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Proposal for a

COUNCIL DECISION

concerning the conclusion, on behalf of the European Union, of the Protocol on Integrated Coastal Zone Management to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean

EXPLANATORY MEMORANDUM

1. The Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, also known as the "Barcelona Convention", was initially signed on 16 February 1976 in Barcelona and amended on 10 June 1995. The Convention came into force on 9 July 2004. The European Union is Contracting Party to the Convention, as are all EU Mediterranean coastal Member States. Article 4 paragraph 3 of the amended Convention specifically obliges Parties to promote integrated coastal zone management, taking into account the protection of areas of ecological and landscape interest and the rational use of natural resources.

2. In the EU, the main instrument promoting Integrated Coastal Zone Management is the European Parliament and Council Recommendation concerning the implementation of Integrated Coastal Zone Management in Europe (2002/413/EC, OJ L148, 6.6.2002). Chapter V of the Recommendation stresses the importance of cooperation in regional seas to achieve better coordination and responses to cross-border coastal issues. The European Union promotes integrated management on a larger scale by means of horizontal instruments, including in the field of environmental protection, and by developing a sound science base for it, through its research programs. These activities therefore also contribute to integrated coastal zone management. Integrated Coastal Zone Management is one component of the EU Integrated Maritime Policy.

3. Negotiations towards a Protocol on Integrated Coastal Zone Management in the Mediterranean (hereinafter the ICZM Protocol) were conducted in the context of the Barcelona Convention from 2006 and the resulting Protocol was adopted in Madrid on 21 January 2008 at the Conference of the Plenipotentiaries. The ICZM Protocol was approved on behalf of the European Community, subject to subsequent conclusion at a later date by the Council Decision of 4 December 2008 (2009/89/EC, OJ L34, 4.2.2009). The EU Member States which are Party to the Barcelona Convention have all signed the Protocol, except Cyprus. The Parties are now urged to ratify the Protocol so that it enters into force as soon as possible. Ratification and accession processes are underway.

4. The Mediterranean coastal zones continue to experience high pressures on the environment and degradation of coastal resources. Urban sprawl is intense in the Mediterranean, implying gradual loss of natural areas, biodiversity and increasing competition for water resources. Coastal erosion problems and flooding of low-lying coastlines are exacerbated by urban encroachment on the near shore area and floodplains¹. Projected population growth concentrated in coastal urban areas, a near doubling of tourist flows and even greater transport growth are likely to aggravate the pressures. Nearly 50% of the coastline could be built up by 2025, increasing from 40% in 2000². Moreover the Mediterranean basin counts among the most vulnerable areas as regards the impacts of climate change³. The Protocol provides a framework to stimulate a more concerted and integrated approach which is required to address these problems more effectively and achieve a more sustainable development of the Mediterranean coastal zones.

¹ The changing faces of Europe's coastal areas, EEA, 2006.

² A Sustainable Future for the Mediterranean – The Blue Plan's Environment and Development Outlook, UNEP/MAP Blue Plan, July 2006.

³ Commission White paper: Adapting to climate change: Towards a European framework for action COM(2009)147 final, 1.4.2009.

5. The Protocol covers a broad range of provisions which will need to be implemented by different levels of administration, taking the subsidiarity and proportionality principles into account. While it is appropriate for the European Union to act in support of integrated coastal zone management, bearing in mind, *inter alia*, the cross-border nature of most environmental problems, the Member States and their relevant competent authorities will be responsible for the design and implementation of certain detailed measures laid down in the Protocol related to the coastal territory, such as the establishment of zones where construction is not allowed.

In view of the above, it is appropriate for the European Union to conclude the Protocol on Integrated Coastal Zone Management in the Mediterranean.

Proposal for a

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concerning the conclusion, on behalf of the European Union, of the Protocol on Integrated Coastal Zone Management to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(6)(a), thereof,

Having regard to the proposal from the European Commission⁴,

Having regard to the consent of the European Parliament⁵,

Whereas:

- (1) The Convention for the Protection of the Mediterranean Sea against Pollution, which was subsequently renamed as the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (hereinafter the Barcelona Convention) was concluded on behalf of the European Community by Council Decisions 77/585/CEE⁶ and 1999/802/CE⁷.
- (2) In accordance with Article 4.3(e) of the Barcelona Convention, the Contracting Parties shall commit themselves to promote the integrated management of the coastal zones, taking into account the protection of areas of ecological and landscape interest and the rational use of natural resources.
- (3) The Recommendation of the European Parliament and of the Council of 30 May 2002, concerning the implementation of Integrated Coastal Zone Management in Europe⁸, and in particular Chapter V thereof, encourages the implementation by the Member States of integrated coastal zone management in the context of existing conventions with neighbouring countries, including non-Member States, in the same regional sea.
- (4) The European Union promotes integrated management on a larger scale by means of horizontal instruments, including in the field of environmental protection, and by developing a sound science base for it, through its research programs. These activities therefore contribute to integrated coastal zone management.

⁴ OJ C , , p. .

⁵ OJ C , , p. .

⁶ OJ L 240, 19.9.1977, p. 1.

⁷ OJ L 322, 14.12.1999, p. 32.

⁸ OJ L 148, 6.6.2002, p. 24.

- (5) Integrated Coastal Zone Management is one component of the EU Integrated Maritime Policy as endorsed by the European Council held in Lisbon on 13 and 14 December 2007 and as also detailed in the Commission Communication "Towards an Integrated Maritime Policy for better governance in the Mediterranean"⁹ and later welcomed by the General Affairs Council in its conclusions on Integrated Maritime Policy of 16 November 2009.
- (6) By Council Decision of 4 December 2008¹⁰, the Protocol on Integrated Coastal Zone Management in the Mediterranean (hereinafter the ICZM Protocol) to the Barcelona Convention was signed on behalf of the European Community, subject to its subsequent conclusion at a later date.
- (7) The Mediterranean coastal zones continue to experience high pressures on the environment and degradation of coastal resources. The ICZM Protocol provides a framework to stimulate a more concerted and integrated approach, involving public and private stakeholders including civil society and economic operators. Such an inclusive approach, based on best available scientific observation and knowledge, is required to address these problems more effectively and achieve a more sustainable development of the Mediterranean coastal zones.
- (8) The ICZM Protocol covers a broad range of provisions which will need to be implemented by different levels of administration taking the subsidiarity and proportionality principles into account. While it is appropriate for the European Union to act in support of integrated coastal zone management, bearing in mind, inter alia, the cross-border nature of most environmental problems, the Member States and their relevant competent authorities will be responsible for the design and implementation on the coastal territory of certain detailed measures laid down in the ICZM Protocol, such as the establishment of zones where construction is not allowed.
- (9) The ICZM Protocol should be concluded,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol on Integrated Coastal Zone Management to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean is hereby concluded.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council shall designate the person empowered to proceed, on behalf of the European Union, to the deposit of the instrument of approval, with the Government of Spain which assumes the function of Depositary, provided for in Article 37 of the Protocol, in order to express the consent of the European Union to be bound by the Protocol.

⁹ COM(2009)466 final, 11.9.2009.

¹⁰ OJ L 34, 4.2.2009, p. 17.

Article 3

This Decision shall enter into force on the day of its adoption. It shall be published in the *Official Journal of the European Union*. The date of entry into force of the Protocol shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the Council
The President

PROTOCOL

on Integrated Coastal Zone Management in the Mediterranean

THE CONTRACTING PARTIES TO THE PRESENT PROTOCOL,

BEING PARTIES to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, adopted at Barcelona on 16 February 1976, and amended on 10 June 1995,

DESIROUS of implementing the obligations set out in Article 4(3)(e) and (5), of the said Convention,

CONSIDERING that the coastal zones of the Mediterranean Sea are the common natural and cultural heritage of the peoples of the Mediterranean and that they should be preserved and used judiciously for the benefit of present and future generations,

CONCERNED at the increase in anthropic pressure on the coastal zones of the Mediterranean Sea which is threatening their fragile nature and desirous of halting and reversing the process of coastal zone degradation and of significantly reducing the loss of biodiversity of coastal ecosystems,

WORRIED by the risks threatening coastal zones due to climate change, which is likely to result, inter alia, in a rise in sea level, and aware of the need to adopt sustainable measures to reduce the negative impact of natural phenomena,

CONVINCED that, as an irreplaceable ecological, economic and social resource, the planning and management of coastal zones with a view to their preservation and sustainable development requires a specific integrated approach at the level of the Mediterranean basin as a whole and of its coastal States, taking into account their diversity and in particular the specific needs of islands related to geomorphological characteristics,

TAKING INTO ACCOUNT the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982, the Convention on Wetlands of International Importance especially as Waterfowl Habitat, done at Ramsar on 2 February 1971, and the Convention on Biological Diversity, done at Rio de Janeiro on 5 June 1992, to which many Mediterranean coastal States and the European Community are Parties,

CONCERNED in particular to act in cooperation for the development of appropriate and integrated plans for coastal zone management pursuant to Article 4(1)(e), of the United Nations Framework Convention on Climate Change, done at New York on 9 May 1992,

DRAWING on existing experience with integrated coastal zone management and the work of various organisations, including the European institutions,

BASED UPON the recommendations and work of the Mediterranean Commission on Sustainable Development and the recommendations of the Meetings of the Contracting Parties held in Tunis in 1997, Monaco in 2001, Catania in 2003, and Portoroz in 2005, and the Mediterranean Strategy for Sustainable Development adopted in Portoroz in 2005,

RESOLVED to strengthen at the Mediterranean level the efforts made by coastal States to ensure integrated coastal zone management,

DETERMINED to stimulate national, regional and local initiatives through coordinated promotional action, cooperation and partnership with the various actors concerned with a view to promoting efficient governance for the purpose of integrated coastal zone management,

DESIROUS of ensuring that coherence is achieved with regard to integrated coastal zone management in the application of the Convention and its Protocols,

HAVE AGREED AS FOLLOWS:

PART I

GENERAL PROVISIONS

Article 1

General obligations

In conformity with the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols, the Parties shall establish a common framework for the integrated management of the Mediterranean coastal zone and shall take the necessary measures to strengthen regional cooperation for this purpose.

Article 2

Definitions

For the purposes of this Protocol:

- (a) "Parties" means the Contracting Parties to this Protocol;
- (b) "Convention" means the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, done at Barcelona on 16 February 1976, as amended on 10 June 1995;
- (c) "Organisation" means the body referred to in Article 17 of the Convention;
- (d) "Centre" means the Priority Actions Programme Regional Activity Centre;
- (e) "coastal zone" means the geomorphologic area either side of the seashore in which the interaction between the marine and land parts occurs in the form of complex ecological and resource systems made up of biotic and abiotic components coexisting and interacting with human communities and relevant socioeconomic activities;
- (f) "integrated coastal zone management" means a dynamic process for the sustainable management and use of coastal zones, taking into account at the same time the fragility of coastal ecosystems and landscapes, the diversity of activities and uses, their interactions, the maritime orientation of certain activities and uses and their impact on both the marine and land parts.

Article 3

Geographical coverage

1. The area to which the Protocol applies shall be the Mediterranean Sea area as defined in Article 1 of the Convention. The area is also defined by:

(a) the seaward limit of the coastal zone, which shall be the external limit of the territorial sea of Parties; and

(b) the landward limit of the coastal zone, which shall be the limit of the competent coastal units as defined by the Parties.

2. If, within the limits of its sovereignty, a Party establishes limits different from those envisaged in paragraph 1 of this Article, it shall communicate a declaration to the Depositary at the time of the deposit of its instrument of ratification, acceptance, approval of, or accession to this Protocol, or at any other subsequent time, in so far as:

(a) the seaward limit is less than the external limit of the territorial sea;

(b) the landward limit is different, either more or less, from the limits of the territory of coastal units as defined above, in order to apply, inter alia, the ecosystem approach and economic and social criteria and to consider the specific needs of islands related to geomorphological characteristics and to take into account the negative effects of climate change.

3. Each Party shall adopt or promote at the appropriate institutional level adequate actions to inform populations and any relevant actor of the geographical coverage of the present Protocol.

Article 4

Preservation of rights

1. Nothing in this Protocol nor any act adopted on the basis of this Protocol shall prejudice the rights, the present and future claims or legal views of any Party relating to the Law of the Sea, in particular the nature and the extent of marine areas, the delimitation of marine areas between States with opposite or adjacent coasts, the right and modalities of passage through straits used for international navigation and the right of innocent passage in territorial seas, as well as the nature and extent of the jurisdiction of the coastal State, the flag State or the port State.

2. No act or activity undertaken on the basis of this Protocol shall constitute grounds for claiming, contending or disputing any claim to national sovereignty or jurisdiction.

3. The provisions of this Protocol shall be without prejudice to stricter provisions respecting the protection and management of the coastal zone contained in other existing or future national or international instruments or programmes.

4. Nothing in this Protocol shall prejudice national security and defence activities and facilities; however, each Party agrees that such activities and facilities should be operated or established, so far as is reasonable and practicable, in a manner consistent with this Protocol.

Article 5

Objectives of integrated coastal zone management

The objectives of integrated coastal zone management are to:

- (a) facilitate, through the rational planning of activities, the sustainable development of coastal zones by ensuring that the environment and landscapes are taken into account in harmony with economic, social and cultural development;
- (b) preserve coastal zones for the benefit of current and future generations;
- (c) ensure the sustainable use of natural resources, particularly with regard to water use;
- (d) ensure preservation of the integrity of coastal ecosystems, landscapes and geomorphology;
- (e) prevent and/or reduce the effects of natural hazards and in particular of climate change, which can be induced by natural or human activities;
- (f) achieve coherence between public and private initiatives and between all decisions by the public authorities, at the national, regional and local levels, which affect the use of the coastal zone.

Article 6

General principles of integrated coastal zone management

In implementing this Protocol, the Parties shall be guided by the following principles of integrated coastal zone management:

- (a) the biological wealth and the natural dynamics and functioning of the intertidal area and the complementary and interdependent nature of the marine part and the land part forming a single entity shall be taken particularly into account;
- (b) all elements relating to hydrological, geomorphological, climatic, ecological, socioeconomic and cultural systems shall be taken into account in an integrated manner, so as not to exceed the carrying capacity of the coastal zone and to prevent the negative effects of natural disasters and of development;
- (c) the ecosystems approach to coastal planning and management shall be applied so as to ensure the sustainable development of coastal zones;
- (d) appropriate governance allowing adequate and timely participation in a transparent decision-making process by local populations and stakeholders in civil society concerned with coastal zones shall be ensured;
- (e) cross-sectorally organised institutional coordination of the various administrative services and regional and local authorities competent in coastal zones shall be required;
- (f) the formulation of land use strategies, plans and programmes covering urban development and socioeconomic activities, as well as other relevant sectoral policies, shall be required;

(g) the multiplicity and diversity of activities in coastal zones shall be taken into account, and priority shall be given, where necessary, to public services and activities requiring, in terms of use and location, the immediate proximity of the sea;

(h) the allocation of uses throughout the entire coastal zone should be balanced, and unnecessary concentration and urban sprawl should be avoided;

(i) preliminary assessments shall be made of the risks associated with the various human activities and infrastructure so as to prevent and reduce their negative impact on coastal zones;

(j) damage to the coastal environment shall be prevented and, where it occurs, appropriate restoration shall be effected.

Article 7

Coordination

1. For the purposes of integrated coastal zone management, the Parties shall:

(a) ensure institutional coordination, where necessary through appropriate bodies or mechanisms, in order to avoid sectoral approaches and facilitate comprehensive approaches;

(b) organise appropriate coordination between the various authorities competent for both the marine and the land parts of coastal zones in the different administrative services, at the national, regional and local levels;

(c) organise close coordination between national authorities and regional and local bodies in the field of coastal strategies, plans and programmes and in relation to the various authorisations for activities that may be achieved through joint consultative bodies or joint decision-making procedures.

2. Competent national, regional and local coastal zone authorities shall, insofar as practicable, work together to strengthen the coherence and effectiveness of the coastal strategies, plans and programmes established.

PART II

ELEMENTS OF INTEGRATED COASTAL ZONE MANAGEMENT

Article 8

Protection and sustainable use of the coastal zone

1. In conformity with the objectives and principles set out in Articles 5 and 6 of this Protocol, the Parties shall endeavour to ensure the sustainable use and management of coastal zones in order to preserve the coastal natural habitats, landscapes, natural resources and ecosystems, in compliance with international and regional legal instruments.

2. For this purpose, the Parties:

(a) shall establish in coastal zones, as from the highest winter waterline, a zone where construction is not allowed. Taking into account, inter alia, the areas directly and negatively affected by climate change and natural risks, this zone may not be less than 100 meters in width, subject to the provisions of subparagraph (b) below. Stricter national measures determining this width shall continue to apply;

(b) may adapt, in a manner consistent with the objectives and principles of this Protocol, the provisions mentioned above:

1. for projects of public interest,

2. in areas having particular geographical or other local constraints, especially related to population density or social needs, where individual housing, urbanisation or development are provided for by national legal instruments;

(c) shall notify to the Organisation their national legal instruments providing for the above adaptations.

3. The Parties shall also endeavour to ensure that their national legal instruments include criteria for sustainable use of the coastal zone. Such criteria, taking into account specific local conditions, shall include, inter alia, the following:

(a) identifying and delimiting, outside protected areas, open areas in which urban development and other activities are restricted or, where necessary, prohibited;

(b) limiting the linear extension of urban development and the creation of new transport infrastructure along the coast;

(c) ensuring that environmental concerns are integrated into the rules for the management and use of the public maritime domain;

(d) providing for freedom of access by the public to the sea and along the shore;

(e) restricting or, where necessary, prohibiting the movement and parking of land vehicles, as well as the movement and anchoring of marine vessels, in fragile natural areas on land or at sea, including beaches and dunes.

Article 9

Economic activities

1. In conformity with the objectives and principles set forth in Articles 5 and 6 of this Protocol, and taking into account the relevant provisions of the Barcelona Convention and its Protocols, the Parties shall:

(a) accord specific attention to economic activities that require immediate proximity to the sea;

(b) ensure that the various economic activities minimise the use of natural resources and take into account the needs of future generations;

(c) ensure respect for integrated water resources management and environmentally sound waste management;

(d) ensure that the coastal and maritime economy is adapted to the fragile nature of coastal zones and that resources of the sea are protected from pollution;

(e) define indicators of the development of economic activities to ensure sustainable use of coastal zones and reduce pressures that exceed their carrying capacity;

(f) promote codes of good practice among public authorities, economic actors and non-governmental organisations.

2. In addition, with regard to the following economic activities, the Parties agree:

(a) Agriculture and industry

to guarantee a high level of protection of the environment in the location and operation of agricultural and industrial activities so as to preserve coastal ecosystems and landscapes and prevent pollution of the sea, water, air and soil;

(b) Fishing

(i) to take into account the need to protect fishing areas in development projects;

(ii) to ensure that fishing practices are compatible with sustainable use of natural marine resources;

(c) Aquaculture

(i) to take into account the need to protect aquaculture and shellfish areas in development projects;

(ii) to regulate aquaculture by controlling the use of inputs and waste treatment;

(d) Tourism, sporting and recreational activities

(i) to encourage sustainable coastal tourism that preserves coastal ecosystems, natural resources, cultural heritage and landscapes;

(ii) to promote specific forms of coastal tourism, including cultural, rural and ecotourism, while respecting the traditions of local populations;

(iii) to regulate or, where necessary, prohibit the practice of various sporting and recreational activities, including recreational fishing and shellfish extraction;

(e) Utilisation of specific natural resources

(i) to subject to prior authorisation the excavation and extraction of minerals, including the use of seawater in desalination plants and stone exploitation;

(ii) to regulate the extraction of sand, including on the seabed and river sediments or prohibit it where it is likely to adversely affect the equilibrium of coastal ecosystems;

(iii) to monitor coastal aquifers and dynamic areas of contact or interface between fresh and salt water, which may be adversely affected by the extraction of underground water or by discharges into the natural environment;

(f) Infrastructure, energy facilities, ports and maritime works and structures

to subject such infrastructure, facilities, works and structures to authorisation so that their negative impact on coastal ecosystems, landscapes and geomorphology is minimised or, where appropriate, compensated by non-financial measures;

(g) Maritime activities

to conduct maritime activities in such a manner as to ensure the preservation of coastal ecosystems in conformity with the rules, standards and procedures of the relevant international conventions.

Article 10

Specific coastal ecosystems

The Parties shall take measures to protect the characteristics of certain specific coastal ecosystems, as follows:

1. Wetlands and estuaries

In addition to the creation of protected areas and with a view to preventing the disappearance of wetlands and estuaries, the Parties shall:

(a) take into account in national coastal strategies and coastal plans and programmes and when issuing authorisations, the environmental, economic and social function of wetlands and estuaries;

(b) take the necessary measures to regulate or, if necessary, prohibit activities that may have adverse effects on wetlands and estuaries;

(c) undertake, to the extent possible, the restoration of degraded coastal wetlands with a view to reactivating their positive role in coastal environmental processes.

2. Marine habitats

The Parties, recognising the need to protect marine areas hosting habitats and species of high conservation value, irrespective of their classification as protected areas, shall:

(a) adopt measures to ensure the protection and conservation, through legislation, planning and management of marine and coastal areas, in particular of those hosting habitats and species of high conservation value;

(b) undertake to promote regional and international cooperation for the implementation of common programmes on the protection of marine habitats.

3. Coastal forests and woods

The Parties shall adopt measures intended to preserve or develop coastal forests and woods located, in particular, outside specially protected areas.

4. Dunes

The Parties undertake to preserve and, where possible, rehabilitate in a sustainable manner dunes and bars.

Article 11

Coastal landscapes

1. The Parties, recognising the specific aesthetic, natural and cultural value of coastal landscapes, irrespective of their classification as protected areas, shall adopt measures to ensure the protection of coastal landscapes through legislation, planning and management.

2. The Parties undertake to promote regional and international cooperation in the field of landscape protection, and in particular, the implementation, where appropriate, of joint actions for transboundary coastal landscapes.

Article 12

Islands

The Parties undertake to accord special protection to islands, including small islands, and for this purpose to:

(a) promote environmentally friendly activities in such areas and take special measures to ensure the participation of the inhabitants in the protection of coastal ecosystems based on their local customs and knowledge;

(b) take into account the specific characteristics of the island environment and the necessity to ensure interaction among islands in national coastal strategies, plans and programmes and management instruments, particularly in the fields of transport, tourism, fishing, waste and water.

Article 13

Cultural heritage

1. The Parties shall adopt, individually or collectively, all appropriate measures to preserve and protect the cultural, in particular archaeological and historical, heritage of coastal zones, including the underwater cultural heritage, in conformity with the applicable national and international instruments.
2. The Parties shall ensure that the preservation in situ of the cultural heritage of coastal zones is considered as the first option before any intervention directed at this heritage.
3. The Parties shall ensure in particular that elements of the underwater cultural heritage of coastal zones removed from the marine environment are conserved and managed in a manner safeguarding their long-term preservation and are not traded, sold, bought or bartered as commercial goods.

Article 14

Participation

1. With a view to ensuring efficient governance throughout the process of the integrated management of coastal zones, the Parties shall take the necessary measures to ensure the appropriate involvement in the phases of the formulation and implementation of coastal and marine strategies, plans and programmes or projects, as well as the issuing of the various authorisations, of the various stakeholders, including:

- the territorial communities and public entities concerned,
- economic operators,
- non-governmental organisations,
- social actors,
- the public concerned.

Such participation shall involve, inter alia, consultative bodies, inquiries or public hearings, and may extend to partnerships.

2. With a view to ensuring such participation, the Parties shall provide information in an adequate, timely and effective manner.

3. Mediation or conciliation procedures and a right of administrative or legal recourse should be available to any stakeholder challenging decisions, acts or omissions, subject to the participation provisions established by the Parties with respect to plans, programmes or projects concerning the coastal zone.

Article 15

Awareness-raising, training, education and research

1. The Parties undertake to carry out, at the national, regional or local level, awareness-raising activities on integrated coastal zone management and to develop educational programmes, training and public education on this subject.

2. The Parties shall organise, directly, multilaterally or bilaterally, or with the assistance of the Organisation, the Centre or the international organisations concerned, educational programmes, training and public education on integrated management of coastal zones with a view to ensuring their sustainable development.

3. The Parties shall provide for interdisciplinary scientific research on integrated coastal zone management and on the interaction between activities and their impacts on coastal zones. To this end, they should establish or support specialised research centres. The purpose of this research is, in particular, to further knowledge of integrated coastal zone management, to contribute to public information and to facilitate public and private decision-making.

PART III

INSTRUMENTS FOR INTEGRATED COASTAL ZONE MANAGEMENT

Article 16

Monitoring and observation mechanisms and networks

1. The Parties shall use and strengthen existing appropriate mechanisms for monitoring and observation, or create new ones if necessary. They shall also prepare and regularly update national inventories of coastal zones which should cover, to the extent possible, information on resources and activities, as well as on institutions, legislation and planning that may influence coastal zones.
2. In order to promote exchange of scientific experience, data and good practices, the Parties shall participate, at the appropriate administrative and scientific level, in a Mediterranean coastal zone network, in cooperation with the Organisation.
3. With a view to facilitating the regular observation of the state and evolution of coastal zones, the Parties shall set out an agreed reference format and process to collect appropriate data in national inventories.
4. The Parties shall take all necessary means to ensure public access to the information derived from monitoring and observation mechanisms and networks.

Article 17

Mediterranean strategy for integrated coastal zone management

The Parties undertake to cooperate for the promotion of sustainable development and integrated management of coastal zones, taking into account the Mediterranean Strategy for Sustainable Development and complementing it where necessary. To this end, the Parties shall define, with the assistance of the Centre, a common regional framework for integrated coastal zone management in the Mediterranean to be implemented by means of appropriate regional action plans and other operational instruments, as well as through their national strategies.

Article 18

National coastal strategies, plans and programmes

1. Each Party shall further strengthen or formulate a national strategy for integrated coastal zone management and coastal implementation plans and programmes consistent with the common regional framework and in conformity with the integrated management objectives and principles of this Protocol and shall inform the Organisation about the coordination mechanism in place for this strategy.

2. The national strategy, based on an analysis of the existing situation, shall set objectives, determine priorities with an indication of the reasons, identify coastal ecosystems needing management, as well as all relevant actors and processes, enumerate the measures to be taken and their cost as well as the institutional instruments and legal and financial means available, and set an implementation schedule.

3. Coastal plans and programmes, which may be self-standing or integrated in other plans and programmes, shall specify the orientations of the national strategy and implement it at an appropriate territorial level, determining, inter alia, and where appropriate, the carrying capacities and conditions for the allocation and use of the respective marine and land parts of coastal zones.

4. The Parties shall define appropriate indicators in order to evaluate the effectiveness of integrated coastal zone management strategies, plans and programmes, as well as the progress of implementation of the Protocol.

Article 19

Environmental assessment

1. Taking into account the fragility of coastal zones, the Parties shall ensure that the process and related studies of environmental impact assessment for public and private projects likely to have significant environmental effects on the coastal zones, and in particular on their ecosystems, take into consideration the specific sensitivity of the environment and the inter-relationships between the marine and terrestrial parts of the coastal zone.

2. In accordance with the same criteria, the Parties shall formulate, as appropriate, a strategic environmental assessment of plans and programmes affecting the coastal zone.

3. The environmental assessments should take into consideration the cumulative impacts on the coastal zones, paying due attention, inter alia, to their carrying capacities.

Article 20

Land policy

1. For the purpose of promoting integrated coastal zone management, reducing economic pressures, maintaining open areas and allowing public access to the sea and along the shore, Parties shall adopt appropriate land policy instruments and measures, including the process of planning.

2. To this end, and in order to ensure the sustainable management of public and private land of the coastal zones, Parties may, inter alia, adopt mechanisms for the acquisition, cession, donation or transfer of land to the public domain and institute easements on properties.

Article 21

Economic, financial and fiscal instruments

For the implementation of national coastal strategies and coastal plans and programmes, Parties may take appropriate measures to adopt relevant economic, financial and/or fiscal instruments intended to support local, regional and national initiatives for the integrated management of coastal zones.

PART IV

RISKS AFFECTING THE COASTAL ZONE

Article 22

Natural hazards

Within the framework of national strategies for integrated coastal zone management, the Parties shall develop policies for the prevention of natural hazards. To this end, they shall undertake vulnerability and hazard assessments of coastal zones and take prevention, mitigation and adaptation measures to address the effects of natural disasters, in particular of climate change.

Article 23

Coastal erosion

1. In conformity with the objectives and principles set out in Articles 5 and 6 of this Protocol, the Parties, with a view to preventing and mitigating the negative impact of coastal erosion more effectively, undertake to adopt the necessary measures to maintain or restore the natural capacity of the coast to adapt to changes, including those caused by the rise in sea levels.
2. The Parties, when considering new activities and works located in the coastal zone including marine structures and coastal defence works, shall take particular account of their negative effects on coastal erosion and the direct and indirect costs that may result. In respect of existing activities and structures, the Parties should adopt measures to minimise their effects on coastal erosion.
3. The Parties shall endeavour to anticipate the impacts of coastal erosion through the integrated management of activities, including adoption of special measures for coastal sediments and coastal works.
4. The Parties undertake to share scientific data that may improve knowledge on the state, development and impacts of coastal erosion.

Article 24

Response to natural disasters

1. The Parties undertake to promote international cooperation to respond to natural disasters, and to take all necessary measures to address in a timely manner their effects.
2. The Parties undertake to coordinate use of the equipment for detection, warning and communication at their disposal, making use of existing mechanisms and initiatives, to ensure the transmission as rapidly as possible of urgent information concerning major natural disasters. The Parties shall notify the Organisation which national authorities are competent to issue and receive such information in the context of relevant international mechanisms.

3. The Parties undertake to promote mutual cooperation and cooperation among national, regional and local authorities, non-governmental organisations and other competent organisations for the provision on an urgent basis of humanitarian assistance in response to natural disasters affecting the coastal zones of the Mediterranean Sea.

PART V

INTERNATIONAL COOPERATION

Article 25

Training and research

1. The Parties undertake, directly or with the assistance of the Organisation or the competent international organisations, to cooperate in the training of scientific, technical and administrative personnel in the field of integrated coastal zone management, particularly with a view to:

- (a) identifying and strengthening capacities;
- (b) developing scientific and technical research;
- (c) promoting centres specialised in integrated coastal zone management;
- (d) promoting training programmes for local professionals.

2. The Parties undertake, directly or with the assistance of the Organisation or the competent international organisations, to promote scientific and technical research into integrated coastal zone management, particularly through the exchange of scientific and technical information and the coordination of their research programmes on themes of common interest.

Article 26

Scientific and technical assistance

For the purposes of integrated coastal zone management, the Parties undertake, directly or with the assistance of the Organisation or the competent international organisations to cooperate for the provision of scientific and technical assistance, including access to environmentally sound technologies and their transfer, and other possible forms of assistance, to Parties requiring such assistance.

Article 27

Exchange of information and activities of common interest

1. The Parties undertake, directly or with the assistance of the Organisation or the competent international organisations, to cooperate in the exchange of information on the use of the best environmental practices.

2. With the support of the Organisation, the Parties shall in particular:

- (a) define coastal management indicators, taking into account existing ones, and cooperate in the use of such indicators;

(b) establish and maintain up-to-date assessments of the use and management of coastal zones;

(c) carry out activities of common interest, such as demonstration projects of integrated coastal zone management.

Article 28

Transboundary cooperation

The Parties shall endeavour, directly or with the assistance of the Organisation or the competent international organisations, bilaterally or multilaterally, to coordinate, where appropriate, their national coastal strategies, plans and programmes related to contiguous coastal zones. Relevant domestic administrative bodies shall be associated with such coordination.

Article 29

Transboundary environmental assessment

1. Within the framework of this Protocol, the Parties shall, before authorising or approving plans, programmes and projects that are likely to have a significant adverse effect on the coastal zones of other Parties, cooperate by means of notification, exchange of information and consultation in assessing the environmental impacts of such plans, programmes and projects, taking into account Article 19 of this Protocol and Article 4(3)(d) of the Convention.

2. To this end, the Parties undertake to cooperate in the formulation and adoption of appropriate guidelines for the determination of procedures for notification, exchange of information and consultation at all stages of the process.

3. The Parties may, where appropriate, enter into bilateral or multilateral agreements for the effective implementation of this Article.

PART VI

INSTITUTIONAL PROVISIONS

Article 30

Focal Points

Each Party shall designate a Focal Point to serve as liaison with the Centre on the technical and scientific aspects of the implementation of this Protocol and to disseminate information at the national, regional and local level. The Focal Points shall meet periodically to carry out the functions deriving from this Protocol.

Article 31

Reports

The Parties shall submit to the ordinary meetings of the Contracting Parties, reports on the implementation of this Protocol, in such form and at such intervals as these Meetings may determine, including the measures taken, their effectiveness and the problems encountered in their implementation.

Article 32

Institutional coordination

1. The Organisation shall be responsible for coordinating the implementation of this Protocol. For this purpose, it shall receive the support of the Centre, to which it may entrust the following functions:

(a) to assist the Parties to define a common regional framework for integrated coastal zone management in the Mediterranean pursuant to Article 17;

(b) to prepare a regular report on the state and development of integrated coastal zone management in the Mediterranean Sea with a view to facilitating implementation of the Protocol;

(c) to exchange information and carry out activities of common interest pursuant to Article 27;

(d) upon request, to assist the Parties:

- to participate in a Mediterranean coastal zone network pursuant to Article 16,

- to prepare and implement their national strategies for integrated coastal zone management pursuant to Article 18,

- to cooperate in training activities and in scientific and technical research programmes pursuant to Article 25,

- to coordinate, when appropriate, the management of transboundary coastal zones pursuant to Article 28;

(e) to organise the meetings of the Focal Points pursuant to Article 30;

(f) to carry out any other function assigned to it by the Parties.

2. For the purposes of implementing this Protocol, the Parties, the Organisation and the Centre may jointly establish cooperation with non-governmental organisations the activities of which are related to the Protocol.

Article 33

Meetings of the Parties

1. The ordinary meetings of the Parties to this Protocol shall be held in conjunction with the ordinary meetings of the Contracting Parties to the Convention held pursuant to Article 18 of the Convention. The Parties may also hold extraordinary meetings in conformity with that Article.

2. The functions of the meetings of the Parties to this Protocol shall be:

(a) to keep under review the implementation of this Protocol;

(b) to ensure that this Protocol is implemented in coordination and synergy with the other Protocols;

(c) to oversee the work of the Organisation and of the Centre relating to the implementation of this Protocol and providing policy guidance for their activities;

(d) to consider the efficiency of the measures adopted for integrated coastal zone management and the need for other measures, in particular in the form of annexes or amendments to this Protocol;

(e) to make recommendations to the Parties on the measures to be adopted for the implementation of this Protocol;

(f) to examine the proposals made by the meetings of Focal Points pursuant to Article 30 of this Protocol;

(g) to consider reports transmitted by the Parties and making appropriate recommendations pursuant to Article 26 of the Convention;

(h) to examine any other relevant information submitted through the Centre;

(i) to examine any other matter relevant to this Protocol, as appropriate.

PART VII

FINAL PROVISIONS

Article 34

Relationship with the Convention

1. The provisions of the Convention relating to any Protocol shall apply with respect to this Protocol.
2. The rules of procedure and the financial rules adopted pursuant to Article 24 of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.

Article 35

Relations with third parties

1. The Parties shall invite, where appropriate, States that are not Parties to this Protocol and international organisations to cooperate in the implementation of this Protocol.
2. The Parties undertake to adopt appropriate measures, consistent with international law, to ensure that no one engages in any activity contrary to the principles and objectives of this Protocol.

Article 36

Signature

This Protocol shall be open for signature at Madrid, Spain, from 21 January 2008 to 20 January 2009 by any Contracting Party to the Convention.

Article 37

Ratification, acceptance or approval

This Protocol shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of Spain, which will assume the functions of Depositary.

Article 38

Accession

As from 21 January 2009 this Protocol shall be open for accession by any Party to the Convention.

Article 39

Entry into force

This Protocol shall enter into force on the 30th day following the deposit of at least six instruments of ratification, acceptance, approval or accession.

Article 40

Authentic texts

The original of this Protocol, of which the Arabic, English, French and Spanish texts are equally authentic, shall be deposited with the Depositary.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Protocol.

DONE AT MADRID, SPAIN, this twenty-first day of January two thousand and eight.