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Meeting of Experts on the Technical Implementation
of the Protocol for the Protection of the
Mediterranean Sea against Pollution from
Land-based Sources

Athens, 9-13 December 1985

PROGRAMMES AND MEASURES FOR LIMITING POLLUTION
FROM LAND-BASED SOURCES, IN TERMS OF ARTICLE 6,
BY SUBSTANCES OR SOURCES LISTED IN ANNEX II TO THE PROTOCOL

In collaboration with:



WORLD HEALTH ORGANIZATION

INTRODUCTION

1. Under article 6 of the Protocol for the protection of the Mediterranean Sea against pollution from Land-based Sources, the Contracting Parties have undertaken to strictly limit pollution from such sources in the Protocol area by substances listed in Annex II to the Protocol. To this end, they have also undertaken to elaborate and implement, jointly or individually as appropriate, suitable programmes and measures. One major operative part of this article is paragraph 3, wherein discharges have to be strictly subject to the issue, by the competent national authorities, of an authorization, taking due account of the provisions of Annex III to the Protocol.

2. The substances, families and groups of substances or sources of pollution, listed (not in order of priority) in Annex II were selected mainly on the basis of criteria used for Annex I to the same Protocol (i.e. toxicity, persistence and bioaccumulation), while taking into account the fact that they are generally less noxious or are more readily rendered harmless by natural processes and therefore generally affect more limited coastal areas.

3. The list of substances, families and groups of substances or sources of pollution is the following

1. The following elements and their compounds:

1. zinc	6. selenium	11. tin	16. vanadium
2. copper	7. arsenic	12. barium	17. cobalt
3. nickel	8. antimony	13. beryllium	18. thallium
4. chromium	9. molybdenum	14. boron	19. tellurium
5. lead	10. titanium	15. uranium	20. silver

2. Biocides and their derivatives not covered in Annex I.

3. Organosilicon compounds and substances which may form such compounds in the marine environment excluding those which are biologically harmless or are rapidly converted into biologically harmless substances.

4. Crude oils and hydrocarbons of any origin.

5. Cyanides and fluorides.

6. Non-biodegradable detergents and other surface-active substances.

7. Inorganic compounds of phosphorus and elemental phosphorus.

8. Pathogenic micro-organisms.

9. Thermal discharges.

10. Substances which have a deleterious effect on the taste and/or smell of products for human consumption derived from the aquatic environment and compounds liable to give rise to such substances in the marine environment.

11. Substances which have, directly or indirectly, an adverse effect on the oxygen content of the marine environment especially those which may cause eutrophication.

12. Acid or alkaline compound of such composition and in such quantity that they may impair the quality of sea water.

13. Substances which, though of a non-toxic nature, may become harmful to the marine environment or may interfere with any legitimate use of the sea owing to the quantities in which they are discharged.

4. The provisions of Annex III to the Protocol are a list of the various factors which competent national authorities have to take into account during the evaluation process leading to a decision regarding the authorization or otherwise of any particular waste discharge into the sea. These factors appear in the Annex under the following broad headings:

- A. Characteristics and composition of the waste;
- B. Characteristics of waste constituents with respect to their harmfulness
- C. Characteristics of the discharge site and of the receiving marine environment;
- D. Availability of waste technologies;
- E. Potential impairment of marine ecosystems and sea-water uses.

5. Under Article 13 of the Protocol, the Parties have undertaken to inform one another through the secretariat of measures taken and results achieved. The procedures for the collection and submission of such information have to be determined by the Parties. This information includes, inter alia, statistical data on the authorizations granted in accordance with Article 6 of the Protocol, as well as quantities of pollutants discharged from their territories, in addition to monitoring data and information on measures taken in accordance with Articles 5 and 6 of the Protocol.

6. As in the case with Article 5 and Annex I, the provisions of Article 6 and Annex II are also intimately related to those of Article 7 (see paras 5 and 6 of document UNEP/WG.125/4), and the programmes and measures to be elaborated and implemented for control of Annex II substances will depend to varying extents on the formulation of the relevant guidelines, standards, and criteria covered by Article 7, particularly with regard to the authorization process.

GENERAL PRINCIPLES

7. In order to formulate programmes and measures for the implementation of Article 6 of the Protocol, the following general principles will be applied:

- a. the formulation of programmes and measures will be done on a step-by-step basis;
- b. A glossary of definitions of terms appearing in Annexes I, II and III to the Protocol will be prepared in order to prevent possible misinterpretations;

- c. Lists of substances falling within each of the groups in Annex II to the Protocol will be prepared;
- d. For each of the groups of substances listed in Annex II to the Protocol, an assessment of the state of pollution in the Mediterranean Sea with proposed measures, will be prepared. Such documents will include, inter alia:
 - Sources of pollution in the Mediterranean Sea
 - Levels of pollution
 - Effects of pollution
 - Present legal, administrative and technical measures
 - Proposed measures
- e. Such assessments will include all available relevant information from the Contracting Parties (Art. 8 of the Protocol), from other components of MAP, in particular MED POL, as well as from other sources (p.e. Paris/Oslo Commission, Baltic Convention, etc.);
- f. Also through Article 8 of the Protocol, the Contracting Parties have committed themselves to systematically assess the levels of pollution along their coasts, in particular with regard to substances listed in Annex II, and to inform one another through the Secretariat of data resulting from such monitoring;
- g. The proposed measures will take into account provisions of Article 7 of the Protocol;
- h. The proposed measures will take into account provisions of Annex III of the Protocol;
- i. A survey of land-based sources and amounts of pollutants reaching the Mediterranean Sea will be prepared as an updating of the MED POL X exercise;
- j. Guidelines for the issuance of authorisation for the discharge will be prepared.

8. In practice, the authorization procedure is not limited to discharges containing substances specifically mentioned and listed in Annex II to the Protocol. Apart from the specific items mentioned in para. 3 above, all substances listed in Annex I are prohibited in discharges if their quantities and/or concentrations in such exceed the limits to be eventually jointly agreed on by the Contracting Parties. Discharges containing Annex I substances below these limits will therefore have to be considered as equivalent to Annex II discharges, and will automatically be subject to authorization. In addition to this, item 13 of the Annex embraces all substances which, though of a non-toxic nature, may become harmful to the marine environment or may interfere with any legitimate use of the sea, owing to the quantities in which they are discharged. Under the terms of the Protocol and its annexes, therefore, practically all waste discharges into the sea are subject to formal authorization by the competent national authorities.

9. Although the authorization process can, at least in theory, be implemented immediately, it can only reach optimum effectiveness when a proper evaluation of applications for discharge can be carried out, i.e. when all relevant conditions, in terms of the factors listed in Annex III to the Protocol, can be met. In other words, authorization must be accompanied by the assurance that only an acceptable degree of pollution would result from a discharge, while, on the other hand, non-authorization must take into account both actual and potential economic repercussions and the availability of treatment or other measures to ensure eventual modification and acceptability.

10. Draft guidelines for the issue of authorizations for the discharge of liquid wastes into the Mediterranean sea are proposed in document UNEP/WG.125/7. The same document also includes draft formats for reports on authorisations issued by the competent national authorities, and for annual reports concerning the discharge of liquid wastes into the Mediterranean Sea in terms of Article 13 of the Protocol.

11. The guidelines are designed to assist national authorities in the processing and evaluation of applications for authorizations for discharge of liquid wastes into the Mediterranean Sea, and take account of the factors listed in Annex III to the Protocol. They are based on the principle that the best way of controlling discharges is to satisfy environmental quality objectives, as offering a more flexible system than one depending on uniform emission standards.

ACTIONS PROPOSED

12. On the basis of the requirements of Article 6 of the Protocol, and the general principles presented in paras. 7 - 11 above, a proposed workplan and time-table is attached as an Annex to this document. The actions proposed will be undertaken with the co-operation of the relevant UN Agencies.

13. Documents prepared as a result of actions listed in the Annex to this document, will be presented (target date) to Meetings of Experts on the Technical Implementation of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources, with a view to their submission to the Contracting Parties for adoption of measures proposed.

A N N E X

WORKPLAN AND TIME-TABLE FOR THE FORMULATION OF PROGRAMMES AND
MEASURES IN TERMS OF ARTICLE 6 OF THE PROTOCOL

ACTIONS	RESP. AGENCY	TARGET DATE
1. Assessment of the present state of microbial pollution in the Mediterranean Sea and proposed control measures for bathing waters	UNEP/MEDU, WHO	Sept. 1985
2. Glossary of terms appearing in Annexes I, II and III to the Protocol	UNEP/MEDU, WHO	Dec. 1985
3. Draft guidelines for the issue of authorisations for the discharge of liquid wastes into the Mediterranean	UNEP/MEDU, WHO	Dec. 1985
4. Completion and revision of the glossary	UNEP/MEDU, WHO	Dec. 1986
5. List of substances falling within each of the groups in Annex II to the Protocol	UNEP/MEDU, IRPTC	Dec. 1986
6. Assessment of the state of microbial pollution in the Mediterranean Sea and proposed measures for shellfish and shellfish growing waters	UNEP/MEDU, WHO	Dec. 1986
7. Survey of land-based sources and accounts of pollutants reaching the Mediterranean Sea	UNEP/MEDU, WHO	Dec. 1986
8. Completion and revision of the list of substances	UNEP/MEDU, IRPTC	Dec. 1988

ACTIONS	RESP. AGENCY	TARGET DATE
9. Assessment of the present state of pollution in the Mediterranean Sea by pathogenic micro-organisms and proposed measures	UNEP/MEDU, WHO	Dec. 1989
10. Assessment of the state of pollution by crude oils and hydrocarbons of any origin and proposed measures	UNEP/MEDU, IOC	Dec. 1990
11. Assessment of the state of pollution in the Mediterranean Sea by zinc, copper and lead, with proposed measures	UNEP/MEDU, FAO	Dec. 1990
12. Assessment of the present state of pollution in the Mediterranean Sea by thermal discharges and proposed measures	UNEP/MEDU, FAO	Dec. 1990
13. Assessment of the present state of pollution in the Mediterranean Sea by inorganic compounds of phosphorous and elemental phosphorous and proposed measures	UNEP/MEDU, IOC	Dec. 1991
14. Assessment of the present state of pollution in the Mediterranean Sea by non-biodegradable detergents and other surface-active substances and proposed measures	UNEP/MEDU, WHO	Dec. 1991
15. Assessment of the present state of pollution in the Mediterranean Sea by organosilicon compounds and substances which may form such compounds in the marine environment, excluding those which are biologically harmless or are rapidly converted into biologically harmless substances and proposed measures	UNEP/MEDU, FAO	Dec. 1991

ACTIONS	RESP. AGENCY	TARGET DATE
16. Assessment of the present state of pollution in the Mediterranean Sea by acid or alkaline compounds of such composition and in such quantity that they may impair the quality of seawater and proposed measures	UNEP/MEDU, IOC	Dec. 1992
17. Assessment of the present state of pollution in the Mediterranean Sea by substances which have, directly or indirectly, an adverse effect on the oxygen content of the marine environment, especially those which may cause eutrophication and proposed measures	UNEP/MEDU, IOC	Dec. 1992
18. Assessment of the present state of pollution in the Mediterranean Sea by barium, uranium and cobalt with proposed measures	UNEP/MEDU, FAO	Dec. 1992
19. Assessment of the present state of pollution in the Mediterranean Sea by cyanides and fluorides and proposed measures	UNEP/MEDI, WHO	Dec. 1993
20. Assessment of the present state of pollution in the Mediterranean Sea by substances which, though of a non-toxic nature, may become harmful to the marine environment or may interfere with any legitimate use of the sea owing to the quantities in which they are discharged and proposed measures	UNEP/MEDU, IOC	Dec. 1993
21. Assessment of the present state of pollution in the Mediterranean Sea by nickel, chromium, selenium and arsenic with proposed measures	UNEP/MEDU, FAO	Dec. 1993

	ACTIONS	RESP. AGENCY	TARGET DATE
22.	Assessment of the present state of pollution in the Mediterranean Sea by antimony, tin and uranium with proposed measures	UNEP/MEDU, FAO	Dec. 1994
23.	Assessment of the present state of pollution in the Mediterranean Sea by substances which have a deleterious effect on the taste and/or smell of products for human consumption derived from the aquatic environment, and compounds liable to give rise to such substances in the marine environment and proposed measures	UNEP/MEDU, WHO	Dec. 1994
24.	Assessment of the present state of pollution in the Mediterranean Sea by biocides and their derivatives not covered in Annex I and proposed measures	UNEP/MEDU, FAO	Dec. 1994
25.	Assessment of the present state of pollution in the Mediterranean Sea by titanium, boron and silver and proposed measures	UNEP/MEDU, FAO	Dec. 1995
26.	Assessment of the present state of pollution in the Mediterranean Sea by molybdenum, beryllium, thallium and tellurium with proposed measures	UNEP/MEDU, FAO	Dec. 1995



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Revised version of paras 8 and 9 of the document UNEP/WG.125/5:

8. In practice, the authorization procedure is not limited to discharges containing substances specifically mentioned and listed in Annex II to the Protocol. Apart from the specific items mentioned in para. 3 above, discharges containing Annex I substances below the limits jointly agreed on by the Contracting Parties, will also be subject to authorization. In addition to this, item 13 of the Annex embraces all substances which, though of a non-toxic nature, may become harmful to the marine environment or may interfere with any legitimate use of the sea, owing to the quantities in which they are discharged. Under the terms of the Protocol and its annexes, therefore, practically all waste discharges into the sea are subject to formal authorization by the competent national authorities.
9. The authorization process can only reach optimum effectiveness when a proper evaluation of applications for discharge in terms of Annex III to the Protocol can be carried out. In addition, it would be easier to apply immediate restrictive measures to new installations than to existing ones. However, it would appear advisable to initiate the procedure of authorization at the earliest possible, making such authorization conditional until such time as full information becomes available.