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24th Meeting of the Contracting Parties to the
Convention for the Protection of the Marine Environment
and the Coastal Region of the Mediterranean and its Protocols

Agenda Item 3: Thematic Decisions

Agenda Item 5: Ministerial Session

Reports of the 20th and 21st Compliance Committee Meetings

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UNEP/MAP
Athens, 2025

UNITED
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Mediterranean Action Plan
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24 July 2024
Original: English

20th Meeting of the Compliance Committee
of the Barcelona Convention and its Protocols
Athens, Greece, 19-20 June 2024

Report of the 20th Meeting of the Compliance Committee

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UNEP/MAP
Athens, 2024

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Agenda Item 1: Opening of the Meeting

1. The 20th Meeting of the Compliance Committee of the Barcelona Convention and its Protocols was held on 19-20 June 2024, in Athens, Greece. The list of participants is in **Annex I** of this report.

2. Having the Secretariat ascertained the existence of the required quorum, Ms. Aysin TURPANCI, Vise-Chairperson of the Compliance Committee, welcomed the participants and opened the meeting by pointing out the demanding agenda before the Committee, as dictated by its 2024-2025 Programme of Work adopted by the 23rd Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 23) (Portoroz, Slovenia, 5-8 December 2023).

3. Ms. Tatjana Hema, UNEP/MAP Coordinator, welcomed the participants and stressed that decisions and recommendations at the present meeting were of pivotal importance in strengthening the role of the Committee for the biennium 2024-2025 and underlined the key priorities of the rich agenda before the Committee. She stressed that UNEP/MAP remains as committed as ever to strengthening the enforcement of the Barcelona Convention and its Protocols to ensure the protection of the environment and promotion of sustainable development in the Mediterranean region.

4. Ms. Hema referred to the ambitious Portoroz Ministerial Declaration and the adoption of Decision IG.26/1 on Compliance and Reporting by COP 23, which also included the revised Procedures and Mechanisms on Compliance. Furthermore, she referred to the need to review the Rules of Procedures during the meeting to ensure their alignment with the adopted Procedures and Mechanisms, as requested by COP 23. She further welcomed the newly elected members and alternate members of the Compliance Committee and wished them success in carrying out their work. Finally, she noted the importance of reporting by Contracting Parties and the need to increase reporting rates.

Agenda Item 2: Adoption of the Agenda and Organization of Work

5. The Chairperson introduced the Provisional Agenda of the meeting and underlined the tight and broad agenda ahead in the run-up to COP 24. She stressed the need to review the Rules of Procedures of Compliance introduced and prepared by the Secretariat at the present meeting.

6. The Compliance Committee adopted the Provisional Agenda (UNEP/MED CC.20/1) and the Provisional Annotated Agenda (UNEP/MED CC.20/2) after incorporating minor amendment to the Provisional Agenda by adding a separate sub-point (c) under Agenda item 8 (Other Matters) to address some issues related to the Procedures and Mechanisms on Compliance, and changing the timeline so as to address the Rules of Procedures during the first day of the meeting. The Agenda as agreed upon by the meeting is presented in Annex II to this report.

7. Concerning the Adoption of the Report of the 19th Compliance Committee Meeting, the Committee reviewed the report and made some editorial suggestions, while also asked the Secretariat that future reports should include more details of the discussions held during the meetings. To this end, the Committee made some specific suggestions for the new text, so as to better reflect the discussions held at the 19th Compliance Committee meeting. The Committee also suggested that the Secretariat creates an online depository with past meeting reports and other relevant documents to which the Compliance Committee members would have access.

8. The Secretariat took note of all the suggestions and noted that the revised 19th Compliance Committee meeting report would be revised and submitted to the meeting for adoption and added that the online depository will be created at SharePoint/MS Teams, with access given to the members of the Committee. The Secretariat stressed that the Conclusions and Recommendations are adopted during each meeting of the Committee and cannot be amended after the meeting, so all changes will be reflected at the body of the report.

9. Following the discussion and the revisions made to the report, and in line with the Rules of Procedure of the Compliance Committee (Decision IG. 21/1), the Committee formally adopted the report of the 19th Meeting of the Compliance Committee (Athens, Greece, 4-5 July 2023) (UNEP/MED CC.20/3). The 19th Meeting report is presented in Annex III to this report.

Agenda Item 3: Election of Officers of the Compliance Committee for the biennium 2024-2025[1]

10. The Compliance Committee was invited to elect a Chairperson and two Vice-Chairpersons from among its officers for the biennium 2024-2025, in accordance with Paragraph 12 of its Procedures and Mechanisms as adopted by COP23 and Rule 6 of its Rules of Procedure as adopted by COP 18.

11. The Coordinator stressed that, in line with the Procedures and Mechanisms on Compliance and the Rules of Procedure of the Compliance Committee, equitable geographical representation and rotation had informed the election of the Chair of the Compliance Committee since its inception in 2008, making sure that all Groups1 were represented on a rotational basis, and that gender balance should also be taken into consideration.

12. The Secretarial also pointed out a set of additional considerations for the election process, mainly that: (1) to ensure the continuity of the work of the Compliance Committee, when proceeding with the election of its officers, it would be wise to consider at least an officer to hold the tenure beyond COP 24, (2) to strike a balance between experienced Members and new Members, as well as (3) to take into consideration gender parity, in line with the UN Strategy on Gender Parity. The Secretariat orally informed the meeting of the Members of the Compliance Committee elected by COP 23 until COP 25.

13. In the ensuing discussion, the Compliance Committee agreed to have a Chairperson from Group III and Vice-Chairpersons from Groups I and II, while it also considered the expression of interest of members to be elected as Chairperson or Vice-Chairpersons.

14. Based on the discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations

The Compliance Committee elected for the biennium 2024-2025 the following officers:

- **Ms. Aysin TURPANCI (Group III) as Chairperson of the Compliance Committee;**
- **Mr. Ezzedine JOUINI-BERZINE (Group I) as Vice-Chairperson of the Compliance Committee; and**
- **Ms. Daniela ADDIS (Group II) as Vice-Chairperson of the Compliance Committee.**

Agenda Item 4: Communication to the Compliance Committee under Paragraph 23.bis of the Procedures and Mechanisms on Compliance: Proceedings

a) ***Follow-up Progress on the Implementation of the Compliance Committee Findings, Measures, and Recommendations Regarding the Case of Mar Menor***

15. The Secretariat summarized progress, noting that following up on the conclusions and recommendations of the 19th Meeting of the Compliance Committee, the Chair of the Compliance Committee, through the Secretariat, communicated the outcome to Spain (the Party concerned), inviting Spain to submit additional information related to specific matters raised during the 19th Meeting of the Compliance Committee. Also, the Secretariat has informed Ecologistas en Acción de la Región Murciana (EARM) (the communicant) of the mentioned outcome.

16. The additional information requested by Spain focused on the following points: a) Report on the existing and evolving regulatory framework with the specific provisions of the Barcelona Convention and its Protocols (as in the ICZM, Dumping, LBS, and SPA/Biodiversity Protocols); b) Summary of the content of the websites mentioned in the report by the local authorities submitted to the last Compliance Committee meeting, with regards to data and information provided and whether this information is adequate, effective, and accessible in a

[1] By COP 15 Decision IG. 17/2, the following three groups were set up for the purpose of establishing the composition of the Compliance Committee. Group I: Southern and Eastern Mediterranean countries (Algeria, Egypt, Lebanon, Libya, Morocco, Syria and Tunisia), Group II: EU Member States which are Party to the Barcelona Convention (Croatia, Cyprus, Greece, France, Italy, Malta, Slovenia, Spain and the EC), and Group III: Other Parties (Albania, Bosnia and Herzegovina, Israel, Monaco, Turkey and Montenegro)

timely and continuous manner; c) Report on specific public participation procedures and outcomes.

17. The Secretariat noted that a response was received from the Party concerned on Friday, 31 May 2024, as contained in document UNEP/MED CC.20/4/Add.1, which included (a) the requested reports from the Ministry unit and the Regional Government of Murcia, and a courtesy translation (joining both documents); (b) a report on the public consultation measures taken and their courtesy translation; (c) the annual report on plans, projects, and actions in response to the law 3/2020 on the recovery and protection of the Mar Menor.

18. During the proceedings of the case, the Committee welcomed the response by the Party concerned, but noted that the response did not include the detailed measures taken in accordance with the new legislation issued in Spain regarding the Mar Menor (Law 19/2022 of 30 September 2022).

19. The Committee discussed the need to assess how well the actions taken in line with the issued environmental laws and regulations align with the recommendations made at the 19th Compliance Committee Meeting. This assessment should also consider how well these laws match the specific requirements of the Barcelona Convention and its Protocols.

20. The members also agreed on the importance of assigning a rapporteur or rapporteurs from among the members of the Committee, to follow up on the progress on the MarMenor case and propose further action.

21. The members also discussed developing a standardized template to be shared with the concerned Party to streamline the process of providing the Committee with the requested information, based on similar templates prepared by other Compliance Committees and finetuned for the present case.

22. Based on the discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations

1) *The Committee notes* with satisfaction the receipt of reports from the Party Concerned in response to its Conclusions and recommendations concerning the communication on this Case.

2) *The Committee welcomes* the progress reflected in the reports. At the same time, the *Committee requests* further information and some clarifications regarding the following points:

***a)* An assessment to be provided regarding the conformity of the existing and evolving regulatory framework with the Recommendations of the 19th Meeting of the Compliance Committee and with regards to the specific provisions of the Barcelona Convention and its Protocols (the SPA/BD Protocol, the ICZM Protocol, the LBS Protocol, and the Dumping Protocol). In this context, concrete implementation measures should be specified, including on the follow up of the implementation of law 19/2022 of September 30th, recognizing legal personality to the Mar Menor.**

***b)* With regards to future annual progress reports to be submitted, the Compliance Committee would request a consolidated single report by the Party concerned (not exceeding 10 pages).**

***c)* With reference to paragraph 7 on "Measures, Rule 36 letter b of Procedures and Mechanisms", the Committee requests Spain to develop an action plan to achieve compliance within a proposed timeframe to be agreed upon, between the Committee and the Party concerned. 3) The *Committee appoints* Compliance Committee members Mr. Marko STARMAN and Mr. Philippe WECKEL to become the Rapporteurs, for the Mar Menor case, with the legal support of Ms. Daniela ADDIS and Mr. Evangelos RAFTOPOULOS, and share with the Committee members an assessment report on the Spanish response, preferably six weeks before the next meeting of the Compliance Committee.**

4) The *Committee agreed* to develop a template to be shared with the Parties concerned, based on similar templates prepared by other compliance committees, with a view to facilitate adequate information on compliance, based on the work done under point 3.

b) Report by the Rapporteur on the new Case of possible non-compliance

23. Following up on the conclusions and recommendations of the 19th Meeting of the Compliance Committee (Athens, 4-5 July 2023), regarding assigning former member Ms. Samira HAMIDI to submit a brief report on the new case presented to the committee, the Chairperson of the Compliance Committee opened the proceedings for this case and outlined the arrangements for conducting proceedings as agreed by the Compliance Committee, consisting of (1) introduction and opening of the discussion by the Chair of the Compliance Committee (2) Inviting the Secretariat to brief the Committee on the progress of the possible case of non-Compliance.

24. The Secretariat informed the Committee that former member Ms. Samira HAMIDI had prepared the required summary report, which the Secretariat shared with the Committee members (UNEP/MED CC.20/5). The Secretariat added that rapporteur Ms. Samira HAMIDI apologized for her inability to participate in the current meeting of the Committee to present the summary report she prepared.

25. Mr. Philippe WECKEL presented an informal summary of the new case, based on his experience with the region affected and with the said case.

26. The Committee members discussed the admissibility criteria for the new case, in accordance with the adopted Procedures and Mechanisms on Compliance, and reached a consensus that the case should be accepted as per the admissibility criteria.

27. Furthermore, the Committee agreed on the importance of assigning one or more rapporteurs from among the Committee members to follow up on this new case of non-compliance since the former rapporteur was no longer a member of the Committee. The new rapporteur(s) would work on the basis of the report prepared by the former rapporteur. The Committee also discussed the need to inform the Party concerned (France) that this case may affect more articles of the Barcelona Convention and/or its Protocols, than the ones mentioned by the communicant.

28. The Secretariat noted that they will inform both the Party concerned and the communicant on the relevant outcome of the Committee, while also stressing that the two issues (the case as brought by the communicant and the possible reference to further articles of the Barcelona Convention and its Protocols) should be treated separately.

29. Based on the discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations

1) The *Committee accepts* the Case as per the admissibility criteria.

2) The *Committee appoints* Compliance Committee members Ms. Selma OSMANAGIC-KLICO and Mr. Ezzedine JOUINI-BERZINE to become the Rapporteurs for this case and member Mr. Philippe WECKEL to support them, to share with the Committee members an assessment report on the new case of Compliance, preferably six weeks before the next meeting of the Compliance Committee.

Agenda Item 5: National Implementation Reports under Article 26 of the Barcelona Convention (Status of Reporting)

30. On the invitation of the Chair, the Secretariat presented COP 23 Decision IG.26/1, which has urged the Contracting Parties who have not yet submitted their national implementation reports for the biennium 2018-2019 (8 Contracting Parties) and the biennium 2020-2021 (11 Contracting Parties) to do so, as soon as possible by 2nd April 2024 at the latest. The Secretariat also informed the Committee that some submissions had taken place since then, the latest being received from Lebanon (on Barcelona Convention and ICZM Protocol) after the 20th Compliance Committee documents were disseminated.

31. The Secretariat provided details on which countries had submitted their national reports for the biennium 2018-2019 and the biennium 2020-2021, along with those that are outstanding. The presentation also clarified the reporting status for each country under each protocol. Additionally, a graph was presented to visualize the submission rate for these reports per biennium. Regarding the biennium 2022-2023, it was noted that Contracting Parties have not yet begun sending their reporting. The Secretariat also informed the Committee on the establishment of the Reporting Implementation Task Force in early 2024 and on the progress of its work.

32. The Members of the Committee welcomed the presentation by the Secretariat and agreed to ask the Secretariat to apply the tested criteria of submission, timelines, completeness, and implementation as a screening tool for the future preliminary assessments of national implementation reports.

33. One Member of the Compliance Committee raised the issue of whether the existing criteria allow for an evaluation of the effectiveness of the measures adopted by Contracting Parties, as opposed to their existence. It was recalled that in many cases when compiling their national implementation reports, Contracting Parties simply provide lists of normative acts. It was noted that these lists, without further commentary, do not allow for a comprehensive evaluation of whether the Contracting Party has been in compliance with its obligations under the Barcelona Convention and its Protocols.

34. During the discussion, some members of the Committee emphasized the importance of evaluating how well measures are implemented and are working. They argued that the evaluation should show how effectively these measures contribute to achieving the goals of the Barcelona Convention and its Protocols. Some Committee members acknowledged the difficulty of measuring effectiveness, while offering suggestions on how to do it. One proposal was for the Committee to develop indicators specifically for measuring effectiveness. This idea gained support, and several members suggesting to include the development of these indicators in the Committee's work plan.

35. The Secretariat also presented actions to improve the reporting quality of national implementation reports, proposed by the Secretariat in coordination with the Reporting Implementation Task Force. The goal of these actions were to make the submission of national implementation reports easier, thus also increasing the rate of submissions. The Secretariat noted that they have already identified challenges with the current BCRS format through recent assessments, while many Contracting Parties reported difficulties in using the system. As a result, the Task Force aims to update the current BCRS format or potentially replace it with a more user-friendly system, while also incorporating the recently adopted new or amended legally binding instruments/measures. The result of the above is that the updated BCRS format will be prepared for submission to the MAP Focal Points Meeting and subsequently to COP 24 for adoption.

36. The Committee welcomed the Secretariat’s proposal regarding the work programme of the Task Force and the proposed activities and requested the secretariat to follow up on their implementation. They noted the importance of understanding the reasons behind the low level of submissions and of finding way to assist Contracting parties to comply with their requirements. They also noted the important role of INFO/RAC in relation to the technical aspects of BCRS and the need to increase capacity building activities of Contracting Parties, as for example is done for IMAP.

37. In the ensuing discussion, some Committee members emphasized the need for better collaboration between the Compliance Committee and the MAP Components/Regional Activity Centers. This includes exploring ways for Compliance Committee representatives to attend key meetings of the MAP Components and vice versa. It was noted that as next steps the Compliance Committee could also work with Contracting Parties in supporting them. The Committee finally agreed on the need to have a dedicated side event at COP24, where members of Compliance Mechanisms of other MEAs could also be invited.

38. Based on the discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations

1) The *Committee agreed* to send a letter, through the Secretariat, signed by the Chairperson of the Committee, to the Contracting Parties who have not submitted their National Implementation Reports, to inquire about any difficulties and challenges they encountered.

2) The *Committee welcomed* the initiation of the Reporting Implementation Task Force and agreed to strengthen the interaction with the MAP Components and Contracting Parties. The Committee recommends the participation of the representatives of MAP Components to its meetings and confirms its availability to participate to their meetings, depending on availability of resources. The Committee also suggests to hold back to back meetings whenever possible.

3) The *Committee requests* the Secretariat to prepare an assessment report on the submitted National Implementation Reports. This report should be based on the approved criteria, including submission format, timeliness, and completeness. The report should be presented at the Compliance Committee Meetings.

4) The *Committee requests* the Secretariat to organize a side event for the Compliance Committee at the next Conference of the Parties.

Agenda Item 6: Effective Functioning of the Compliance Committee

39. The Secretariat explained the rationale behind the proposed amendments to the current Rules of Procedure with the aim of ensuring the alignment with the revised Procedures and Mechanisms on Compliance, as adopted by COP 23.

40. The proposed amendments reflected the Committee's previous consultations (the inter-sessional work carried out by the Committee Sub-Groups in their meetings held on 14 July, 11 and 23 September, and 13 November 2020, by teleconference) on the basis of the original text of the Rules of Procedure (RoP) as adopted by COP 18. They also reflected the importance of maintaining the admissibility criteria as adopted at COP17 through Decision IG. 23/2.

41. Following a suggestion by the Chairperson, the Secretariat presented paragraph by paragraph the proposed amendments with proposed changes being introduced in track mode. The issue of using gender-neutral language was raised, as well as the issue of geographical balance for which it was proposed to revise the concept of division by groups in the future.

42. Following the discussion and the relevant changes proposed, the Committee agreed on the amendments to the Rules of Procedure, as reflected in **Annex IV** of this report. The Committee asked the Secretariat to work on finalizing the clean version, to be submitted to the meeting of the Bureau of the Contracting Parties.

43. Following the discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations

The *Compliance Committee agreed* on a clean text of the revised Rules of Procedure on Compliance (document UNEP/MED CC.20/7), that were prepared in order to align them with the revised *Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols* adopted at COP 23 through Decision IG.26/1, to be submitted to the meeting of the Bureau of the Contracting Parties.

Agenda Item 7: Place and dates of the 21st Meeting of the Compliance Committee

44. The Compliance Committee discussed the place and dates of its 21st Meeting. The Secretariat explained that the agenda of meetings is particularly tight and that a number of factors have to be taken into account in deciding the dates of meetings.

45. The Committee agreed that the meeting will be held in Athens, Greece, by mid-June 2025.

46. One member of the Committee proposed that the annual meeting should be extended to more than two days, so as to allow the Compliance Committee to fully consider the items on its

agenda. The Secretariat noted that the duration of meetings depends on the agenda and the available resources.

47. Based on discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations
The next meeting of the Compliance Committee will be held in Athens before mid-June 2025.

Agenda Item 8: Other Matters

(a) Visibility of the Compliance Committee

48. The Secretariat updated the Compliance Committee on the work done by the Secretariat to improve the visibility of the Compliance Committee, including by launching a stand-alone page on the UNEP MAP website dedicated to the Compliance Committee. The webpage introduces the Compliance Committee and its role, explains the mechanism for sending reports to the Secretariat, contains the most important documentation (e.g. the legal instruments and documents that govern the work of the Compliance Committee) and includes the short bios of the members of the Compliance Committee. In this regard, the Secretariat has requested the Committee members who have not yet sent to the Secretariat their short bios to do so as soon as possible.

49. The Secretariat explained to the Committee that members of the Compliance Committee will be granted guest access to a UNEP/MAP Coordinating Unit dedicated SharePoint/MS Teams folder which will serve as a working file repository and facilitate information exchange among the Committee members and with the Secretariat.

50. Furthermore, to strengthen the visibility of the Compliance Committee, the Secretariat is studying the possibility of publishing a summary of the cases of non-compliance achieved by the Committee, in line with the way that similar international agreements (e.g. the Espoo Convention) publishes cases of compliance on the Secretariat's website and the procedures taken, in accordance with the concept of transparency.

(b) Cooperation with other MEAs' Compliance mechanisms (ESPOO Convention Secretariat)

51. The Secretariat presented a summary of the meetings held with the Secretariat of the Espoo Convention regarding the exchange of knowledge between the two conventions in relation to compliance issues. The Secretariat explained that it was agreed between the two sides that representatives from the Barcelona Convention would attend the Espoo Convention's annual Implementation Committee meetings, and vice versa. This would allow for the exchange of best practices on implementation. 52. The Secretariat informed the Compliance Committee of its participation in May 2024 at the 1st Sub-regional meeting on the environmental assessment in a transboundary context. That meeting focused on sharing experiences and discussing issues of Transboundary Environmental Impact Assessment and Strategic Environmental Assessment, as well as potential synergies between the bodies established under the ESPOO Convention and its SEA Protocol, on the one hand, and those established under the Barcelona Convention and its Protocols, on the other. Also, the synergies between the legal instruments available to harmonize the international legal framework and the compliance mechanisms of the two Conventions were also presented.

53. One member of the Committee noted that the 2nd Sub-regional meeting on the environmental assessment in a transboundary context will take place in mid-2025 in Slovenia and suggested the possibility of engaging representative(s) of the Compliance Committee to attend that meeting.

(c) Matters relating to Procedures and Mechanisms of Compliance

54. The Secretariat presented the revised version of the Procedures and Mechanisms on Compliance, as adopted by COP23. The members of the Committee noted that it contained in some of its paragraphs editorial errors in relation to cross-references between articles/paragraphs. Some members of the Committee also noted that certain parts of the text should be revised to better reflect the views expressed by the Committee in the consultation process.

55. The Chairperson noted that the Committee cannot revise a COP Decision, and proposed to the Committee members to send their suggestions to the Secretariat, so that these suggestions could be considered at the next Compliance Committee meeting for possible inclusion in the recommendations of the Compliance Committee to COP 24.

56. Regarding the editorial errors, the Secretariat reported that consultations would be held with the legal services of the Headquarters regarding the possibility of correcting this error through a re-issuance of the relevant COP Decision and in accordance with the applicable rules.

57. Based on the discussion, the Compliance Committee agreed as follows:

Conclusions and Recommendations

1) The *Committee asked* the Secretariat to upload all relevant documentation, including reports of previous Committee meetings, in a shared folder, where Compliance Committee members will have access.

2) The Committee asked the Secretariat to finalize the stand-alone web page dedicated to the Compliance Committee, within the UNEP/MAP website, before the next Compliance Committee meeting.

3) The Committee agreed to present, at the next Compliance Committee meeting, a proposal of corrections to the text of Procedures and Mechanisms adopted by COP 23 to be included in the recommendations of the Compliance Committee to COP 24.

Agenda Item 9: Conclusions and Recommendations

58. On the basis of a draft prepared by the Secretariat in consultation with the Chairperson of the Compliance Committee, the Compliance Committee reviewed and agreed on the Conclusions and Recommendations listed under each Agenda item above.

Agenda Item 10: Closing of the Meeting

59. The Meeting was closed by the Chairperson of the Compliance Committee, at 18:30 (Athens, UTC+3) on Thursday, 20 June 2024.

Annex IV

Amended Rules of Procedure of the Compliance Committee

Rules of Procedure of the Compliance Committee (amended following the adoption of Decision IG.26/1)

Purposes

Rule 1

Within the framework of the implementation of the procedures and mechanisms on compliance under the Barcelona Convention and its Protocols, hereinafter called "compliance procedures and mechanisms", contained in the annex to decision IG.17/2 on compliance procedures and mechanisms, hereinafter called decision IG 17/2, as adopted by the 15th Meeting of the Contracting Parties, these rules of procedure shall apply to any meeting of the Compliance Committee, hereinafter called "the Committee", under the Convention and its related Protocols.

Rule 2

The Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Barcelona Convention and its related Protocols shall apply mutatis mutandis to any meeting of the Committee unless otherwise stipulated in the rules set out herein and in decision IG 17/2, and provided that rules 18 and 19 on representation and credentials of the Rules of Procedure for Meetings and Conferences of the Contracting Parties do not apply.

Definitions

Rule 3

For the purposes of these rules:

1. "Convention and its related Protocols" means the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) adopted in 1976 and amended in 1995 and its related Protocols: Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency (Emergency Protocol), Barcelona, 1976; Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea (Prevention and Emergency Protocol), Malta, 2002; Protocol for the Prevention of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft (Dumping Protocol), Barcelona, 1976; amendments to the Dumping Protocol, recorded as Protocol for the Prevention and Elimination of Pollution in the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea, Barcelona, 1995; Protocol for the Protection of the Mediterranean Sea against Pollution from Land- Based Sources (LBS Protocol), Athens, 1980; amendments to the LBS Protocol, recorded as Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities, Syracuse, 1996; Protocol concerning Mediterranean Specially Protected Areas (SPA Protocol), Geneva, 1982; Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA and Biodiversity Protocol), Barcelona, 1995; Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Offshore Protocol), Madrid, 1994; Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Hazardous Wastes Protocol), Izmir, 1996; Protocol on Integrated Coastal Zone Management in the Mediterranean (ICZM Protocol), Madrid, 2008.

2. "Compliance procedures and mechanisms" means the procedures and mechanisms on compliance under the Barcelona Convention and its related Protocols adopted by the 15th Meeting of the Contracting Parties and set out in the annex to decision IG.17/2, as amended by the 23rd Meeting of the Contracting Parties and set out in the annex to decision IG.26/1.

3. “Contracting Parties” means Contracting Parties to the Convention and its related Protocols, including the amended versions, if any, for which the Convention and the related Protocols and their respective amendments are in force.

4. “Party concerned” means a Party in respect of which a question of compliance is raised as set out in section V of the compliance procedures and mechanisms.

5. “Committee” means the Compliance Committee established by section II, paragraph 4, of the compliance procedures and mechanisms and by decision IG 17/2 of the 15th Meeting of the Contracting Parties.

6. “Member” means a member of the Committee elected under section II, paragraph 5, of the compliance procedures and mechanisms.

7. “Alternate member” means an alternate member of the Committee elected under section II, paragraph 5, of the compliance procedures and mechanisms.

8. “Chairperson” means the Chairperson of the Committee elected in accordance with rule 7 of the present rules of procedure.

9. “Vice-Chairpersons” means the Vice-Chairpersons of the Committee elected in accordance with rule 7 of the present rules of procedure.

10. “Secretariat” means the Coordinating Unit that is designated by the Executive Director of the United Nations Environment Programme (UNEP) as responsible for the administration of the Mediterranean Action Plan (MAP), referred to in paragraph 42 of the compliance procedures and mechanisms.

11. “Representative” means a person designated by the Party concerned to represent it during the consideration of a question of non- compliance.

12. “The public” means one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organizations or groups.

13. “Bureau” means the Bureau of the Contracting Parties referred to in article 19 of the Convention.

14. “Observers” means the organizations referred to in article 20 of the Convention and those included in the list of MAP partners as approved by the Meeting of the Contracting Parties and members of the civil society which have been granted the status of observers by the Compliance Committee on a case-by-case basis as per the compliance procedures and mechanisms.

Membership of the Committee

Rule 4

1. Each member of the Committee is elected and shall serve in her or his individual capacity and shall act objectively in the interest of the Barcelona Convention and its Protocols for the Protection of the Mediterranean Sea and its coastal area avoiding any conflicts of interest. A Committee member is not entitled to designate a substitute.

2. The term of office of a member shall commence at the end of an ordinary Meeting of the Contracting Parties immediately following her or his election and run until the end of the Meeting of the Contracting Parties four years thereafter, as applicable.

3. Every member serving the Committee shall, before taking up her or his duties, make a solemn declaration in a meeting of the Committee that she or he will perform her or his functions objectively as provided in Rule 12 of the present rules of procedure.

4. When a member of the Committee resigns or is otherwise unable to complete the assigned term of office, the Committee shall immediately request the Secretariat to start the replacement procedures. Therefore, the Bureau shall appoint a new member from the list of candidates nominated by the Contracting Parties or, subsidiary, shall request the Party which

nominated that member to nominate a replacement to serve for the remainder of the term.

5. When a member is absent for two consecutive meetings without providing any reasonable grounds, the term of office of the member concerned expires and new election proceeds, according to the provisions of Rule 4 of the present rules of procedure.

Place, dates and notice of meetings

Rule 5

1. The Committee shall normally meet twice per biennium preferably once a year. It may recommend the Secretariat to hold additional meetings subject to workload requirements arising from submissions by concerned Contracting Parties, referrals by the Secretariat and referrals by the Committee on its own initiative, subject to availability of funds.

2. Unless it decides otherwise, the Committee shall meet at the seat of the Secretariat. Any additional costs that may rise by changing of the place of the meeting shall be met by the host country.

3. At each meeting, the Committee shall decide in consultation with the Secretariat on the place, dates and duration of its next meeting.

Rule 6

Notice of Committee meetings shall be sent by the Secretariat to the members and alternate members and any representative, as the case may be, with a copy to the MAP Focal Points of all Contracting Parties, at least three months before the opening of the meeting.

Officers

Rule 7

The Committee shall elect a Chairperson and two Vice-Chairpersons for a term of two years. No officers shall serve for more than two consecutive terms.

Rule 8

1. In addition to exercising the powers conferred upon him or her elsewhere in these rules, the Chairperson shall:

(a) Preside over the meeting;
(b) Declare the opening and closure of the meeting;
(c) Ensure the observance of these rules;
(d) Accord the right to speak;
(e) Put questions to the vote and announce decisions;
(f) Rule on any points of order;
(g) Subject to these rules, have complete control over the proceedings and maintain order.

2. The Chairperson may also propose:

(a) The closure of the list of speakers;
(b) A limitation on the time to be allowed to speakers and on the number of interventions on an issue;
(c) The adjournment or closure of debate on an issue;
(d) The suspension or adjournment of the meeting.

Agenda

Rule 9

1. In agreement with the Chairperson, the Secretariat shall draft the provisional agenda for each meeting of the Committee. The agenda of the Committee shall include items arising from its functions as specified in section IV of the compliance procedures and mechanisms and other matters related thereto.

2. The Committee, when adopting its agenda, may decide to add urgent and important items and to delete, defer or amend items.

Rule 10

The provisional agenda and the annotated agenda for each meeting, the draft report of the previous meeting and other working and supporting documents shall be circulated by the Secretariat to members and alternate members at least six weeks before the opening of the Committee's meeting.

Conflict of Interest

Rule 11

1. Each member of the Committee shall, with respect to any matter that is under consideration by the Committee, avoid direct or indirect conflicts of interest. Any matter that may constitute a conflict of interest shall be brought as soon as possible to the attention of the Secretariat, which shall forthwith notify the members of the Committee. The concerned member shall not participate in the elaboration and adoption of findings, measures and recommendations of the Committee in relation to such a matter.

2. If the Committee considers that a material violation of the requirements of objectivity expected of a member or alternate member of the Committee has occurred, it may decide to recommend, through the Secretariat to the Bureau of the Meeting of the Contracting Parties, to revoke the membership of any member or alternate member concerned, after having given the member or alternate member the opportunity to be heard.

3. All decisions of the Committee taken under this rule shall be noted in the annual report of the Committee to the Meeting of the Contracting Parties.

Oath/Solemn Declaration

Rule 12

Each member and alternate member of the Committee shall take the following written oath:

> "I solemnly declare that I shall perform my duties as a member of the Committee objectively, and act in the interest of the Barcelona Convention avoiding any conflict of interest, I shall not disclose any confidential information coming to my knowledge by reason of my duties in the Committee, and I shall disclose to the Committee any personal interest in any matter submitted to the Committee for consideration which may constitute a conflict of interest."

Distribution and consideration of information

Rule 13

1. The information received in accordance with paragraphs 21-22 section V on "Procedure" of the procedures and mechanisms on compliance shall be distributed by the Secretariat to the members and alternate members of the Committee.

2. Any submission received in accordance with paragraph 21(a) of section V "Procedure" of the procedures and mechanisms on compliance shall be transmitted by the Secretariat to the members of the Committee and their alternates as soon as possible but no later than thirty days of receipt of the submission.

3. A submission received in accordance with paragraphs 21(b) and 27 of the procedures and mechanisms on compliance and any issues raised by the Secretariat as provided for in paragraph 26 of the procedures and mechanisms on compliance shall be transmitted by the Secretariat to the members of the Committee and their alternates as soon as possible but no later than 30 days after the six-month time frames provided for in the above-mentioned paragraphs have expired.

4. Any information to be considered by the Committee shall, as soon as possible but no later than two weeks after receipt, be made available to the Party concerned.

Public access to documents and information

Rule 14

The provisional agenda reports of meetings and any official documents subject to rule 13 above and paragraph 34 of section V of the compliance procedures and mechanisms, and any other non-confidential information documents shall be made available to the public.

Participation in proceedings of the Committee

Rule 15

1. Unless the Committee or the Party whose compliance is in question decides otherwise, the meetings of the Committee will be open to other Contracting Parties and to observers.

2. Observers shall be entitled to receive copies of publicly distributed documents, submit written comments and make oral statements at meetings. The Committee reserves the right to give the floor to the attending public, upon request, if it deems it useful.

3. In accordance with the provisions of paragraphs 21, 31 and 33 of the compliance procedures and mechanisms, the Party concerned is entitled to participate in the Committee's proceedings and make comments thereon. It may furthermore, in accordance with the criteria adopted by the Committee and at the request of the latter, take part in the preparation of its findings, measures and recommendations. The Party concerned shall be given an opportunity to comment in writing on the findings, measures and recommendations of the Committee. Any such comments shall be forwarded with the report of the Committee to the Meeting of the Contracting Parties.

4. The Committee may invite experts to provide expert advice through the Secretariat. In that case it shall:

(a) Define the question on which expert opinion is sought;
(b) Identify the expert(s) to be consulted, on the basis of a roster of

experts prepared and regularly updated by the Secretariat;

(c) Lay down the procedures to be followed.

5. Experts may also be invited by the Committee to be present during the formulation of its findings, measures or recommendations.

6. Secretariat officials may be also invited by the Committee to attend the Committee's deliberations in order to assist in the drafting of its findings, measures or recommendations.

Conduct of business

Rule 16

Seven members of the Committee shall constitute a quorum. For the purpose of the quorum, the replacement of members by alternates shall take into consideration equitable geographical representation, consistently with the composition of the Committee as set out in the third paragraph of decision IG 17/2 and the fifth paragraph of Annex I of decision IG.26/1.

Rule 17

1. With respect to a notification or document sent by the Secretariat to a Contracting Party, the date of receipt shall be deemed to be the date indicated in a written confirmation from the Party or the date indicated in a written confirmation of receipt by the expedited delivery courier, whichever comes first.

2. With respect to a submission, request or other document intended for the Committee, the date of receipt by the Committee shall be deemed to be the first business day after receipt by the Secretariat.

Rule 18

1. Electronic means of communication may be used by the members of the Committee for the purpose of conducting informal consultations on issues under consideration and decision-making on matters of procedure. Electronic means of communication shall not be used for making decisions on matters of substance related in particular to the preparation of findings, measures and recommendations by the Committee.

2. The Committee may use electronic means of communication for the transmission, dissemination and storage of documentation, without prejudice to normal means of circulation of the documentation, as the case may be.

Voting

Rule 19

Each member of the Committee shall have one vote.

Rule 20

1. The Committee shall make every effort to reach agreement by consensus on its findings, measures and recommendations. If all efforts to reach consensus have been exhausted, the Committee shall as a last resort adopt its findings, measures and recommendations by at least six members present and voting.

2. For the purpose of these rules, “members present and voting” means members present at the session at which voting takes place and casting an affirmative or negative vote. Members who abstain from voting shall be considered as not voting.

Secretariat

Rule 21

1. The Secretariat shall make all necessary arrangements for meetings of the Committee and provide it with services as required.

2. In addition, and subject to availability of technical and financial means, the Secretariat shall perform any other function assigned to it by the Committee with respect to the work of the Committee.

Languages

Rule 22

English and French shall be the working languages of the Committee. However, the Committee will accept communications or submissions, as well as corroborating information in any of the four official languages of the meetings and conferences of the Contracting Parties.

Rule 23

1. The submissions from the Party concerned, the response and the information referred to in section V of the compliance procedures and mechanisms shall be provided in one of the four official languages of the Meetings of the Conference of the Contracting Parties to the Convention and its related Protocols. The Secretariat shall make arrangements to translate them into English and/or French if they are submitted in the other official languages of the Meeting of the Contracting Parties to the Convention and its related Protocols.

2. Any representative taking part in the Committee proceedings and/or meetings may speak in a language other than the working languages of the Committee if the Party provides for interpretation.

3. Final findings, measures and recommendations shall be made available in all official languages of the Meetings of the Contracting Parties to the Convention and its related Protocols.

General procedures for submissions

Rule 24

The time frame for submissions is as follows:

1. For cases concerning a submission by a Contracting Party in respect of its own actual or potential situation of non-compliance: at the latest six (6) weeks before the opening of the ordinary meeting of the Committee.

2. For cases concerning a submission by a Contracting Party in respect of another Party's situation of non-compliance: at the latest four (4) months before the opening of the ordinary meeting of the Committee allowing the Contracting Party whose compliance is in question at least three months to consider and prepare its response.

3. The time frames for cases concerning a submission by a Contracting Party in respect of another Contracting Party's situation of non-compliance also apply to issues raised by the Secretariat.

4. All the above time frames are indicative and may be extended according to the necessities warranted by the circumstances of the matter at hand and in accordance with the Committee's rules of procedure and due process. In this respect, Contracting Parties may submit additional documentation, comments and written observations to be considered by the Committee.

Rule 25

1. A submission by any Contracting Party raising a question of non-compliance with respect to itself shall set out:

(a) The name of the Contracting Party making the submission;
(b) A statement identifying the question of non-compliance, supported by substantiating information setting out the matter of concern relating to the question of non- compliance;
(c) Its legal basis and the relevant provisions of the Barcelona Convention and its related Protocols and decision IG 17/2 and as subsequently amended that form the basis for raising the question of non- compliance;
(d) Any provisions of the decisions of the Meeting of the Contracting Parties and the reports of the Secretariat that are applicable to the question of non-compliance.

2. The submission shall also include the list of all documents annexed to the submission.

Rule 26

1. A submission by any Contracting Party raising a question of non-compliance with respect to another Party shall set out:

(a) The name of the Contracting Party making the submission;
(b) A statement identifying the question of non-compliance, supported by substantiating information setting out the matter of concern relating to the question of non- compliance;
(c) The name of the Party concerned;
(d) Its legal basis and the relevant provisions of the Barcelona Convention and its related Protocols and decision IG 17/2 and as subsequently amended that form the basis for raising the question of non- compliance;
(e) Any provisions of the decisions of the meetings of the Contracting Parties and the reports of the Secretariat that are applicable to the question of non-compliance.

2. The submission should also include the list of all documents annexed to the submission.

Rule 27

The Secretariat shall make the submission and any supporting information, submitted under rule 14 above, including any expertise reports, available to the representative designated by the concerned Party.

Rule 28

Within the framework of general procedures for submissions as provided for under rule 25 above, comments and written observations by the Party concerned in accordance with

the provisions of section V of the compliance procedures and mechanisms on the Committee's preliminary and final findings, measures and recommendations shall include:

(a) A statement of the position of the Party concerned on the information, findings, measures and recommendations or question of non-compliance under consideration;
(b) An identification of any information provided by the Party that it requests should not be made available to the public in accordance with paragraph 34 of section V of the compliance procedures and mechanisms;
(c) A list of all documents annexed to the submission or comment.

Rule 29

1. Any submission, comment and/or written observations under rules 13 and 28 above shall be signed by the MAP Focal Point or the representative of the Contracting Party and be delivered to the Secretariat in hard copy and by electronic means of communication.

2. Any relevant documents in support of the submission, comment or written observations shall be annexed to it.

Rule 30

1. Findings, measures or recommendations shall contain, mutatis mutandis:

(a) The name of the Party concerned;
(b) A statement identifying the question of non-compliance addressed;
(c) The legal basis and the relevant provisions of the Barcelona Convention and its related Protocols and decision IG 17/2 as subsequently amended and other relevant decisions of the Meetings of the Contracting Parties that form the basis of the preliminary findings, measures and recommendations and their final versions;
(d) A description of the information considered in the deliberations and confirmation that gives the Party concerned an opportunity to comment in writing on all information considered;
(e) A summary of the proceedings, including an indication of whether its preliminary finding or any part of it as specified is confirmed;
(f) The substantive decision on the question of non-compliance, including the consequences applied, if any;
(g) The background, conclusions and reasons for the findings, measures and recommendations;
(h) The place and date of the findings, measures and recommendations;
(i) The names of the members who participated in the consideration of the question of non-compliance and in the elaboration and adoption of the findings, measures and recommendations.

2. Written comments on the findings, measures and recommendations submitted within 45 days of their receipt by the Party concerned shall be circulated by the Secretariat to the members and alternate members of Committee and shall be included in the Committee's biennial report to the Meeting of the Contracting Parties.

Admissibility and Communication procedures

Rule 31

A. Admissibility criteria under paragraph "V. Procedure" of the procedures and mechanisms

1. Communications addressed to the Committee under paragraph V. Procedure of the procedures and mechanisms shall be in writing or in electronic form through the Secretariat. The communications shall be supported by substantiating documentation.

2. When determining admissibility, the Compliance Committee shall consider whether the communication is:

(a) anonymous;
(b) de minimis;
(c) manifestly ill founded;
(d) incompatible with the provisions of this compliance procedure or with the Barcelona Convention and its Protocols

3. The Committee should, at all relevant stages, take into account any available domestic remedy unless the application of the remedy is unreasonable prolonged or obviously does not provide an effective and sufficient means of redress.

4. With respect to communications by any member of the public and observers submitted to the Compliance Committee, the following procedures shall apply.

B. Handling and circulation of Communications

1. Communications shall be in writing or in electronic form through the Secretariat and as concise and concrete as possible. It is preferable that the communication shall not be more than twelve pages in total. Visual means are also welcomed.

2. The minimum requirements to be included in any such communication are:

(a) Name and contact details of the communicant, whether this is a natural or legal person,
it will however respect any request of confidentiality by the communicant;

(b) Clear identification of the Party or Parties concerned;

(c) One to two-page summary with the main facts of the case;

(d) A document presenting the facts of the alleged non-compliance, and clearly stating how the facts presented constitute a case of non-compliance with the Barcelona Convention and/or its Protocols;

(e) Indication of whether steps have been taken to use the remedies available at the national and/or international level.

3. Communications shall be addressed to the Compliance Committee through the Secretariat. Upon receipt of a communication the Secretariat shall register it, send an acknowledgement of the receipt, and transmit the communication to the Party concerned and to the Compliance Committee within two weeks from the receipt clarifying that, at the present stage, it has not been deemed admissible by the Compliance Committee. Communications forwarded by the Secretariat will be considered by the Committee at its next meeting for the Committee to take a decision whether to enter into their preliminary admissibility.

C. Preliminary Determination of Admissibility

1. Upon circulation of a communication, the Compliance Committee shall consider the preliminary admissibility of communications addressed to it. To that end the Chair of the Compliance Committee in consultation with the Members of the Compliance Committee shall appoint from among its members a Rapporteur for each communication. The Rapporteur shall not be a national of the Party concerned.

2. If translation of substantiating material is required, the Committee shall decide on the extent to which more material, other than that which is already available in English, should be translated, taking into account both the costs of translation and the delay involved. The Committee may also request the communicant to provide an English translation of certain materials.

3. If the Compliance Committee determines that the communication is inadmissible, it shall inform the Party concerned and the communicant accordingly, through the Secretariat, and close the file. Such determination shall be final.

4. If the Compliance Committee determines that the communication is admissible on a preliminary basis, it opens a file, and shall notify the Party concerned and the communicant accordingly, through the Secretariat. The Committee should in principle consider preliminary determination of a communication not later than at its second meeting following the receipt of the communication.

5. The Compliance Committee may, after making a positive decision on admissibility, present the questions raised with the Party concerned, if any, when forwarding the communication. Such questions will be transmitted to the Party concerned by letter from the Secretariat, together with the confirmation of preliminary admissibility.

6. The Compliance Committee may also address any questions to the communicant it might find necessary to clarify the facts of the communication. Such questions will be transmitted to the communicant by letter from the Secretariat, together with the confirmation of preliminary admissibility.

7. The Party concerned should, as soon as possible but no later than two months from the date of the Secretariat's letter, submit written explanations or statements on the matter.

8. When forwarding a communication to the Party concerned on behalf of the Committee, the Secretariat will prepare a cover letter with: (a) a request to the Party concerned to acknowledge receipt of the communication; (b) a reminder of its obligation under paragraph 12 of the Barcelona Convention to submit as soon as possible, but not later than two months after the communication has been brought to its attention, written explanations or statements clarifying the matter and describing any response that it may have made; (c) a reference to the determination of preliminary admissibility with the request to inform the Committee as soon as possible if it intends to comment on admissibility issues; (d) specific points of discussion and questions to be addressed in the response, as identified by the Committee.

9. If the Party concerned consents to the admissibility of the communication, the Compliance Committee will consider this and the communicant will be given an opportunity to comment and/or provide additional information.

10. If the Compliance Committee confirms the admissibility of the communication, it will proceed to the examination of the substance of it. Otherwise, the Compliance Committee will reverse its preliminary decision. The non-admissibility of the communication by the Committee is final. The Compliance Committee will inform the Party concerned and the communicant through the Secretariat

11. The Compliance Committee should start the formal discussion on all particular communications at the first meeting that takes place following either the receipt of a response to the communication from the Party concerned or if no response has been received within the deadline of two months.

12. When the Compliance Committee discusses the substance of any communication at a particular meeting, the Secretariat will notify the Party concerned and the communicant that the communication will be discussed following mutatis mutandis the procedures established in paragraphs 28 to 34 of the Procedures and Mechanisms on Compliance.

Amendments to the rules of procedure

Rule 32

Any amendment to these rules of procedure is adopted by consensus by the Committee and submitted for consideration and adoption by the Bureau, subject to endorsement by the Meeting of the Contracting Parties.

Overriding authority of the Convention and its related protocols and decision IG.17/2 as subsequently amended

Rule 33

In the event of a conflict between any provision in these rules and any provision in the Convention and its related Protocols or decision IG 17/2 as subsequently amended, the provisions of the Convention and its Protocols, shall prevail.

Conclusions and Recommendations of the
21st Meeting of the Compliance Committee of the Barcelona Convention and its Protocols
Athens, Greece, 4-5 June 2025

(Advanced edited version)

Agenda Item 3: Progress on Activities Undertaken by the Secretariat on Compliance Issues

1) The Committee thanks the Secretariat for the progress report and for their efforts regarding Activities Undertaken on Compliance issues

2) The Committee in relation with Rules of Procedures recommends to refer in Rule 33 that the Procedures and Mechanisms shall prevail over the Rules of Procedures.

3) The Committee is asking the Secretariat to share with the Committee all the communications relevant to the Compliance Committee.

Agenda Item 4: Status of Reporting under Article 26 of the Barcelona Convention for the 2022-2023 Biennium

1) *The Committee expressed satisfaction for the submission of reports by 11 Contracting Parties. The Committee expressed deep concern for the low rate of submission of implementation reports as indicated by the Secretariat including recurring non submission of reports from a number of Contracting Parties.*
2) *The Committee agreed to send a letter, through the Secretariat, signed by the Chairperson of the Committee, to the Contracting Parties who have not submitted their National Implementation Reports, to highlight the importance of reporting and to inquire about any difficulties and challenges they encountered*
3) *The Committee agreed that the draft decision to COP 24 should contain a strong call to those Contracting Parties who have not yet submitted their national implementation reports for the biennium 2020-2021 and the biennium 2022-2023 to do so, as soon as possible and by November 2025 the latest.*
4) *It was also agreed that there is a need to enhance country capacities for the preparation and submission of national reports considering the complex obligations under the Barcelona Convention and its Protocols; to this end, the Committee asks the Secretariat to take the relevant actions during the next biennium.*
5) *The Committee requests the Secretariat to organize a side event for the Compliance Committee at the next Conference of the Parties.*

Agenda Item 5: Follow up on Status of Compliance Cases by the Contracting Parties subject to Paragraph 26 of the Procedures and Mechanisms on Compliance

A) Follow-up progress on the implementation of the Compliance Committee Findings, Measures and Recommendations regarding the case of Mar Menor

1) *The Committee notes with satisfaction the receipt of information from the Party Concerned in response to its findings and recommendations concerning the communication on the case of Mar Menor.*

2) *The Framework of Priority Actions for the Recovery of the Mar Menor, adopted by Spain provides a comprehensive framework to address this multifaceted, organizationally, financially, and politically demanding undertaking, with responsibilities distributed between national and regional authorities.*

3) *The Committee encourages innovative approaches to ecosystem protection through the Law on the legal personality of the Mar Menor (Law 19/2022).*

4) *The Committee believes that Spain achieved a significant breakthrough, which could provide valuable lessons, for the advancement of future innovative approaches to ecosystem protection*

5) *Considering the Barcelona Convention: articles 4, para 1 and 2, article 10, SPA/BD Protocol articles 2, 3.1(b), 3.4, 6 (b) and (h), article 7.2 (a, b, c and e) and, article 11.1 and 2 and (section D annex I), and ICZM Protocol article 7.*

In line with recognition stated above the committee asks Spain, to report timely before the 22nd Compliance Committee meeting on:

1) *The legal framework that has been adopted for the implementation of its obligations.*
2) *Programs that have been implemented in practice.*
3) *The monitoring results of the situation on the ground.*

B) Follow-up progress on the implementation of the Compliance Committee Findings, Measures and Recommendations regarding the Camargue case

1) *To further evaluate if this specific case covers an actual or potential non-compliance situation by the Government of France with the provisions of the Convention and its Protocols, the Compliance Committee invites the communicant to provide elements of evidence and further information on the status of the project, particularly on its phases and the participatory process, considering the characteristics of the MAB as a fragile complex ecosystem and as an international and Mediterranean natural heritage.*

2) *The Committee invites the Government of France to confirm that they are taking into account in all the phases of this project the whole elements that characterize the fragility and uniqueness of the Camargue MAB in order to be in compliance with the Barcelona Convention System, particularly with articles 4 and 10 of the Barcelona Convention, articles 10, 11, 19 of the ICZM Protocol and articles 6 ,(11.2) and (11.5) of the SPA/BD Protocol.*

Agenda Item 6: 2026-2027 Programme of Work of the Compliance Committee

1) *The meeting agreed on the 2026-2027 Programme of Work of the Compliance Committee, as presented in Annex I to these conclusions and recommendations.*

Agenda Item 7: Main Elements of the 2024-2025 Activity Report of the Compliance Committee

2) *The meeting agreed on the 2024-2025 Activity Report of the Compliance Committee, as presented in Annex II to these conclusions and recommendations.*

Agenda Item 8: Main Elements of the Operational Part of the COP24 Decision on Compliance and Reporting

1) *The meeting agreed on the main blocks/elopement of the Draft decision as follows:*

-Adoption of the Rules of Procedures on Compliance
-Adoption of Compliance Committee Activity Report for the Biennium 2024-2025
-Status of Reporting
-Compliance Committee Programme of Work 2026-2027
-Paragraph on the case of Mar Menor
-Paragraph on the Camargue case

2) *The very first draft of the Compliance Committee decision is attached as Annex III to these conclusions and recommendations.*

Agenda Item 9: Place and Dates of the 22nd Meeting of the Compliance Committee

1) *It was agreed that the next meeting of the Compliance Committee will be held in Athens, Greece in May/June 2026.*

Annex I
Programme of Work of the Compliance Committee for the biennium 2026-2027

Draft Programme of Work of the Compliance Committee for the biennium 2026-2027		
Activity	**Lead/Who**	**Timetable/When**
Specific submissions under Section V of the Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocol		
1. To consider any submissions and/or referrals in accordance with Section V of the Procedures and Mechanisms on Compliance	Compliance Committee	22nd and 23rd Compliance Committee Meetings
General issues of compliance under the Barcelona Convention and its Protocols		
2. To consider specific situations of actual or potential non-compliance by individual Parties in accordance with Section IV of the Procedures and Mechanisms on Compliance	Compliance Committee	22nd and 23rd Compliance Committee Meetings
3. At the request of the Meeting of the Contracting Parties, to consider general compliance issues in accordance with Section IV of the Procedures and Mechanisms on Compliance	Compliance Committee	22nd and 23rd Compliance Committee Meetings
4. To consider any other issues as requested by the Meeting of the Contracting Parties in accordance with Section IV of the Procedures and Mechanisms on Compliance	Compliance Committee	22nd and 23rd Compliance Committee Meetings
Enhanced effectiveness of the compliance mechanism		
5. To facilitate assistance, in coordination with MAP components, to address non-compliance situations	CU, MAP Components, Compliance Committee	22nd and 23rd Compliance Committee Meetings
6. To support the process of upgrading the reporting format of the Barcelona Convention Reporting System (BCRS), as necessary	CU, MAP Components, Compliance Committee	22nd and 23rd Compliance Committee Meetings
7. To continue to build and strengthen synergies, with other Compliance Committee's Multilateral Environmental Agreements (MEAs), including holding joint sessions	Compliance Committee	22nd and 23rd Compliance Committee Meetings

Annex II
Activity Report of the Compliance Committee for the Biennium 2024-2025

Section 1: Introduction

1. This section will summarize the outcome of the Meetings of the Compliance Committee during the biennium 2024-2025.

2. The Compliance Committee met two times during the biennium 2024-2025. The 20th Meeting of the Compliance Committee was held on 19-20 June 2024 in Athens, Greece and the 21st Meeting of the Compliance Committee was held on 4-5 June 2025 in Athens, Greece.

3. At its 20th Meeting, the Compliance Committee went through its Programme of Work for the biennium 2024-2025 adopted by the 23rd Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (COP 23) held in (Portoroz, Slovenia, 4-8 December 2023).

4. The key outcomes of the work of the Compliance Committee are presented in this report in accordance with paragraph 35 of the Procedures and Mechanisms on Compliance based on the conclusions and recommendations of the meetings. Further information is provided in the full reports of the 20th and 21st Meetings of the Compliance Committee.

Section 2: Specific Submissions under Section V of the Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols

Communication to the Compliance Committee under paragraph 26 of the Procedures and Mechanisms on Compliance

5. This section will summarize the discussions held at the 20th and the 21st meetings of the Compliance Committee regarding the communication submitted to the Committee under section V. Procedure of its Procedures and Mechanisms, and the conclusions reached based on the discussions. The following items will be included in this section:

(a) The 20th meeting of the Compliance Committee (19-20 June 2024). A summary of the discussions and recommendations regarding the Committee's need for further progress report and information from the Party concerned regarding the Mar Menor case, as well as the designation of rapporteurs from among the Committee members to follow up on the case and prepare the necessary report, as well as the discussions held at the meeting and the recommendations regarding the confirmation of the admissibility of the communication in the new case of non-compliance, as well as the appointment of rapporteurs from among the Committee members to follow up on the new case of possible non-compliance and prepare the necessary report, will be presented. This summarized the conclusions and recommendations of the meeting, as contained in document UNEP/MED CC.20/8, paragraphs 22 and 29.

(b) At its 21st meeting on June 4-5, 2025, the Compliance Committee received a report from rapporteurs detailing discussions and next steps for the Mar Menor and a new potential non-compliance case. The report also summarized the meeting's discussions on the substantive and procedural aspects of compliance procedures (paragraphs 21-26).

(c) No other submissions were received under Section V of the Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols neither at the 20th nor the 21st Compliance Committee meetings.

Section 3: General Issues of Compliance under the Barcelona Convention and its Protocols

Status of submission and criteria for the assessment of the 2022-2023 national implementation reports under Article 26 of the Barcelona Convention

6. This section summarizes the discussions from the 20th and 21st Compliance Committee meetings. These meetings focused on evaluating 2022-2023 national implementation reports submitted by Contracting Parties as of March 7, 2025. The evaluation specifically assessed compliance with

submission criteria, timelines, completeness, and implementation. The conclusions and recommendations from both meetings are presented, as detailed in documents UNEP/MED CC. 20/8 and UNEP/MED CC. 21/11.

Section 4: Functioning of the Compliance Committee

Election of the officers of the Compliance Committee for the biennium 2024-2025

7. This section will summarize the discussions held at the 20th Meeting of the Compliance Committee (19-20 June 2024) which led the Compliance Committee to elect for the biennium 2024-2025 the following officers: Ms. Aysin TURPANCI (Group III) as Chairperson of the Compliance Committee; Mr. Ezzedine JOUINI-BERZINE (Group I) as Vice-Chairperson of the Compliance Committee; and Ms. Daniela ADDIS (Group II) as Vice-Chairperson of the Compliance Committee.

Procedures and Mechanisms on Compliance and Rules of Procedure of the Compliance Committee

8. This section summarizes the discussions from the 20th and 21st Compliance Committee meetings regarding its effective functioning, focusing on the following elements:

(a) 20th Meeting of the Compliance Committee (19-20 June 2024). The discussions held at the meeting on the agreement of the Committee on a clean text of the revised Rules of Procedure on Compliance that were prepared in order to align them with the revised Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols adopted at COP 23 through Decision IG.26/1.

(b) 21st Meeting of the Compliance Committee (4-5 June 2025). The summary of discussions, conclusions, and recommendations will be presented to the COP 24, in view of the adoption of the Compliance Committee's Rules of Procedure.

Section 5: Cooperation with other Compliance Procedures and Mechanisms of Multilateral Environmental Agreements (MEAs)

9. This section outlines efforts to enhance cooperation with compliance mechanisms under other Multilateral Environmental Agreements (MEAs). This includes the Coordinating Unit's participation in the Rabat workshop (December 16-19, 2024) on the BBNJ Agreement for Atlantic and Mediterranean African States. Additionally, MAP has worked with the Espoo Convention Secretariat on possible participation in each other's Compliance Committee meetings, while the two Secretariats co-organized the 2nd Sub-regional Meeting on Environmental Assessments in a Transboundary Context in the Mediterranean Sea (Portorož, Slovenia, 28 - 30 May 2025) which also addressed legal issues. Furthermore, technical legal support has been provided to the Cartagena Convention Secretariat regarding the potential establishment of its Compliance Committee.

Annex III

Draft of the Compliance Committee decision IG.27/1

Decision IG.27/1

Compliance Committee

The Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols at their 24th Meeting,

Recalling the United Nations General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling also the United Nations General Assembly resolution 67/296 of July 2022, entitled "Our Ocean, Our future, Our responsibility",

Having regard to the Barcelona Convention, in particular Articles 26 and 27 thereof, about reports and compliance control, respectively, and the relevant articles of its Protocols,

Recalling Decision IG.17/2 of the 15th Meeting of the Contracting Parties (COP 15) (Almeria, Spain, 15-18 January 2008) on Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols, as amended by Decision IG.20/1 of the 17th Meeting of the Contracting Parties (COP 17) (Paris, France, 8-10 February 2012) and Decision IG.21/1 of the 18th Meeting of the Contracting Parties (COP 18) (Istanbul, Türkiye, 3-6 December 2013),

Recalling Decision IG.26/1 of the 23rd Meeting of the Contracting Parties (COP 23) (Portorož, Slovenia, 5-8 December 2023) adopting the amendments to the Procedures and Mechanisms on Compliance,

Emphasizing the Compliance Committee's unique role in facilitating and promoting compliance by the Contracting Parties with the obligations under the Barcelona Convention and its Protocols,

Taking into account the concern highlighted by the Compliance Committee of the current and growing conflicts at the global and therefore Mediterranean level, as far as it constitutes a source of environmental impacts often irreversible,

Stressing the importance of the timely submission of national implementation reports by the Contracting Parties, for the COP to keep under review the implementation of the Barcelona Convention and its Protocols,

Appreciating the progress made by Contracting Parties in implementing the Barcelona Convention and its Protocols, acknowledging at the same time the challenges and difficulties faced in this complex process,

Noting with concern that several Contracting Parties continue their recurrent practice of non-submission of national implementation reports for the last three biennia,

Aware of the need to ensure that, in coordination with MAP components, where appropriate, adequate action is taken to facilitate and promote compliance through capacity building activities with regards to submissions of the National Implementation Reports as resources allow,

Appreciating the work carried out by the Compliance Committee during the biennium 2024-2025 in addressing general and specific cases of difficulties in the implementation of the Barcelona Convention and its Protocols,

Having considered the reports of the 20th and 21st meetings of the Compliance Committee and its Activity Report for the biennium 2024-2025,

1. *Adopt* the revised Rules of Procedure of Compliance Committee, set out in Annex I to this present Decision;

2. *Adopt* the Activity Report of the Compliance Committee for the Biennium 2024-2025, including its findings and recommendations, set out in Annex II to this present Decision;

3. *Adopt* the Programme of Work of the Compliance Committee for the Biennium 2026-2027, set out in Annex III to the present Decision;

4. *Urge* those Contracting Parties who have not yet submitted their national implementation reports for the biennium 2020-2021 and the biennium 2022-2023 to do so, as soon as possible by 2nd of December 2026 at the latest;

5. *Invite* the Contracting Parties to submit their national implementation reports for the biennium 2024-2025 using the online Barcelona Convention Reporting System by 2nd of December 2026;

6. *Elect* and/or renew, the candidates nominated by the Contracting Parties listed in Annex IV to this present Decision as members and alternate members of the Compliance Committee respectively;

7. *Encourage* France to confirm that all stages of the project consider the Camargue MAB's fragility and uniqueness, ensuring compliance with the Barcelona Convention System.

8. *Appreciate* the actions taken by the Government of Spain to implement the findings and recommendations by the Compliance Committee for the case of Mar Menor and further encourage efforts to achieve full compliance with the requirements and obligations of the Barcelona Convention and its Protocols.