



**United Nations  
Environment  
Programme**



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ENGLISH



**MEDITERRANEAN ACTION PLAN**

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

Cairo (Egypt), 25-26 November 2004

**ADDENDUM 2 TO THE  
PROGRESS REPORT BY THE SECRETARIAT ON ACTIVITIES  
CARRIED OUT SINCE THE LAST MEETING OF THE BUREAU**

**(June 2004 – October 2004)**



First meeting of the drafting group on the ICAM Protocol

**REPORT**  
**of the first meeting of the drafting group**  
**on the ICAM Protocol**

**(Split, 1 and 2 October 2004)**



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Introduction

1. In accordance with the recommendations made by the Regional Forum on the ICAM Protocol, held in Cagliari in May 2004, the PAP/RAC established a group of legal and technical experts to draft the text of the Protocol. The expert group held its first meeting in Split, in the premises of the PAP/RAC, on 1 and 2 October 2004.
2. The meeting had the following objectives:
  - To discuss in detail the content and framework of the Protocol;
  - To set a timetable for work on its preparation;
  - To decide on the division of responsibilities among members of the drafting group.
3. The agenda of the meeting is attached as Annex I and the list of participants as Annex II to the present report.

Opening of the meeting and programme of work

4. Mr. Ivica Trumbic, Director of PAP/RAC, welcomed participants and wished them a pleasant stay in Split. He introduced the proposed agenda for the meeting and provided some basic information on the programme of work. He then informed participants that the Government of the Republic of Croatia had recently adopted a decree on protection of the coastal area and the text in French had been circulated for information.

Introduction and presentation of past activities

5. Mr. Trumbic outlined the meeting's objectives, as set out in paragraph 2 above, and reviewed the activities that had preceded the decision to draw up a regional protocol on ICAM.
6. Mr. Francesco Saverio Civili, representative of the MED Unit, described experience with the "land-based sources" Protocol and put forward some suggestions that might be helpful when drawing up and adopting the ICAM Protocol, namely:
  - Experience gained with other Protocols was useful, but it had to be borne in mind that the geopolitical situation in the Mediterranean had changed;
  - Care must be taken with the definitions in order to avoid problems of interpretation. In that connection, the definition of coastal area was fundamental;
  - The text of the Protocol should be easy to implement and the system for reporting to the Secretariat should be simple, if possible, based on figures, specific issues, indicators ...;
  - There should be a minimum number of binding elements in the Protocol, but it should nonetheless be a binding document;

- The text of the Protocol should be sent to countries in sufficient time, at least one and a half months before the meeting of the Contracting Parties.

#### Presentation of the feasibility study

7. The feasibility study that had preceded the decision to draw up an ICAM Protocol was presented by Mr. Michel Prieur and Mr. Tullio Scovazzi. Their presentation laid emphasis on the three options in the Protocol discussed at several meetings of representatives of Mediterranean governments and at the Cagliari Forum.

8. During the ensuing discussion, participants discussed a number of issues relating to divergence between the Protocol and domestic legislation and to the definition of coastal area. It was noted that existing national legislation dealt with coastal areas and not with ICAM and when the Protocol was adopted countries would not be obliged to draw up new legislation. Furthermore, the definition of coastal area to be given in the Protocol did not have to be the same as that in domestic legislation provided that it was explained that the definition did not contradict domestic legislation.

9. Following a detailed discussion of the limits of the Protocol's scope, participants agreed on the following definitions:

- the seaward limit of the coastal area shall be the external limit of the territorial sea, unless the Contracting Party specifies a narrower limit;
- the landward limit of the coastal area shall be the limit of the coastal municipalities, unless the Contracting Party specifies another limit, based on specific circumstances, for example, the ecosystem approach.

#### Presentation of the draft framework for the Protocol

10. Mr. Prieur introduced the framework for the Protocol, which he had drafted and circulated to participants prior to the meeting. The discussion based on the document focused on the following issues:

- The importance of including provisions on impact assessments in the Protocol as the Barcelona Convention prescribed the preparation of such assessments but did not mention how that should be done. Assessments were in principle accepted by countries, but it was necessary to discuss the lists of projects and the minimum contents to be annexed to the Protocol;
- The need to provide for the preparation of strategic environmental assessments of the cumulative impact on the environment;
- The elements that could be placed in an annex in order not to overburden the Protocol and the elements that needed to be set out in greater detail in the comments, which should not exceed half a page for each article;
- The bases used when preparing the Protocol should be duly mentioned (the Barcelona Convention, other conventions such as the RAMSAR or Espoo Conventions, declaration by the MCSD, recommendations by the Contracting Parties, EU recommendation of 2002 and directives, White Paper and other PAP/RAC documents on ICAM, Agenda Med 21, chapter 17 of Agenda 21, the Johannesburg Declaration).

11. The framework for the Protocol, as amended and approved by the participants, is attached as Annex III to the present report.

12. The division of responsibilities agreed by the participants is shown in the framework for the Protocol.

13. Following consultations among participants, it was decided that the next meeting of the drafting group would be held in Athens, in the MED Unit premises, on 4 and 5 January 2005. The first draft of the text of the Protocol would be circulated to all participants invited prior to the meeting and would be discussed and amended at that meeting.

Closure of the meeting

14. The official meeting was closed on 2 October 2004 at 1.30 p.m. The members of the drafting group nevertheless decided to continue working in the PAP/RAC premises during the afternoon in order to clarify some points that directly affected the wording of certain articles of the Protocol.



## ANNEXE I

### Ordre du jour

#### Vendredi, le 1<sup>er</sup> octobre 2004

|               |                                                                                                                           |
|---------------|---------------------------------------------------------------------------------------------------------------------------|
| 9h30 - 9h45   | Ouverture de la réunion.<br>Adoption de l'ordre du jour.<br>Organisation des travaux.                                     |
| 9h45 - 10h00  | Introduction et brève présentation des activités passées (I. Trumbic).                                                    |
| 10h00 - 10h30 | Présentation de l'Etude de faisabilité (M. Prieur et T. Scovazzi).                                                        |
| 11h00 - 12h30 | Discussion générale sur les trois options en relation avec le protocole.                                                  |
| 12h30 - 13h00 | Présentation du projet de plan du protocole (M. Prieur).                                                                  |
| 15h00 - 16h00 | Discussion et accord sur le plan du protocole.                                                                            |
| 16h15 - 17h30 | Problèmes spécifiques exigeant une attention particulière (érosion côtière, accès à la côte, évaluation d'impacts, etc.). |

#### Samedi, le 2 octobre 2004

|                           |                                                                                                    |
|---------------------------|----------------------------------------------------------------------------------------------------|
| 9h30 - 11h00<br>du        | Discussion et adoption de la version amendée<br>plan du protocole.                                 |
| 11h30 - 12h00<br>et       | Calendrier de la rédaction du texte du protocole<br>des activités à suivre.                        |
| 12h00 - 13h00             | Distribution des tâches entre les membres du<br>groupe de travail (par articles ou par chapitres). |
| 13h00 - 13h30<br>réunion. | Lieu, date et programme de la prochaine                                                            |
| 13h30                     | Clôture de la réunion.                                                                             |



## ANNEXE II

### Liste des participants

#### Experts invités

M<sup>me</sup> Corinna ARTOM  
Architecte  
REGIONE LIGURIA  
Division de l'Aménagement du Territoire  
113, rue D'Annunzio  
Gênes  
Italie  
corinna.artom@regione.liguria.it

Tél: + 39 010 5484251  
Fax: + 39 010 587910  
E-mail:

M<sup>me</sup> Soukeina BOURAOUI  
Professeur Universitaire  
Tunis  
Tunisie

Tél: + 216 98 336324  
E-mail: cawtar@planet.tn

M. José JUSTE RUIZ  
Professeur de Droit International  
Faculté de Droit  
Université de Valence  
Avenida de los Naranjos s/n  
46022 Valence  
Espagne

Tél: + 34 963 828553  
Fax: + 34 963 828552  
E-mail: jose.juste@uv.es

M. Michel PRIEUR  
Directeur Scientifique du CRIDEAU  
Doyen Honoraire de la Faculté de Droit et  
des Sciences Economiques de Limoges  
Faculté de Droit et de Sciences  
Economiques de Limoges  
32, rue Turgot  
F-87000 Limoges  
France

Tél: + 33 5 55349724  
Fax: + 33 5 55349723  
E-mail: prieur@unilim.fr

M. Tullio SCOVAZZI  
Professeur de Droit International  
Faculté de Droit  
Université de Milan - Bicocca  
Via Alfonso Cossa 29  
20138 Milan  
Italie

Tél: + 39 02 7610149  
Fax: + 39 02 7610149  
E-mail: tullio.scovazzi@unimib.it

PAM

M. Francesco Saverio CIVILI  
Coordonnateur MED POL  
Unité de Coordination du Plan  
d'Action pour la Méditerranée  
Programme des Nations Unies pour  
l'Environnement  
B.P. 18019  
11610 Athènes  
Grèce

Tél: +30 210 7273106  
Fax: +30 210 7253196/7  
E-mail: fscivili@unepmap.gr

CAR/PAP

M. Ivica TRUMBIC  
Directeur  
CAR/PAP  
Kraj Sv. Ivana 11  
21000 Split  
Croatie  
ivica.trumbic@ppa.htnet.hr

Tél: + 385 21 340471  
Fax: + 385 21 340490  
E-mail:

M. Marko PREM  
Directeur adjoint  
CAR/PAP  
Kraj Sv. Ivana 11  
21000 Split  
Croatie  
marko.prem@ppa.htnet.hr

Tél: + 385 21 340475  
Fax: + 385 21 340490  
E-mail:

M<sup>me</sup> Željka ŠKARICIC  
Administrateur de projets  
CAR/PAP  
Kraj Sv. Ivana 11  
21000 Split  
Croatie  
zeljka.skaricic@ppa.htnet.hr

Tél: + 385 21 340476  
Fax: + 385 21 340490  
E-mail:

### **ANNEXE III**

#### **Projet de plan du protocole et répartition de la rédaction (3<sup>ème</sup> version adoptée à Split, le 2 octobre 2004)**

#### **PREAMBULE (Michel PRIEUR)**

- Patrimoine commun naturel et culturel
- Stopper et inverser d'urgence la dégradation des zones côtières
- Développement durable conditionné par la gestion intégrée
- Stimuler les initiatives locales grâce à une orientation régionale
- Spécificité des îles et zones existantes
  
- Agenda 21 chapitre 17
- Convention sur le droit de la mer
- Convention de Ramsar
- Convention de Barcelone (art. 4-3-c et e)
- Résolution des Parties (10<sup>ème</sup> réunion)
- Expériences acquises (PAP/CAR ; CMDD)

#### **PARTIE 1: DISPOSITIONS GENERALES (Tullio SCOVAZZI)**

##### **Art 1 Objet du Protocole**

##### **Art. 2 Définitions**

Convention  
Parties  
Organisation  
Centre  
Zone côtière  
Gestion intégrée  
Ecosystème côtier  
Unité territoriale de gestion intégrée  
Instruments de gestion intégrée  
Impact transfrontière

##### **Art. 3 Champ d'application géographique**

Partie maritime  
Partie terrestre  
Extension optionnelle

##### **Art. 4 Principes généraux de la gestion intégrée**

1. liés au développement durable
  - projet de développement durable et approche globale
  - mise en cohérence des actions et instruments
  - coordination locale et implication de tous les niveaux de décision
  - intégration de l'environnement
  - usage équitable et durable
  - priorité aux activités dépendant des côtes
  - réduction des déchets
2. liés à la protection des ressources naturelles et des écosystèmes côtiers

- préserver l'intégrité des écosystèmes
- réhabiliter les zones dégradées
- interaction terre- mer
- prévention des dommages dus au changement climatique
- aménagement de l'arrière pays
- rôle des communautés locales et pratiques traditionnelles

#### **Art. 5 Réserve de droits**

Vis à vis du droit de la mer  
Revendication de souveraineté  
Défense nationale  
Législation nationale plus stricte

### **PARTIE 2: ELEMENTS DE LA GESTION INTEGREE DES ZONES COTIERES (M. PRIEUR)**

#### ***Section 1 Aménagement des zones côtières et exercice des activités économiques***

#### **Art. 6 Règles d'aménagement des zones côtières (annexe ?)**

Zone inconstructible  
Utilisation du domaine public maritime  
Libre accès  
Localisation des activités  
Desserte routière  
Travaux en mer

#### **Art. 7 Exercice des activités économiques**

Agriculture et industrie  
Tourisme et activités récréationnelles  
Extraction de ressources minérales  
Aquaculture et pêche

#### **Art. 8 Domaines particuliers**

Patrimoine culturel (subaquatique)  
Erosion côtière  
Eaux souterraines  
Ports et infrastructures

#### **Art. 9 Ecosystèmes particuliers**

Paysages côtiers  
Zones humides  
Iles et îlots

#### ***Section 2 Coordination institutionnelle***

#### **Art. 10 Coordination inter-institutionnelle nationale**

#### **Art. 11 Coordination entre activités de niveau national et local**

#### ***Section 3 Participation, éducation, recherche***

**Art.12 Participation**

Collectivités territoriales  
Acteurs économiques concernés  
Le public

**Art. 13 Education, sensibilisation, formation et recherche**

### **PARTIE 3: INSTRUMENTS DE LA GESTION INTEGREE DES ZONES COTIERES (S. BOURAOUI)**

#### ***Section 1 Inventaires, Stratégie et plans***

##### **Art. 14 Inventaires et réseaux**

Inventaires nationaux  
Réseau de données sur les zones côtières  
Rapport sur l'état des zones côtières (indicateurs)

##### **Art. 15 Stratégie régionale méditerranéenne**

##### **Art. 16 Plans et programmes nationaux et sub-nationaux**

#### ***Section 2 Evaluations environnementales***

##### **Art. 17 Evaluations environnementales stratégiques (annexe)**

##### **Art. 18 Etudes d'impact sur l'environnement (annexe)**

##### **Art. 19 Contenu du dossier d'étude d'impact (annexe ), consultation et participation du public**

#### ***Section 3 Politique foncière et instruments économiques et financiers***

##### **Art. 20 Politique foncière**

##### **Art. 21 Mesures d'incitations**

### **PARTIE 4 : COOPÉRATION INTERNATIONALE (J. JUSTE RUIZ)**

##### **Art. 22 Recherche et formation**

##### **Art. 23 Assistance technique**

##### **Art. 24 Echange d'information, d'expérimentation et projets de démonstration**

##### **Art. 25 Coopération transfrontière**

##### **Art. 26 Accords complémentaires (études d'impact transfrontière : champ d'application, notification, contenu du dossier, consultation et participation)**

### **PARTIE 5: DISPOSITIONS INSTITUTIONNELLES (J. JUSTE RUIZ)**

##### **Art. 27 Points focaux**

##### **Art. 28 Rapports et suivi (compliance mechanisms)**

##### **Art. 29 Arrangements institutionnels**

##### **Art. 30 Réunion des Parties**

### **PARTIE 6: DISPOSITIONS FINALES (J. JUSTE RUIZ)**

**Art. 31 Rapports avec les tiers ?**

**Art. 32 Signature**

**Art. 33 Ratification, acceptation ou approbation**

**Art. 34 Adhésion**

**Art. 35 Entrée en vigueur**

**ANNEXES (C. ARTOM)**