for	Noumea	ESCAP, RS/PAC)		(internal) use only
465.	SPREP				
466.					
467.	Second Meeting of Legal Experts	7-16 July	RS/PAC	P. BLISS-GUEST*	UNEP/WG.74/3
468.	on Draft Agreements for the	New York		A. Rodriguez*	16.8.82
469.	Wider Caribbean Region				
470.					
471.	Workshop on Environmental Impact	9-13 August	Mexican Govt.	F. SZEKELY*	Report being prepared by
472.	of Industrial growth on the Gulf	Coatzacoalcas	(UNEP)		the Government of Mexico
473.	of Mexico				
474.					
475.	Technical Committee Meeting	30 August-	IAEA (IMO,	S. KECKES*	Report being prepared
476.	on Environment Assessment	3 September	UNEP)		by IAEA
477.	Methodologies	Vienna			
478.					
479.	Drafting committee on Caribbean	31 August-	RS/PAC	P. BLISS-GUEST*	UNEP/WG.76/3
480.	Legal Agreements	3 September		A. Rodriguez*	7.9.82
481.		Geneva			
482.					
483.	Consultation on Implementation	7-12 September	UNEP	D. ELDER*	No report prepared
484.	KAP projects for period 1982-1983	Kuwait	(ROPME)	S. Keckes*	
485.					
486.	Workshop on the Prevention and	13-18 September	Govt. of Cuba	A. RODRIGUEZ	Report being prepared
487.	Control of Marine Pollution in	Havana	(UNESCO,		by Govt. of Cuba
488.	Havana Bay		RS/PAC)		
489.					
490.	Workshop on Environmental Law	19-23 September	CPPS/(RS/PAC)	F. SZEKELY	Report being prepared
491.	for the Establishment of a	Guayaquil			by CPPS
492.	Protocol on Land Based				
493.	Pollution Sources in the South				
494.	East Pacific Region				
495.					
496.	Meeting of GESAMP WG.13	24-25 September	WHO (FAO,	S. KECKES	Report for restricted
497.		Stockholm	UNEP)		(internal) use only
498.					
499.	Workshop on the Protection and	27-30 September	RS/PAC	P. BLISS-GUEST*	UNEP/WG.77/4
500.	Development of the Marine and	Mahé		D. Elder*	5.10.82
501.	Coastal Environment of the East			S. Keckes*	
502.	African Region				
503.					
504.	XIV Meeting of the Inter-agency	18-22 October	MED	F.S. Civili*	Report being prepared
505.	Advisory Committee (IAAC) for	Athens		A. CRUZADO*	by MED
506.	MED POL			S. Keckes*	
507.					
508.	Meeting of GESAMP WG.15	18-22 October	FAO (UNESCO,	S. KECKES	
509.		Rome	UNEP)		
510.					
511.	Meeting of GESAMP WG.14	25-29 October	WHO (IAEA,	S. KECKES	
512.		Monaco	UNEP)	A. Cruzado*	
513.					
514.	Meeting of GESAMP WG.21	25-29 October	UN/DIESA	S. KECKES*	
515.		Rome	(UNEP)		
516.					
517.	Meeting of GESAMP WG.1	25-29 October	IMO (UNEP)	S. KECKES	
518.		London			
519.					
520.	Second meeting of the Council	3-8 November	ROPME	D. ELDER	
521.	of the Regional Organization for	Kuwait		S. Keckes	
522.	the Protection of the Marine				
523.	Environment (KAP)				
524.					

525.	Meeting on Bacteriological	22-26 November	WHO (MED,	S. KECKES
526.	Reference Methods for Marine	Rome	RS/PAC)	F.S. Civili
527.	Pollution Studies			
528.				
529.	Meeting of GESAMP WG. 19	22-28 November	IAEA (UNEP,	S. KECKES
530.		Vienna	IMO, UNESCO)	
531.				
532.	Meeting of Experts on Rules and	29-30 November	MED	A. MANOS
533.	Procedures for Mediterranean	Athens	(RS/PAC)	P. BLISS-GUEST
534.	Contracting parties			
535.				
536.	Technical Advisory Committee	November	PAHO	A. RODRIGUEZ
537.	on UNEP/CARICOM project on	Barbados	(CARICOM,	
538.	protection of coastal		UNEP)	
539.	environment of Caribbean islands			
540.				
541.	Second Meeting of the	November	RS/PAC	D. ELDER
542.	Co-ordinating Body on the Seas	Indonesia		
543.	of East Asia (COBSEA)			
544.				
545.	VI ICSEM/UNEP/IOC Workshop on	2-4 December	ICSEM	F.S. Civili
546.	Marine Pollution of the	Cannes	(MED, IOC)	A. CRUZADO
547.	Mediterranean			
548.				
549.	Meeting of National Focal Point	8-10 December	MED	A. MANOS
550.	for Priority Actions Programme	Split		
551.				
552.	Workshop on Beach Cleaning	December	IMO	A. RODRIGUEZ
553.	Methodologies in the Caribbean	Barbados	(RS/PAC)	
554.	islands			
555.				
556.				
557.	1983			
558.				
559.				
560.	Meeting of Legal Experts on	24-28 January	SPC	P. BLISS-GUEST
561.	a Regional Convention for the	Noumea	(UNEP, ESCAP,	S. Keckes
562.	South Pacific region		SPEC)	
563.				
564.	Meeting of GESAMP WG.13	31 January -	WHO (FAO,	S. KECKES
565.		4 February	UNEP)	
566.		Geneva		
567.				
568.	Fifteenth Pacific Science	1-11 February	Pac. Sci.	D. ELDER
569.	Congress	Dunedin	Assoc. (UNEP)	S. KECKES
570.				F. SZEKELY
571.				
572.	Meeting of Contracting Parties	24-28 February	MED	A. MANOS
573.	to the Barcelona Convention	Yugoslavia		
574.				
575.	Thirteenth Session of GESAMP	28 February-	WHO (IMO,	S. KECKES
576.		4 March	FAO, UNESCO,	
577.		Geneva	WMO, IAEA,	
578.			UN, UNEP)	
579.				
580.	Training Workshop on Oceanographic	February/March	ROPME	D. ELDER
581.	Sampling, Analysis and Data	Qatar	(RS/PAC,	
582.	Handling		IOC)	
583.				
584.	Training Workshop on Handling	February/March	ROPME	D. ELDER
585.	and Maintenance of Oceanographic	Qatar	(RS/PAC,	
586.	Equipment		IOC)	
587.				
588.	Third Meeting of Experts on	14-18 March	RS/PAC	P.A. BLISS-GUEST
589.	Regional Agreements for the			S. Keckes
590.	Wider Caribbean Region			A. Rodriguez
591.				
592.	Second Meeting of Monitoring	17-19 March	RS/PAC	S. Keckes
593.	Committee for CAP			A. RODRIGUEZ
594.				

595.	Conference of Plenipotentiaries	21-24 March	RS/PAC	P.A. BLISS-GUEST
596.	on the Protection and Development			S. Keckes
597.	of the Marine and Coastal			A. Rodriguez
598.	Environment of the Wider Caribbean			
599.	Region			
600.				
601.	Intergovernmental Meeting on	24-26 March	RS/PAC	A. RODRIGUEZ
602.	Caribbean Action Plan			
603.				
604.	Symposium on Fate and Fluxes of	April	ROPME	D. ELDER
605.	Oil Pollutants in the KAP region	Basrah	(UNESCO,	
606.			RS/PAC)	
607.				
608.	Intersecretariat Meeting of	April	RS/PAC	P. BLISS-GUEST
609.	Regional Organizations dealing	Geneva		
610.	with Marine Programmes			
611.				
612.	Fourth Interagency Meeting on	April	RS/PAC	P. BLISS-GUEST
613.	Regional Seas	Geneva		
614.				
615.	Workshop on Environmental Impact	April	UNEP,	D. Elder
616.	Assessment of Coastal Development	Dubai	U. of Aberdeen,	F. SZEKELY
617.	in the Kuwait and Red Sea Action		ALECSO,	M. Tangi
618.	Plan countries		ROPME	
619.				
620.	Symposium on Hydrodynamic	May	ROPME	D. ELDER
621.	Modelling of the KAP Region	Chahran	(UNESCO,	
622.			RS/PAC)	
623.				
624.	Meeting of Executive Heads of	June	UNEP	P. BLISS-GUEST
625.	Regional Organizations dealing	Geneva		
626.	with Marine Programmes			
627.				
628.	Meeting of Government Experts	mid 1983	MED	A. MANOS
629.	to Examine the Possibility of	Athens		
630.	Establishing an Inter-State			
631.	Guarantee Fund			
632.				
633.	Second Meeting of Working Group	mid 1983	MED	A. CRUZADO
634.	for Scientific and Technical	Athens		
635.	Co-operation			
636.				
637.	Meeting of Experts on	mid 1983	IMO	M. TANGI
638.	Subregional Oil Pollution	WACAF region	(UNEP)	
639.	Contingency Plan			
640.				
641.	Workshop on Industrial	late 1983	UNIDO	M. TANGI
642.	Emergencies	WACAF region	(UNEP)	
643.				
644.	First Meeting of Legal Experts	September	UNEP	P. BLISS-GUEST
645.	on Regional Conventions and	EAF region		
646.	Protocols for East African			
647.	Region			
648.				

649.				
650.	1984			
651.				
652.				
653.	Second Meeting of Legal Experts	early 1984	UNEP	P. BLISS-GUEST
654.	on Regional Convention and	EAF region		
655.	Protocols for the East African			
656.	Region			
657.				
658.	Conference of Plenipotentiaries	Early 1984	UNEP	P. BLISS-GUEST
659.	for EAF region	EAF region		
660.				
661.	Seminar/Workshop on Control of	early 1984	UNESCO	M. TANGI
662.	Coastal Erosion	WACAF region	UN-DIESA	
663.			(UNEP)	
664.				
665.	Workshop on Marine Pollution	mid 1984	IOC	M. TANGI
666.	Monitoring in the WACAF Region	WACAF region	(FAO, WHO,	S. Keckes
667.			IAEA, UNEP)	
668.				
669.				
670.	\$			

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PROGRAMME DES NATIONS UNIES
POUR L'ENVIRONNEMENT

*Centre d'Activités du
Programme des Mers Régionales*



UNEP
UNITED NATIONS ENVIRONMENT
PROGRAMME

*Regional Seas
Programme Activity Centre*

TF/acp

5 July 1982

Dear Ms. Mann-Borgese,

Your letter of 22 June 1982 to Stjepan was passed on to me as he is still out of town.

Enclosed please find a slide of the Regional Seas map. I take this opportunity to send you a few pictures taken during our recent stay in Athens (another "official" picture of the signing ceremony will follow). Needless to say any of the photographs which I used for the Athens exhibition would be at your disposal if you feel that they could be of use.

With best regards,

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'T. Farkas'.

Tibor Farkas
Visual Information Advisor

Ms Elisabeth Mann-Borgese
Department of Political Science
Dalhousie University
Halifax, Nova Scotia, B3H4H6
Canada

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C760010 (UNEP) GENEVA 02MAR84 1059Z

RS435 MANN-BORGESE, HALIFAX
RS436 INFO: VANDERBILT, IOI, MALTA
FROM: KECKES
RE: CO-OPERATION WITH IOI

REYOUR LETTER OF 7 JANUARY

AAA OUR ROUBLES NOT TRANSFERABLE. CAN BE USED ONLY BY SOVIET
COUNTERPART FOR (1) EXPENSES, INCLUDING TRAVEL OF SOVIET
PERSONNEL, (2) TRAVEL OF NON-SOVIET PERSONNEL WITH AEROFLOT
AND SUBSISTENCE ALLOWANCE WHILE IN USSR (3) MEETING
FACILITIES IN USSR (4) SUPPORT ACTIVITIES (PRINTING, ETC)
IN USSR.

BBB IF KOLODKIN GETS UNEPCOM'S AGREEMENT WE WOULD CONSIDER
SUPPORTING PIM XIV IN USSR. IMO'S INVOLVEMENT HIGHLY
DESIRABLE. KEEP ME INFORMED OF FURTHER DEVELOPMENT.

CCC REPORT OF 17 DECEMBER PARIS MEETING RECEIVED. BEST REGARDS.

(RS/PAC, UNEP, GENEVA)

UNEP ←

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C576428 (UNEP) GENEVA 27JUN83 1438Z

RS1306 MANN-BORGESE, 101, HALIFAX

RS1307 INFO: VANDERBILT, 101, MALTA

FROM: KECKES

RE: REPORT OF GOA TRAINING COURSE

REPRINT (248 PAGES) RECEIVED ON 24 JUNE WITH YOUR UNDATED NOTE. AS MENTIONED EARLIER WE CAN PRINT IT ONLY IN A/4 FORMAT WHICH WOULD LEAVE LOT OF EMPTY SPACE ON EACH PAGE AS REPORT TYPED IN OTHER FORMAT. TABLE 8 (PAGE 159) MISSING. IF YOU WANT US TO PRINT IT PLEASE SEND CAMERA READY COVER PAGE IN WHITE AND BLACK TECHNIQUE. WE ASSUME THAT IT SHOULD BE PRINTED ON BLUE PAPER WITH BALCK LETTERS. REGARDS.

(RS/PAC, UNEP, GENEVA)

↑



UNITED NATIONS ENVIRONMENT PROGRAMME
PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT



Cable Address: UNITERRA, Nairobi
Telex No. 22068
Telephone: 33930

P. O. Box 30552,
Nairobi.

emb

[Handwritten signature/initials]

Ref. No. PRO 420

23 September 1977

Dear Sir,

The Executive Director of the United Nations Environment Programme attaches great importance to the work of non-governmental organizations, such as yours in the fields of environment and has requested that the activities of non-governmental organizations be included in the relevant review to be presented to the Governing Council of UNEP.

Since your organization might be involved in significant international or regional activities in the priority areas "Environmental Education and Training" presently under review by UNEP, I would appreciate if you would kindly send me, at your earliest convenience (before the end of October 1977) a summary of the relevant activities of your organization according to the outlines given in the attached annexes.

Yours sincerely,

Victor O. I. Johnson
Senior Programme Officer
Environmental Education and Training
Division of Economic and Social Programmes

Centre for the Study of Democratic
Institutions (CSDI)
P.O. Box 4068
Santa Barbara, CA 93103
U.S.A.

ENVIRONMENTAL EDUCATION AND TRAINING

Annex

1. Information should be presented in a concise form with projects or activities listed with a clear indication of their nature and duration.
2. Financial information in US dollars should be given for the calendar years 1976, 1977, and 1978. Lack of budgetary information should be indicated by a dash in the funding columns. If there is no financial allocation for the specific project or activity in a certain year, this should be indicated by the word "nil". Estimated figures should be given in brackets based on past trends and probable future expenditure. If any activity covers several years or several subjects, the total cost should be split as accurately as possible over the calendar years under consideration.
3. Information is requested on projects and activities relating to:
 - (i) Development of environmentally oriented curricula as part of the general education process at:
 - Pre-university level
 - University level
 - Post university level (post graduate courses)
 - Teacher training
 - (ii) Specific environmental training programmes for:
 - Professionals (whose fields of practice have considerable impacts on the environment: engineers, architects, urban planners, human settlements managers, etc.)
 - Technical assistants
 - Environmental education specialists
 - Curriculum planners
 - Teachers for all levels of education
 - Community leaders
 - Mass media
 - Others

.... /

The following table illustrates the method of presentation of this information with hypothetical examples:

	1976	1977	1978
A. <u>Dissemination of information (reports, other publications, meetings, conferences, etc. dealing with environmental education: methods, elements of ... etc.)</u>			
For example:			
- Regional Primary School Teachers Symposium on Environmental Education Methodology	-	80,000	Nil
- Publication of "Handbook of Environmental Education"	25,000	-	-
B.1 <u>Education (activities relating to general education process, pre- and post graduate courses, fellowships, etc.)</u>			
For example:			
- A course on "human Ecology" for University students	30,000	30,000	30,000
B.2 <u>Training (activities relating to specific training workshops and seminars)</u>			
For example:			
- National workshop on the development of instructional materials for environmental education	-	-	20,000
C. <u>Research (projects and activities dealing with preparation, development, analysis, monitoring and assessment of environmental education programmes)</u>			
For example:			
- Research on modern curricula for environmental education	15,000	10,000	5,000
- Study on the development of physical facilities for environmental education in a certain area	20,000	15,000	Nil
D. <u>Applied activities, field projects, etc. (these include technical activities with or without technical assistance and legislation for environmental education)</u>			
For example:			
- Technical assistance to the establishment of an Instructional Resource Centre for Environmental Education	100,000	50,000	(50,000)
- Legislation for establishing an office to provide national leadership in environmental education (staff, funds, offices, etc.)	5,000	-	-

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PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT
UNITED NATIONS ENVIRONMENT PROGRAMME



Telephone 34 22 00 98 58 50
Telex: 28 877
Cables: UNATIONS, GENEVA

Reference: MAT/gc

UNEP Geneva Office

Palais des Nations
CH-1211 GENÈVE 10

12 October 1976

SPECIAL DELIVERY

Madam,

Thank you very much for your kind invitation to attend the
Pacem in Maribus VII which will take place in Algiers from
25 October to 28, 1976.

I wish to inform you that I am glad to be able to attend the
meeting and look forward to the interesting discussions which may
take place in it.

Sincerely yours,

Mohamed A. Tangi
Programme Officer

Mrs. Elisabeth Mann Borgese
Chairman, Planning Council
Pacem in Maribus
Box 4716
Santa Barbara
California 93103
USA



United Nations Environment Programme



UNEP/IG.11/4
20 January 1978

Original: ENGLISH

Intergovernmental Review Meeting of
Mediterranean Coastal States on the
Mediterranean Action Plan

Monaco, 9 - 14 January 1978

REPORT OF THE INTERGOVERNMENTAL REVIEW MEETING OF MEDITERRANEAN COASTAL STATES ON THE MEDITERRANEAN ACTION PLAN

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Main body of Report

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- Annex I : List of Participants
- Annex II : Agenda
- Annex III : Address of Executive Director of UNEP
- Annex IV : Recommendations for the future development
of the Mediterranean Action Plan



United Nations Environment Programme



UNEP/IC.11/4
20 January 1978

Original: ENGLISH

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- Annex I : List of Participants
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of the Mediterranean Action Plan

Introduction

1. At the Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region for the Protection of the Mediterranean Sea, hosted by the Government of Spain in Barcelona 2 - 16 February 1976, the Executive Director of UNEP was called upon:

"To convene in 1977 an intergovernmental meeting at which he would inform Governments of the coastal States of the Mediterranean Sea Area of steps and progress achieved pursuant to all recommendations set forth in the said Action Plan for the Protection of the Mediterranean approved at Barcelona on 4 February 1975; ^{1/}
2. In response to this request, and at the kind invitation of the Government of the Principality of Monaco, the Executive Director convened the Intergovernmental Review Meeting of Mediterranean Coastal States on the Mediterranean Action Plan in Monaco from 9 to 14 January 1978.
3. Before the official opening of the meeting a ceremony was held by the Monégasque authorities to welcome the participants. The ceremony was presided over by His Excellency Mr. André Saint Mieux, Minister of State, who welcomed all delegations to Monte Carlo. His Excellency the Minister praised the Mediterranean coastal States for their past achievements in addressing themselves to a common problem of pollution in an enclosed sea, and he wished participants success in the important deliberations which lay before them. Dr. Mostafa K. Tolba, Executive Director of UNEP, delivered the message addressed to the meeting by the United Nations Secretary-General, Dr. Kurt Waldheim. In his message to the meeting, Dr. Waldheim congratulated the Mediterranean States on their historic work to save their regional sea and he expressed his belief that this work would be an inspiration to all peoples everywhere. Thereafter, Dr. Tolba replied as Executive Director of UNEP to His Excellency Mr. Saint Mieux. He expressed his gratitude to the Government of Monaco for their hospitality in hosting the meeting and for the excellent facilities they had provided. He also thanked the Governments of the Mediterranean region for their impressive participation in the meeting as well as in the entire Mediterranean Action Plan. Dr. Tolba also recognized the invaluable contribution that had been made to the programme by the many organizations of the United Nations system whose co-operation and support have been a corner-stone of the Mediterranean programme.

Attendance

4. Delegations from seventeen Mediterranean coastal States and the European Economic Community participated in the meeting.
5. Representatives from three United Nations member States, five United Nations bodies, seven specialized agencies and the International Atomic Energy Agency, and six intergovernmental and non-governmental organizations attended the meeting as observers. A complete list of participants is attached as Annex I to this report.

^{1/} Resolution 9, Conference of Plenipotentiaries of the Coastal States of the Mediterranean Sea Area, Barcelona, 2 - 16 February 1976.

Agenda item 1: Opening of the Meeting

6. Dr. Tolba, Executive Director of UNEP, declared the Meeting opened.

Agenda item 2: Organization of the Meeting

Rules of Procedure

7. The meeting adopted mutatis mutandis the rules of procedure for the UNEP Governing Council as contained in document UNEP/GC/3/Rev.1.

Election of officers

8. The meeting unanimously elected the following officers:

<u>Chairman:</u>	His Excellency Mr. César SOLAMITO (Monaco) Plenipotentiary Minister
<u>First Vice-Chairman:</u>	Mr. Hassan BOUSSOFFARA (Tunisia) Adviser, Ministry of Industry, Mines and Energy
<u>Second Vice-Chairman:</u>	Mr. Marinos YEROULANOS (Greece) Director General Environment Secretariat, Ministry of Co-ordination
<u>Rapporteur:</u>	Mr. Shafik EL SHINNAWI (Egypt) Juridical Department, Ministry of Foreign Affairs

Establishment of Working Committee

9. The meeting agreed to the establishment of two working committees: one to consider agenda item 5 "environmental assessment" and item 6 "integrated planning", and the other to consider agenda item 7 on legal matters. The meeting agreed that the two committees should be chaired by the vice-chairmen of the plenary; Mr. Hassan Boussoffara, Committee I and Mr. Marinos Yeroulanos, Committee II. It was further decided that each committee would elect its own vice-chairman and rapporteur.
10. At their first meetings, Committees I and II unanimously elected the following officers:

Committee I

<u>Vice Chairman:</u>	Mr. Joaquin ROS (Spain) Director of Marine Pollution Dept. Spanish Oceanographic Institute
<u>Rapporteur:</u>	Mr. Adel HAMWI (Syria) Professor of Science University of Damascus

Committee II

<u>Vice Chairman:</u>	Mr. Luigi MENDIA (Italy) Professor University of Naples
<u>Rapporteur:</u>	Mr. Petar STROHAL (Yugoslavia) Scientific Adviser Centre for Marine Research "Rudjer Boskovic" Institute

Agenda item 3: Adoption of the agenda and suggested time-table

11. The meeting adopted the agenda contained in Annex II to this report. The meeting also agreed to the suggested time-table as presented in the document UNEP/IG.11/2.

Agenda item 4: Report of the Executive Director on the implementation of the Mediterranean Action Plan and recommendations for follow-up

12. Dr. Tolba introduced his report on the progress made in implementing the Mediterranean Action Plan to the meeting. The text of the Executive Director's statement is attached as Annex III. In his introduction, Dr. Tolba briefly reviewed the highlights of the work that had been accomplished by the Mediterranean States, in co-operation with the United Nations system, in the three-year period since the Action Plan was adopted. Dr. Tolba noted that the first task of the meeting was to review in detail the progress that had been achieved in each of the four sectors of the Action Plan: assessment; integrated planning; legal; and institutional and financial implications.
13. In addition, he reminded the delegations of the second task of the meeting: to advise him as Executive Director on the substantial and financial aspects of the future programme in the Mediterranean region. He requested that the meeting conclude by adopting a set of specific, concrete recommendations that would address themselves to the general policy of the future programme as well as to the activities to be undertaken within each of the four components of the Action Plan. The Executive Director's views on possible future developments have been reflected in the proposed recommendations contained in his report.
14. Thereafter, a general discussion was held on the Executive Director's report during which a number of representatives of the Mediterranean States, of the EEC, and of the United Nations system and intergovernmental organizations participated. All speakers expressed an overall satisfaction with the work that had been accomplished in the past. Several delegations raised detailed points on various aspects of the Executive Director's recommendations for future activities, but it was agreed that these would be discussed in more detail under other agenda items.
15. The representative of UNDP informed the Meeting that his organization felt that the time had now come to undertake concrete activities with the Mediterranean riparian Governments in any of the six fields of the Priority Actions Programme. He added that UNDP was anxious to support specific goal-oriented activities whenever Governments decided to work together on a subregional or regional basis to achieve the objectives of the PAP.
16. During the debate it became evident that, in addition to the five States that had already deposited their instruments of ratification of the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution and the two related protocols, ^{2/} a number of additional States and the EEC had already completed constitutional processes to approve ratification (France, Yugoslavia) while others were still engaged in that process. During the meeting, the Depository Government, Spain, announced that the Government of Yugoslavia had deposited its instruments of ratification and that the Convention and two protocols will enter into force on 12 February 1978.

^{2/} Lebanon, Malta, Monaco, Spain and Tunisia

Agenda item 5: Progress Report and Recommendations concerning the Environmental Assessment Component of the Action Plan.

17. The deliberations relevant to this agenda item were based on document UNEP/IG.11/3/Annex I which summarizes the progress in the environmental assessment component of the Action Plan and contains specific recommendations for possible future activities. Information supporting this document was contained in UNEP/IG.11/INF.3, UNEP/IG.11/INF.4, UNEP/IG.11/INF.5 and in several background documents which were made available to the participants in the meeting.
18. In introducing the agenda item the representative of UNEP briefly reviewed the contents of UNEP/IG.11/3/Annex I and stressed the main recommendations contained in it.
19. In the general discussion following this presentation the delegations expressed their satisfaction with the progress achieved, since the Action Plan was adopted in early 1975, in the implementation of the pilot projects of the Co-ordinated Pollution Monitoring and Research Programme (M&D POL) and other projects related to the assessment of the environmental quality of the Mediterranean. However, it was felt that, due to objective reasons, the development of these activities was still inadequate in some parts of the Mediterranean. Therefore, they should continue as pilot activities until more experience and data were collected, which would allow for a transition into a permanent monitoring and research programme on the sources, amounts, pathways and effects of pollutants.
20. Following the general debate the recommendations proposed by the Executive Director for future activities were examined (paragraph 48 of UNEP/IG.11/3 and paragraphs 28 and 29 of Annex I to this document). The substance of the debate and the consensus reached are reflected in the recommendations adopted by the meeting as contained in Annex IV to this report.

Agenda item 6: Progress report and recommendations concerning the integrated planning component of the Action Plan

21. The deliberations relevant to this agenda item were based on document UNEP/IG.11/3/Annex II, which summarizes the progress achieved in the implementation of the integrated planning component of the Action Plan and contains specific recommendations concerning follow-up and possible future activities.
22. In introducing this agenda item, the representative of UNEP pointed out that, for several reasons, progress achieved in the implementation of this component of the Action Plan was not as extensive as in the other two. This lack of progress concerned, in particular, the Priority Actions Programme. He urged the participating Governments to take advantage of the Meeting to give clear indications regarding what they wished to be done under the PAP, recalling that UNDP, in particular, in co-operation with UNEP and other bodies of the United Nations system, is ready to support specific goal-oriented activities wherever Governments decide to work together on a subregional or regional basis to achieve the objectives of the PAP.
23. In the general discussions which followed, the need for integrated planning activities was stressed. It was considered that the PAP should be elaborated in harmony with the Blue Plan. One delegation proposed that, in order to speed up the implementation of the Blue Plan, a meeting of the focal points should be convened at the earliest date possible. The Committee also discussed a whole range of possible activities under the PAP.

24. For his part, the representative of UNDP reiterated the importance his Programme attached to moving forward with concrete inter-country projects within the priority areas of the PAP as soon as possible. He stated that the three activities which seemed to have received the broadest support from the Governments were aquaculture, non-conventional energy and human settlements. UNDP therefore expressed its preparedness to co-operate in defining the scope and content of projects in these areas, with Governments, UNEP and other agencies of the United Nations system at the earliest possible date. That was not to say, however, that UNDP would not consider financing other proposed joint activities in the fields covered by the PAP.
25. The Meeting took note of the proposals by countries which had offered to make facilities available to the Programme, in particular Malta's offer in connection with non-conventional sources of energy. It considered that, in each individual case, it would be for the Mediterranean Governments to take a decision on the establishment and location of projects of Mediterranean interest.
26. While awaiting the results of the technical and identification missions to be organized by UNDP in co-operation with UNEP and other bodies of the United Nations system, the Meeting welcomed the offers of several delegations to take specific initiatives in the broad fields of PAP. The Meeting noted with satisfaction information and proposals relating to initiatives in the following PAP-related fields.
27. In connection with the protection of soils, Algeria drew attention to the interest it was taking currently, with the aid of UNDP, FAO, the Institute of Arid Zones of Damascus and the Arab Organization of Agricultural Development of Khartoum, in the initiation of an integrated programme for the development of arid zones, one of the objectives of which was the creation of an Institute of Cultivation of Arid Zones which might serve regional purposes. In this connection, Algeria would share her experience concerning the "Green Belt" and her new enterprise, the creation of the second "Fruit Belt".
28. The Meeting stressed the interest that would accrue to the protection of the soil and integrated planning from the opening up to the whole Mediterranean region of the system of ecological information called écotohèque méditerranéenne, administered in co-operation with UNESCO.
29. The Meeting took particular interest in the question of fresh water resources management, a field of priority action which gave rise to a broad debate. It particularly welcomed the offer of France to host a seminar on the management of fresh water resources through the intermediary of the Centre for International Training in Water Resources Management (CFIGRE).
30. Concerning marine living resources, the Greek delegate said that his country, in addition to sponsoring the forthcoming consultation of experts on the development of aquaculture, also offered to be host country for possible future pilot or demonstration projects. In this connection the Italian delegation pointed out that aquaculture was now carried out in their country on an industrial scale and that their Government was prepared to organize a study tour of aquaculture sites.
31. With regard to human settlements the Meeting welcomed the proposal to make use of the Environmental Pollution Control Project set up in Athens by the Greek Government in collaboration with UNDP and WHO, as a demonstration and training site for urban environmental problems. The Spanish delegation's offer to host activities concerning human settlements and tourism was noted with satisfaction. The representative of Lebanon called for activities concerning environmental problems in industrial port cities.

32. In the area of tourism, the Meeting was pleased to receive offers from two Governments. Italy announced that it planned to distribute a national study on tourism in the Mediterranean region to all Governments through the national focal points' network. Israel noted that it had recently completed a national master plan on tourism which, for the first time, included environmental impact assessment, and that it was ready to communicate this plan for the benefit of the region. As stated above, questions relating to tourism were also discussed in connection with projects in the human settlements field. Finally, France offered to share her experience and studies carried out concerning time planning which had important repercussions on tourism.
33. The Meeting took note of the initiative taken by the Government of Malta in conjunction with UNDP/UNEP/ECF to study the possibility of establishing a Malta-based project for the development of practical applications of non-conventional sources of energy. Most delegations stressed the importance of this field and the interest of their countries in participating in co-operative programmes in this area. The Meeting agreed to request UNEP/UNDP to convene a meeting of Government experts which would develop a co-operative programme in the field of non-conventional sources of energy among interested Mediterranean countries. The representative of Malta informed the Meeting that his country would be willing to host this expert meeting.
34. The representative of Yugoslavia reiterated the offer of his Government to share with interested Mediterranean countries the experience gained by Yugoslavia in the field of integrated planning through the implementation of the UNDP project entitled "Protection of the Human Environment in the Yugoslav Adriatic Region." Yugoslavia would soon be convening a seminar to facilitate exchange of data and experience between Mediterranean countries in the field of integrated planning. Further to this, the Tunisian delegation emphasized that Tunisia was prepared to share the experience she had accumulated in the field of integrated planning during the development of the industrial and tourist complexes in the region of Gabès.
35. In the field of the protection of rare or threatened species of fauna and flora, the French delegate proposed:
 - the establishment of a network of co-operation between existing and new nature reserves. With regard to this, France offered to open up to the Mediterranean countries the nature reserve in the national park of Port Cros-Porquerolles now being created;
 - its support of initiatives aimed at the creation of active co-operation in the matter of threatened animal species. It could be taken over by the proposed Association of Mediterranean Specially Protected Areas mentioned in paragraph 27 (i) of Annex IV aided by the competent organisms and organizations, in particular the IUCN.
36. In the field of the collection of data obtained through teledetection means, France proposed joint work with other Mediterranean countries for the analysis and interpretation of the data currently available on the coastal zones.
37. The Meeting encouraged the Mediterranean States and the EEC to submit to UNEP other concrete proposals in the fields of the PAP before the end of March 1978. It asked the Executive Director of UNEP, once the proposals had been received, to submit to the Mediterranean coastal States a study on the regional interest and financial implications of

the projects proposed with respect to UNEP's budget and the funds that UNDP could put at the disposal of the region. This report would be submitted in the shortest possible time to a meeting of the coastal States for the adoption of an order of priority in the initiation of the proposals.

38. During the general debate the recommendations proposed by the Executive Director (paragraph 49 of UNEP/IG.11/3 and paragraphs 27 - 30 of Annex II of this document) were examined. The substance of the debate is reflected in paragraphs 21 - 37 above and in the recommendations adopted by the meeting as contained in Annex IV to this report.

Agenda item 7: Progress Report and recommendations concerning the environmental legislation component of the Action Plan

39. The Meeting began its discussions of agenda item 7 with the consideration of the recommendations proposed by the Executive Director in paragraphs 42 to 50 of Annex III to document UNEP/IG.11/3. The recommendations for future activities under the legal component of the Action Plan, as adopted by the Meeting, are contained in Annex IV to this report.
40. During the discussion of these recommendations the following points were highlighted.
41. All delegations welcomed the forthcoming entry into force of the Convention and protocols and agreed to urge those Governments which had not yet ratified the Convention and protocols adopted by the Barcelona Conference of Plenipotentiaries in 1976 to do so with the shortest possible delay.
42. UNEP, as the organization responsible for the Secretariat functions under Article 13 of the Convention, was called upon to convene the first meeting of the Contracting Parties to the Convention within one year of its entry into force. In preparation for that meeting, UNEP was requested to prepare, in consultation with the Governments of the region, a draft set of rules of procedure and financial rules for consideration by the Contracting Parties at their first meeting.
43. While discussing the priorities that should be given to the development of future protocols, the Meeting agreed that immediate efforts should be directed towards the adoption of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources.
44. In addition, the Meeting recognized the link between the problem of land-based sources of pollution and the question of specially protected marine and coastal areas. Consequently, the Meeting proposed that UNEP, in co-operation with FAO, UNESCO and IUCN, should prepare background material on the basis of which a meeting of Government experts could advise on the feasibility of developing a protocol on specially protected marine and coastal areas. It was suggested that UNEP might wish to develop for consideration by the meeting of experts a set of principles proposed for inclusion in such a protocol.
45. The Meeting took note of the information contained in UNEP/IG.11/3/Annex III, paragraphs 32 and 33 with regard to the UNEP Working Group on Environmental Law and the IJO's meeting of experts on Legal Aspects of Pollution Resulting from Exploration and Exploitation of the Continental Shelf, the Seabed and its Subsoil in the Mediterranean to be convened in October 1978. The Executive Director was requested to report to the first meeting of the Contracting Parties on the progress achieved in those fora.

46. The Meeting agreed that at present a regional protocol on pollution from ships was not needed. However, all Mediterranean States were invited to ratify the 1973 Convention on the Prevention of Pollution from Ships, which deals with control of that source of pollution on a universal level.
 47. At the request of the Meeting, a sub-committee was established to prepare a text concerning Article 12 of the Barcelona Convention, "Liability and Compensation", and Resolution 4 adopted by the Barcelona Conference of Plenipotentiaries, "Establishment of a committee of experts on an Inter-state Guarantee Fund for the Mediterranean Sea Area". The sub-committee was presided over by the representative of Algeria, and delegates from France, Greece, Lebanon, Morocco, Tunisia, and Yugoslavia participated. A consensus emerged to request the Executive Director to be prepared to propose to the first meeting of the Contracting Parties that a study be made of:
 - (a) appropriate procedures for the determination of liability and compensation for damage resulting from pollution of the marine environment deriving from violations of the provisions of the above-mentioned Convention and applicable protocols; and
 - (b) an Inter-state Guarantee Fund for the Mediterranean Sea Area.
- One delegation recalled its Government's reservations in regard to Resolution 4.
48. The Meeting also considered the issues of the Regional Oil Combating Centre, which was inaugurated in co-operation with the Intergovernmental Maritime Consultative Organization in Malta in December 1976, and the feasibility of establishing subregional oil combating centres. The progress report on the Regional Oil Combating Centre (UNEP/IG.11/INF.7) was introduced to the Meeting by the Director of the Centre. Thereafter, many delegations thanked the Director for the work that he had accomplished and for his comprehensive report. It was agreed that the Mediterranean States should give full support to the Centre and should increase their efforts to develop national capabilities for dealing with pollution emergencies. Some delegations underlined the advantage which might be gained by some States in making use of already available emergency and operating facilities to combat marine pollution. It was also pointed out that it would be useful if the Centre would assist in the promotion of technical assistance and bilateral and subregional contingency plans.
 49. In reply to the Director's report, one delegation made it clear that the Aegean Sea has been covered for many years by Greece's emergency plans as well as operational oil-combating activities.
 50. The French delegation drew the attention of the Meeting to two initiatives that respond to the technical training requirements identified by the Regional Centre in Malta and by a number of delegations:
 - (i) The French authorities are able to offer training to nationals of the coastal States at the Centres opérationnels de surveillance et de sauvetage (CROSS), in particular at CROSSMED, close to Toulon; these centres have responsibilities to deal with oil pollution.
 - (ii) The annual training course on marine pollution, with particular reference to oil pollution, will be held in France from 5 to 17 June 1978.

Additional information may be obtained through official channels or through the Regional Centre in Malta.

51. The Meeting also welcomed the intention of the Executive Director, as expressed in paragraph 30 of UNEP/IG.11/3/Annex III, to carry out, in co-operation with IMCO, a feasibility study on reception facilities for selected ports in the Mediterranean.
52. The Meeting agreed that it was premature to take a decision on the feasibility of establishing subregional oil combating centres and that this issue might be reviewed at a later stage when more experience had been gained through the operation of the regional centre.
53. The Greek delegation informed the participants that additional information concerning the possible establishment of a subregional centre on the island of Crete had been made available to the Secretariat.
54. The Meeting then began a review of the Preliminary Draft Protocol for the Protection of the Mediterranean Sea against Pollution from land-Based Sources as contained in Appendix II to document UNEP/IG.11/3/Annex III. It became clear during the deliberations that many questions still needed to be resolved before a consensus could be reached on the text of a final protocol. The Meeting reviewed each article of the draft protocol, and on the basis of their discussions, an inventory of areas of disagreement and of points that needed clarification will be prepared. The Secretariat was requested to circulate this inventory to all participants as soon as possible after the close of the Meeting. All delegations will have the right to submit to the Secretariat any amendments or additions to the inventory if they consider that their observations have not been properly recorded. The Meeting noted that one delegation had submitted amendments and proposals in the form of an alternative draft protocol accompanied by an explanation of text which was circulated to all delegations. The Meeting recommended that UNEP organize working groups of Governmental technical and juridical experts, as appropriate, to seek agreement on the questions raised during this meeting and to prepare a revised preliminary protocol before another intergovernmental consultation is convened.

Agenda item 8: Financial and institutional arrangements for the implementation of the Action Plan

55. The plenary took note of the general policy recommendations with regard to institutional and financial aspects that were proposed by the Executive Director in paragraphs 50 to 52 of UNEP/IG.11/3. Based on these recommendations, and on the conclusions of informal consultations among heads of delegations, the Chairman submitted to plenary for consideration a set of specific draft recommendations. The final recommendations concerning institutional and financial aspects, as adopted by the plenary, are contained in Annex IV to this report.
56. During the discussion on the proposed Mediterranean trust fund it was made clear by various speakers, including the representative of UNEP, that the nature of contributions to this fund should be further clarified, and considered by the planned meeting of Government-nominated experts to discuss budgetary matters (see paragraph 47 of Annex IV).

Agenda item 9: Other business

57. The Meeting welcomed the offer by the Government of France to host an intergovernmental meeting of Mediterranean States in 1979 and the offer by the Government of Greece to host the diplomatic conference to

be convened for the purpose of adopting the protocol for the protection of the Mediterranean Sea against Pollution from Land-Based Sources.

Agenda item 10: Adoption of the Report

58. The plenary adopted its report on agenda items 1 - 4 and 8 and the reports of the Committees on agenda items 5, 6 and 7 for inclusion in the final report of the Meeting.

Agenda item 11: Closure of the Meeting

59. The Meeting expressed its deep appreciation and sincere gratitude for the courtesy and outstanding hospitality extended by the Government of Monaco to the members of the delegations, observers and the Secretariat attending the Meeting, and it unanimously agreed that the efforts which had been made by the Government of Monaco in providing facilities, premises, and other resources, had contributed greatly to the smooth conduct of its proceedings.

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AGENDA

1. Opening of the meeting
2. Organization of the meeting
 - (i) Rules of procedure
 - (ii) Election of officers
 - (iii) Establishment of Working Committees
3. Adoption of agenda and suggested time-table
4. Report of the Executive Director on the implementation of the Mediterranean Action Plan and recommendations for follow-up action
5. Progress report and recommendations concerning the environmental assessment component of the Action Plan
6. Progress report and recommendations concerning the integrated planning component of the Action Plan
7. Progress report and recommendations concerning the environmental legislation component of the Action Plan
8. Financial and institutional arrangements for the implementation of the Action Plan
9. Other Business
10. Adoption of the report
11. Closure of the meeting

ADDRESS OF DR. M. K. TOLBA, EXECUTIVE DIRECTOR OF
UNEP TO THE INTERGOVERNMENTAL REVIEW MEETING OF MEDITERRANEAN
COASTAL STATES ON THE MEDITERRANEAN ACTION PLAN, MONACO,
9 - 14 JANUARY 1978, AS INTRODUCTION TO AGENDA ITEM 4,
"REPORT OF THE EXECUTIVE DIRECTOR ON THE IMPLEMENTATION
OF THE MEDITERRANEAN ACTION PLAN AND RECOMMENDATIONS FOR
FOLLOW-UP ACTION".

Mr. Chairman, Distinguished Delegates and Observers, Ladies and
Gentlemen;

It gives me great pleasure to have this opportunity to introduce to
you my report on the progress achieved since the Mediterranean Action
Plan was adopted by the first Intergovernmental Meeting of
Mediterranean Coastal States in Barcelona in February 1975. The
report is presented to you in Document UNEP/IG.11/3.

May I first say, Mr. Chairman, how much we in UNEP, and I am sure in
all our sister agencies of the United Nations system are all indebted
to you for your willingness to assume the important responsibilities
of presiding over this Meeting. We have every confidence that your
leadership will lead to successful and constructive deliberations in
this meeting. I would also like to congratulate the members of your
Bureau on their election to their important offices. I am confident
that they will be of great help to you in your task of leading the
meeting.

At the Barcelona Conference of Plenipotentiaries, I was called upon by
you, the Governments, to convene a meeting at which I "would inform
Governments of steps taken and progress achieved pursuant to all
recommendations set forth in the Action Plan for the Protection of the
Mediterranean approved at Barcelona on 4 February 1975." ^{1/} The
Report before you and this meeting represent my response to this
request.

In addition to the main body of my report which sets forth a general
review of the entire programme and a limited number of general
recommendations, I would like to draw your attention to the four
annexes which contain a more detailed presentation of the work
implemented and specific proposals for future action under each
chapter of the Action Plan. These annexes will have to be discussed
in the two Committees that you have earlier agreed to convene and I
sincerely hope that they will provide a satisfactory basis for the
recommendations to be proposed by the Committees.

In the past three years, a great deal of work has been undertaken in
all the substantive components of the Action Plan: scientific; legal;
and integrated planning. I would like briefly to review the main
achievements made in each sector.

In the scientific area which was essentially geared to environmental
assessment, the seven pilot projects which were requested at Barcelona
in 1975 have been initiated. Seventy-nine institutions from fifteen
Mediterranean States are at present collaborating with UNEP, the Food
and Agriculture Organization, the Intergovernmental Oceanographic

Commission of UNESCO, the World Health Organization, the World Meteorological Organization and the International Atomic Energy Agency in executing the seven projects. In order to ensure the full participation of all nominated institutions, UNEP has provided for training and equipment where needed. The first results of the pilot projects were reviewed at a mid-term meeting convened here in Monaco in July 1977. The report of this meeting is before you as document UNEP/IG.11/BD.30. Recommendations agreed at that meeting may be found in this document and they have served as the basis for the relevant recommendations contained in Annex I to my progress report before you at present.

As the seven pilot projects were developed, it became clear that it was possible and would be beneficial to increase the scope of the work undertaken as part of the environmental assessment chapter of the Action Plan. Therefore, other projects are being carried out, including:

- study of the role of sedimentation in pollution of the Mediterranean;
- monitoring of pollution in Mediterranean open waters; and
- assessment of pollutants from land-based sources.

The results from all these activities are serving as the basis for the preparation of a comprehensive document on the State of the Environment in the Mediterranean. An extract from this document has been given to you for information as document UNEP/IG.11/INF.4. The complete report should be available by the end of 1978.

The results obtained up to now show that the most important sources of pollution are located on the north-western part of the European coast and along the big rivers flowing into the Mediterranean, although significant point-sources can be found in many other parts of the Mediterranean too. The amounts of pollutants reaching the sea are very considerable exceeding in many cases the "natural input" of these substances into the sea. It is estimated that from these sources annually, as the result of man's activities, about 120 tons of mineral oils, 60 tons of detergents, 100 tons of mercury, 3,800 tons of lead, 2,400 tons of chromium, 21,000 tons of zinc, 90 tons of organochlorine pesticides, 1,120 tons of nitrogen and phosphorous containing nutrients, and 2,500 curies of radionuclides (almost all as tritium) enter the Mediterranean. Their concentration in the sea-water, sediments and marine life is often significantly increased. The beaches of the Mediterranean are probably the most polluted by oil and its derivatives of all the seas. Levels of pesticides and metals in marine organisms have risen. Eutrophication is evident in some coastal zones and swimming is becoming a risky venture in many, previously safe recreational areas. The evidence is at hand that the sea is sick, its sickness is felt by those who use it, and urgent action is needed to stop its further deterioration. The Convention and its protocols should provide the legal framework for this action.

Within the legal section of the Action Plan, the highlight has been the Conference of Plenipotentiaries, hosted by the Government of Spain, in Barcelona in February 1976. As you are all aware, that Conference adopted a framework Convention for the Protection of the Mediterranean Sea and two protocols: one on dumping and one on co-operation in pollution emergencies. I am very pleased to report that at present fifteen States and the European Economic Community have signed the Convention and protocols, and five States - Lebanon, Malta, Monaco, Spain and Tunisia - have ratified the Convention and protocols. I am confident that we will shortly have the six ratifications necessary for the entry into force of these instruments.

As requested by the Conference of Plenipotentiaries, work has continued on the development of a protocol to control pollution from land-based sources. Nearly all of your Governments have participated in the first and second intergovernmental consultations, hosted by the Governments of Greece and Italy respectively, last year to prepare a draft protocol.

The text of the preliminary draft of this protocol which was agreed last October in Venice, is to be found in Annex III to my report. It is my earnest hope that in one of the Committees of this meeting the preliminary draft will be further refined so that only one more intergovernmental consultation need be convened to discuss the protocol before it is finally adopted by a diplomatic conference. Your negotiations should be facilitated at this stage by data contained in document UNEP/IG.11/INF.5, which presents the results of the interagency project on the assessment of pollutants from land-based sources referred to earlier, and in information document 10, entitled "Preliminary information on the substances listed or likely to be listed in the annexes to the draft Protocol" as well as by the recommendations contained in Annex III of my report.

The integrated planning component has also been elaborated in close harmony with the legal and scientific aspects of the Action Plan. Under this component, activities aimed at achieving environmentally-sound, socio-economic development throughout the region were initiated or supported. At the intergovernmental meeting hosted by the Government of Yugoslavia in Split last year, you approved the development of two major programmes within the socio-economic field: the Blue Plan and the Priority Actions Programme. Progress achieved in their implementation is presented in detail in Annex II of my report.

The Blue Plan is comprised of prospective studies, including systematic surveys of major development and environmental protection activities carried out in the region, to be based on the collection of data from the Mediterranean States themselves using a common methodology so as to facilitate comparability, assessment and exchange of information. As you all know, the main objectives of the Blue Plan are:

- i) to assist States to identify points of reinforcement or conflict between development activities and the environment,
- ii) in the light of these interactions, to suggest alternative, environmentally-sound development strategies to be followed in the long run, and
- iii) to identify specific actions to be taken immediately.

The operational document of the Blue Plan is before this meeting for information as document UNEP/IG.11/INF.6.

The Priority Actions Programme addresses itself to the concrete implementation of sound environmental management practices in selected sectors using knowledge and experience available in the region. At the Split meeting, six priority areas requiring immediate action were identified. Closely related to these areas, several specific projects have already been defined and steps taken towards their implementation. I would like to ask Governments here to make firm commitments regarding the active participation of their national institutions and experts in the activities being planned. These include:

- the seminar on fresh water resources management to be held in France in April 1978;
- the UNEP/FAO(GFCM) expert consultation on aquaculture development to be convened and hosted by the Greek Government in Athens in March 1978;

- the Government of Italy/UNEP training programme for environmental managers which will take place in Urbino, Italy from April to July 1978;
 - the seminar on the geographic and socio-economic framework of the Blue Plan scheduled to take place in Yugoslavia next spring;
 - the follow-up activities in 1978 to the UNDP/UNEP/ECF missions to Malta concerning the promotion, development and use of non-conventional sources of energy;
 - the further development of the network of specially protected coastal and marine areas, on which I initiated correspondence with Governments last year as a follow-up to the UNEP/IUCN experts meeting on marine parks which was hosted by the Government of Tunisia in January 1977; and finally
- the development of guidelines for establishing criteria governing the discharge of land-based wastes which has been initiated through WHO, and will serve the Governments to discharge their obligations under the protocol on land-based sources of pollution.

I would also like to note that through the Regional Oil Combating Centre inaugurated in December 1976 in Malta and technically operated by the Intergovernmental Maritime Consultative Organization, links have been established with the relevant national authorities and the first contingency plans are being developed.

I began by stating that I was pleased to be able to report to this important meeting on the progress achieved under the Mediterranean Action Plan. I believe that this quick review will show that I have a very sound basis on which to derive this satisfaction. A great deal of important and exemplary work has been done in the last three years. I must congratulate you, the Mediterranean Governments, for these achievements since ultimately all activities rest on your guidance, co-operation, and active participation in the programme. I must also thank the United Nations specialized agencies and other bodies who have so competently worked with us to serve you. The Mediterranean programme, with its comprehensive approach, has demonstrated in a concrete way how the extensive expertise of the United Nations system can be efficiently woven together into a common approach for the protection and development of one region.

At Barcelona in 1975, when you first agreed upon this programme, you also expressed your wishes as to how the institutional and financial infrastructure for these activities should be shaped. As Executive Director of UNEP, I was called upon to use available funds with minimum allocation for staffing and other administrative cost and to establish simple co-ordinating mechanisms which use existing international organizations and co-ordinating bodies and which would deal with national institutions through the appropriate national authorities. This has been done to the best of our abilities. National institutions have been called upon to participate in the programme whenever possible, and training and support have been provided where necessary to increase their ability to act effectively.

Further to organizing and reinforcing national institutions, I have initiated several other institutional arrangements. Thus, in addition to the Oil Combating Centre in Malta which I have mentioned earlier, a small unit within UNEP was named responsible for co-ordinating the entire programme, and, until now, this unit has been located in Geneva. An office of the interim Secretariat for the Barcelona Convention was opened in Madrid to serve as a liaison between the

Government of Spain as Depository and UNEP in matters related to ratification and entry into force of the Convention. Within the framework of the environmental assessment activities, seven national institutions have been selected to assist UNEP and the relevant co-operating specialized agencies to co-ordinate the work of the seven pilot projects. The IAEA Laboratory in Monaco has played a regional role in carrying out intercalibration exercises and in providing common maintenance services for the analytical instruments used by national institutions.

The Action Plan was adopted by the Governments of the Mediterranean region, and at the request of these Governments, its implementation has been overseen by UNEP. Until now, UNEP has attempted to assume this responsibility fully and effectively. However, recognizing UNEP's catalytic role and its limited resources, I must stress the need to shift more substantive and financial responsibility to Governments. I have said earlier that I am confident that the Convention and protocols will enter into force shortly. When this materializes, I would propose to convene the first meeting of the Contracting Parties in early 1979. At that meeting, the Contracting Parties will be called upon to adopt their financial rules. My proposal for a cost-sharing scheme on which to base these financial rules is contained in Annex IV of my report. The financial assistance of UNEP to the future development of the Mediterranean Action Plan rests on the assumption that the Governments of the region will themselves ultimately cover the largest part of the operating expenses of the activities agreed upon as well as costs of the co-ordination mechanism. Realizing the importance of the Secretariat tasks which were assigned to it under Article 13 of the Convention, UNEP is prepared to provide 25% of the costs of the Mediterranean programme, provided that that sum does not exceed 10% of our global "Oceans" budget. The remaining 75% of the budget may be shared by the Mediterranean States according to the scheme proposed in Annex IV.

I am also seeking your advice during this meeting on the institutional arrangements that should be made in the future. At Split, I was requested to negotiate with Governments on the location of certain sub-units to co-ordinate specific elements of the Action Plan. However, you may wish to consider the benefits of keeping the Unit responsible for co-ordinating the programme in one location while charging selected national institutions with the responsibility of co-ordinating various elements of the Action Plan. Under the overall co-ordination of the centralized Unit, in my view, this should prove much more profitable, at least because of the small sized nature of such a Unit and the need for continued co-ordination of and interaction between the various components of the Plan. A suitable location for the co-ordination Unit was offered by the Government of Spain. Offers to host the whole Unit or parts of it were also received from the Governments of Greece, Lebanon and Monaco but it is up to you to decide on the centralization or decentralization of the small co-ordinating Unit and on where it should be located.

Mr. Chairman, distinguished delegates, you have a great deal of work ahead of you in the forthcoming week. To sum up, let me clearly state that I would like the meeting to conclude with a report which sets forth specific, concrete recommendations on the activities that you wish to see developed in the future and on the future financial and institutional arrangements. These recommendations may be divided into five parts.

Part I would contain General Policy principles and my own suggestions of what these should include are contained in paragraphs 47 to 52 of the progress report. I would like your views on these paragraphs during the course of the general debate on item 4, since the work of the Committees will be closely linked to the acceptance of these general policy principles.

The second part of the recommendations will deal with agenda item 5, environmental assessment, and my proposals are contained in paragraphs 28 and 29 of Annex I.

Integrated Planning should be addressed by the third section of the recommendations, and delegates are invited to refer to paragraphs 27 through 30 of Annex II to find my ideas on this agenda item.

The fourth part of the meeting's conclusions should deal with the legal aspects of the future programme. My proposals in this regard can be found in paragraphs 42 to 50 of Annex III.

After the first four sets of recommendations have been agreed to, I would suggest that you then proceed to the clear formulation of your joint proposals for the institutional and financial means by which these activities should be carried out. This can obviously only be done after you have completed your debate on the substantive aspects of the future programme in the Committees. I have placed before you in Annex IV various considerations and alternatives that I believe should be borne in mind when formulating your recommendations on this key item, since I felt that you should have complete freedom to discuss the issues first. However, I would like to stress several factors that I would suggest are essential:

- i) the small staff responsible for the co-ordination of all main components of the Action Plan would be most profitably used if centralized in a single unit, located in one suitable place;
- ii) the programme should be regionally self-sufficient with each coastal State assuming a just share of the substantive and financial responsibility; and
- iii) UNEP, while continuing to assume its role as Secretariat of the Convention and the Action Plan, should cover its financial participation according to the scheme I mentioned earlier.

I realize that your discussions on agenda item 8 are the key to the success of the meeting, and I offer you the full co-operation and services of my staff to assist you in this matter.

With your clear guidance, we and the entire United Nations system will be pleased and able to assist you to fulfil the goals that you set yourselves when you adopted the Action Plan in 1975, in the words of the Barcelona Convention, to carry out your "responsibility to preserve this common heritage for the benefit and enjoyment of present and future generations".

I wish you the fullest success in your deliberations, and I pledge you UNEP's total commitment to the goals and purposes which have brought us together here.

RECOMMENDATIONS

for the future development of the Mediterranean Action Plan
adopted by the
Intergovernmental Review Meeting of Mediterranean Coastal States
on the Mediterranean Action Plan, Monaco 9 - 14 January 1978

I GENERAL RECOMMENDATIONS

1. As an expression of their full support for the protection and harmonious development of the Mediterranean Basin and the activities launched as part of the agreed Action Plan, the Governments of the Mediterranean States and the EEC should ratify, with the shortest possible delay, the Convention for the Protection of the Mediterranean Sea against Pollution, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft and the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency, and should continue the negotiations on the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources, leading to its final adoption and early signature, ratification and implementation.
2. The pilot phase of the various activities undertaken as part of the assessment of the sources, amounts, pathways, levels and effects of pollutants should be continued. Using the experience and results obtained during the pilot phase, as well as the established network of collaborating national institutions, a long-term monitoring programme should be prepared in consultation with Governmental experts and adopted by Governments and the EEC. By analysing the trends in levels and effects of pollutants in the Mediterranean region, this programme should serve as the basis on which to take environmentally-sound management decisions essential for the future socio-economic development of the region; these trends constitute the most objective indicator of the effectiveness of the measures taken by Governments under the Convention and protocols.
3. Recognizing the importance of environmental management for sustained socio-economic development, the Governments of the Mediterranean Region and the EEC should, through their institutions, play an active role in all the activities relevant to the integrated planning and management of natural resources. In particular, they should give firm, substantive and financial support to and participate in the implementation of the Blue Plan and the Priority Actions Programme as developed in the framework of the Mediterranean Action Plan.
4. Institutions having a regional role should be strengthened and used more efficiently for the benefit of the Mediterranean States. In particular, Governments are invited to provide to the extent possible, support and co-operation to the Regional Oil Combating Centre in Malta. The feasibility of establishing subregional oil combating centres may be reviewed at a later stage after more experience has been gained through the operation of the Malta Centre.

5. As in the past, the activities agreed upon as part of the Action Plan should be executed by national institutions of the Governments which have been involved in formulating the Action Plan. UNEP, in close collaboration with the relevant parts of the United Nations system and under the guidance of Governments and the EEC, should act as the overall co-ordinator of these activities.

II SPECIFIC RECOMMENDATIONS

Environmental Assessment

6. The pilot project phase of the environmental assessment component of the Mediterranean Action Plan should be extended until a reasonable amount of data is collected with a view to transforming it, as soon as feasible, into a permanent monitoring system.
7. The various projects of the environment assessment component of the Mediterranean Action Plan should be more strongly integrated and efficiently co-ordinated to make possible a comprehensive contribution to the other components of the Mediterranean Action Plan, and thus provide the indispensable scientific basis for management activities and for the legislative initiatives the Contracting Parties to the Barcelona Convention may wish to take.
8. Hazard profiles should be reassembled and updated for substances identified by the Convention and the annexes to the protocols.
9. Based on research centres and institutions nominated by the Mediterranean Governments and the EEC as participants in the various pilot projects, the network of institutions needed for systematic and comparable Mediterranean-wide data-reporting on the levels and effects of pollutants should be completed by Governments.
10. With a view to facilitating the implementation of Article 10 of the Convention, and taking into account the experience gained and the results obtained up to the present, UNEP should prepare, in consultation with the Governments of the Mediterranean States and the EEC and in collaboration with the relevant specialized parts of the United Nations system, a draft outline of a medium-term monitoring programme which, after the approval of Governments and the EEC, would replace the present pilot programme. To this end the Mediterranean Governments and the EEC should provide UNEP with information concerning their monitoring programmes and the measures they have already taken to analyse the sources, amounts, levels, trends, pathways and effects of pollutants in the Mediterranean.
11. Taking into account existing national provisions and international arrangements and agreements, proposals for criteria applicable to the quality of recreational waters and seafood should be collected and eventually developed.
12. Principles and guidelines should be prepared by UNEP allowing the Mediterranean countries to select, establish and manage specially protected Mediterranean areas.
13. A model code of practice for the disposal of liquid wastes into the Mediterranean should be developed, covering initially criteria and guidelines essential for the implementation of the protocol on pollutants from land-based sources.
14. A report on the state of pollution of the Mediterranean Sea should be prepared using reliable and comparable data, primarily those supplied by the competent national institutions and by studies which may be

carried out during the pilot projects of the environmental assessment of the Mediterranean Action Plan. The final form of this report should be prepared and released in consultation with the Mediterranean Governments and the EEC.

15. UNEP should aid Governments that request assistance in defining the nature and extent of help they might need and to favourably respond to it in order to participate in the pollution monitoring and research projects through their national institutions.
16. Governments, with the assistance of UNEP if necessary, should further strengthen those national research centres that do not have either sufficiently trained personnel or the equipment for their effective participation in the programme. UNEP, if necessary, should assist Governments in the installation of new research centres.
17. Additional research centres should be designated by Governments and the EEC to participate in the pollution monitoring and research projects in geographic zones at present inadequately covered.
18. Under UNEP's overall co-ordination, and with the assistance of the relevant organizations of the United Nations system, the collaboration between research centres should be reinforced and, in view of the complementary nature of the data generated by the various pilot projects, further efforts should be made to make an interdisciplinary assessment of the origin, amounts, levels, pathways and effects of pollutants of the Mediterranean.
19. The methods used by participants in the various pilot projects assessing the levels and effects of pollutants are already well harmonized and, whenever necessary, unified. Nevertheless, as the results of the monitoring and research activities may have legislative implications for the Contracting Parties of the Barcelona Convention, UNEP, as the Secretariat of the Convention, should assist in elaborating reference methods for Mediterranean marine pollution studies and submit them for approval to the Governments and the EEC.
20. Subject to further evaluation and to the approval of the Mediterranean coastal States, a joint oceanographic cruise (MED CRUISE) could be considered by UNEP, in collaboration with the relevant organizations of the United Nations system and the national institutions of the region, to increase the number and quality of data on the open waters of the Mediterranean.
21. The input of riverborne and airborne pollutants into the Mediterranean may turn out to belong to the major groups of unknown parameters needed to assess the state of pollution in the Mediterranean Basin and UNEP should organize their assessment.
22. The facilities of the Geneva-based United Nations International Computing Centre (ICC) should be selected and used on a trial basis as the central data repository and processing facility satisfying the requirements of the entire Mediterranean Action Plan. Data reported to this facility, directly or through the organizations co-operating in the implementation of the various activities, should be considered as unclassified, unless stated otherwise. Data should be collected, handled and disseminated according to existing, standard practices, making full use of the existing mechanisms for data exchange.
23. The build-up of modelling capabilities of the Mediterranean scientists, particularly those in developing countries, should be promoted by UNEP. Initial targets for modelling may include biogeochemical cycles of heavy metals, oil, chlorinated hydrocarbons, and ecosystems; they should be integrated with hydrodynamic models because they constitute the common basis for such models.

24. Without prejudice to the development of water pollution standards, technical principles and methodological guidelines for the scientific assessment of possible waste-absorptive capacity of the marine environment should be developed.

Integrated planning (environmental management)

25. The Meeting took note of the progress made in the implementation of the Blue Plan and recommended that, in order to allow the Executive Director to proceed with the implementation of the first phase of the Blue Plan, as agreed at the 1977 Split consultation, the Governments which have not done so should, as soon as possible, and not later than the end of March 1978:

- (i) designate national focal points for the Blue Plan;
- (ii) nominate national participating institutions and experts for the Blue Plan activities;
- (iii) indicate the surveys and prospective studies of the Blue Plan in which their institutions and experts would be ready to play an active role;
- (iv) forward to UNEP Fund their financial contributions to the agreed Blue Plan budget.

26. The Meeting, having learned of the activities directly related to PAP scheduled for 1978, recommends that Governments, through their institutions and experts, take an active part in such activities. This applies, in particular, to the following:

- (i) a seminar on fresh water resources management in the Mediterranean region, to be held in France in April 1978;
- (ii) the expert consultation on aquaculture development in the Mediterranean region, being convened and hosted by the Greek Government in Athens from 13 to 18 March 1978 and sponsored by UNEP and GFCM of FAO;
- (iii) training and information exchange in urban, environmental pollution control, including tourist resorts, Athens;
- (iv) the Government of Italy/UNEP International Training Programme in Environmental Management, Urbino, Italy, 3 April - 27 July 1978;
- (v) seminar on the geographic and socio-economic framework of the Blue Plan, scheduled to take place in Yugoslavia next spring.

27. The Meeting took note of the significance of protected areas from the socio-economic, scientific and conservation points of view and recommended that Governments should support the protection and rational management of existing marine parks, wetlands and other protected areas. They should also promote the creation of new protected areas in the region. In particular, Governments should:

- (i) support the efforts of the Executive Director to create an Association of Protected Mediterranean Areas and advise him on the designation of one member of the Association to act as the co-ordinator of the Association's activities;
 - (ii) request the Executive Director to convene periodic meetings of representatives of Mediterranean protected areas to compare and develop their experiences and problems;
 - (iii) expand the research projects on ecological problems of protected areas and relate them to UNEP MED POL activities;
 - (iv) ask the Executive Director to convene an intergovernmental meeting to consider and adopt guidelines and technical principles for the establishment and management of Mediterranean protected areas. The Meeting should also consider the development of a protocol on the protection and management of Mediterranean Protected Areas (see paragraph 34 below);
 - (v) contribute to the preparation and periodic updating of a Directory of Mediterranean protected areas.
28. In relation to sub-paragraph (i) above, the Meeting welcomed the offer of Tunisia to serve as the co-ordinator of the Association of Protected Mediterranean Areas.
29. The Meeting noted the appropriateness of the various projects relating to evaluation of the sources, amounts, levels and effects of pollutants (see UNEP/IG.11/3/Annex I), in particular MED VII and MED X, for the management of environmental problems, which had been clearly brought out. It therefore invited Governments to take such measures as to ensure that the results of these projects could help them to develop the administrative, economic and other measures needed for environmental management.

Environmental legislation

30. As an expression of their full support for the protection and harmonious development of the Mediterranean Basin and the activities launched as part of the agreed Action Plan, the Governments of the Mediterranean States and the EEC are urged to ratify, with the shortest possible delay, the Convention for the Protection of the Mediterranean Sea against Pollution, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft, and the Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency.
31. UNEP, as the Organization responsible for the Secretariat functions under Article 13 of the Convention, should convene the first meeting of the Contracting Parties to the Convention and protocols within one year of the entry into force of the Convention. By that time it is hoped that the number of Contracting Parties will include a large majority of the Mediterranean coastal States.
32. In preparation for the first meeting of the Contracting Parties, UNEP should prepare, in consultation with the Governments of the region, the EEC and relevant international organizations, a draft of the rules

of procedure and financial rules to be presented for consideration to the Contracting Parties as provided for in Article 18 of the Convention.

33. Recognizing that pollution from man's activities on land represents the most significant source of pollution in the Mediterranean Basin, the Governments of the Mediterranean States and the EEC should continue their consultations on the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources, leading to the adoption of the Protocol at a diplomatic conference. UNEP should assist the States in this task by providing as complete technical data on land-based pollutants as possible.
34. Recognizing the activities already under way within the Action Plan on specially protected areas, UNEP should, in co-operation with FAO, UNESCO and IUCN, prepare background material on existing legislation and regional legal alternatives for the protection of such marine and coastal areas. UNEP should convene a meeting of Government experts to review this material and to advise on the feasibility of developing a protocol on specially protected marine and coastal areas.
35. Taking note of the work already under way within the UNEP Working Group on Environmental Law regarding corrective and preventive measures for pollution damage arising from offshore mining and drilling carried out in the areas within national jurisdiction and of the forthcoming IJO meeting of experts on Legal Aspects of Pollution Resulting from Exploration and Exploitation of the Continental Shelf, the Seabed and its Subsoil in the Mediterranean, UNEP is requested to report to the first meeting of the Contracting Parties on the progress achieved in those fora so that a decision may be taken as to the feasibility of developing a protocol in this respect.
36. The Mediterranean States, taking note of the forthcoming Conference of Plenipotentiaries on Tanker Safety and Pollution Prevention to be convened in February 1978, should become Parties to the 1973 International Convention on the Prevention of Pollution from Ships, and at the appropriate time, should study the advisability of using their concerted efforts, within the framework of IMCO, to have the Mediterranean designated as a special area for the purposes of Annex II of that Convention.
37. Within the perspective of the application of Article 12 of the Barcelona Convention and in order to implement Resolution 4 adopted by the Barcelona Conference of Plenipotentiaries, the Executive Director should be prepared to propose to the first meeting of the Contracting Parties that a study be made of:
 - (a) appropriate procedures for the determination of liability and compensation for damage resulting from pollution of the marine environment deriving from violations of the provisions of the above-mentioned Convention and applicable protocols;
 - (b) an Interstate Guarantee Fund for the Mediterranean Sea Area.

This study should be entrusted to a committee of Government experts. a/

a/ One delegation recalled its Government's reservations in regard to Resolution 4.

38. The Mediterranean coastal States should provide, to the extent possible, support and co-operation to the Regional Oil Combating Centre so that it may effectively fulfil the objectives assigned to it. Each State should develop its national contingency plans and capabilities for dealing with oil pollution emergencies. Sectoral and subregional contingency plans for neighbouring countries should be promoted through bilateral or multilateral agreements for the above plans, technical arrangements should be agreed and assistance could be provided. When experience has been gained through the operation of the regional centre, the feasibility of establishing subregional oil combating centres may be considered.

Institutional and financial

39. The delegations convened at Monaco took note of the policy directives of the Governing Council of UNEP under which the Executive Director is carrying out the Mediterranean Action Plan, especially decision 47 (paragraph 9) and 50 (paragraph 7) adopted at the fourth session of the Council in 1976. b/
40. Considering the exemplary nature of the Mediterranean Action Plan, the Executive Director is requested to carry out this Plan as a pilot project for other seas of the world. This long-term pilot project should be conducted under the direction of UNEP, with the assistance of the specialized international organizations concerned with the development of the Mediterranean Action Plan.

b/ Decision 47 (IV), paragraph 9,

"Considers that the successful achievements of the United Nations Environment Programme in the field of protection of the environment in the Mediterranean region afford a concrete example of both the integrated approach and the proper co-ordinating role that should be the major concern of the Programme in its activities, and requests the Executive Director to ensure that the catalytic function, co-ordination and integration, as opposed to involvement in longer-term activities of a primarily executive character, always constitute the main contribution of the Programme in its endeavours to ensure the protection and improvement of the environment;" and

Decision 50 (IV), paragraph 7,

"Notes the Executive Director's account of how the concepts of environmental assessment and environmental management, as well as supporting activities, have been applied in the Mediterranean, and requests the Executive Director further to develop work in the Mediterranean in accordance with this framework, while taking steps towards the progressive transfer of executive responsibility to the Governments of the region."

41. As in the past, activities agreed upon as part of the Action Plan should be carried out with the assistance of national institutions designated by their Governments. In this task the institutions shall be assisted by UNEP and relevant specialized United Nations organizations. UNEP, in close collaboration with the relevant parts of the United Nations system and under the guidance of Governments, will continue the role it has thus far assumed as the Secretariat of the Action Plan and of the Convention, which is an integral part of the Action Plan. Consequently, upon entry into force of the Convention, the Executive Director will make arrangements to carry out the secretariat responsibility on a continuing basis.
42. For reasons of administrative and operational efficiency, and taking into account the use of the Mediterranean programme as a model for UNEP's work in the global regional seas programme, the Executive Director will maintain the staff responsible for all main components of the Mediterranean Action Plan in a single secretariat at Geneva on an interim basis. Since the Governments convened in Monaco were not able to take a decision on the future location of the final headquarters of this co-ordination centre of the Mediterranean Action Plan, the Governments of Greece, Lebanon, Monaco and Spain repeated their offers to host this co-ordination centre on their territories; it being considered, *inter alia*, that the centre may most appropriately be situated in one of the countries of the Mediterranean Basin. Any other Governments wishing to make proposals to host the centre were invited to submit their offers to UNEP.
43. With regard to the assessment component, the Executive Director will continue, with the assistance of the United Nations system, to strengthen, during the whole pilot phase, Regional Activity Centres of the research and monitoring programme and other national scientific institutions duly nominated by their Governments.
44. The Governments of France and Yugoslavia have put at the disposal of UNEP the necessary facilities for units intended to assist in the co-ordination under the integrated planning component of the Action Plan, of the Blue Plan and PAP respectively. The Government of Spain undertook similar actions with regard to a legal unit. With a view to ensuring a balanced distribution of institutions between the countries of the region, it was agreed to establish a unit in one of the countries of the southern Mediterranean within the framework of the implementation of the Action Plan. The Government of Tunisia offered to host this unit. In view of the arrangements already made for the organization and the financing of activities under the Blue Plan, the meeting considered that UNEP should attempt to mobilize additional resources in order to strengthen and accelerate the activities under the PAP, including organizational steps to launch and co-ordinate the specific activities which are the subject of earlier recommendations. For the same reasons mentioned above, one delegation requested that the establishment of a unit in the eastern Mediterranean should be considered and offered to host such a unit.
45. Having been informed of decision 98 (V) ^{2/} adopted at the last session of the Governing Council concerning the total commitment authority for UNEP, and taking into account the exemplary nature of

^{2/} The total commitment authority for the Environment Fund stands as follows:

1978: \$ 31.6 million
1979: \$ 30 million

Of this amount the allocation for oceans has been fixed at:

1978: \$ 4.0 million, or 13 per cent of the total;
1979: \$ 3.19 million, or 11 per cent of the total.

the Mediterranean Action Plan, which is a pilot action plan, the delegations present in Monaco request the Executive Director to continue the effort undertaken for a substantial period.

46. The Governments convened at Monaco requested the Executive Director to prepare a report on the budget provided for the Mediterranean Action Plan. They endorsed the principle of a separate trust fund to ensure the harmonious development and effective co-ordination of jointly agreed activities. This fund could be financed as follows:
 - 50 per cent to be covered by Governments of the region and the EEC. Contributions from Governments will be determined by the United Nations assessment scale and for the EEC by agreement between it and UNEP.
 - 50 per cent by UNEP and the international organizations concerned.
47. The Meeting welcomed the intention of the Executive Director to convene in 1978 a meeting of Government-nominated representatives, to examine the Executive Director's report on the budget for the 1979/1980 biennium.