

Last year's announcement by Spain – the Depository Government – of the entry into force of the revised Barcelona convention, as amended in 1995, marks the beginning of a new era in the protection of the Mediterranean marine environment, and its effective contribution to sustainable development in the region.

As the framework convention of the so-called “Barcelona Convention System” – laying down the normative “umbrella” to be implemented through specific protocols – the Convention, in its extensively amended version, contains significant innovations that give effect to the objective of sustainable development. Now entitled “Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean”, it contains the following new elements:

- Its geographical coverage is extended to include the coastal areas as defined by each Contracting Party within its own territory.
- It implements the sustainable development of the Mediterranean Sea Area at the level of general obligations, by incorporating the precautionary principle, the polluter pays principle and the procedural principle of environmental impact assessment for activities at the national level – and also, through cooperation, for activities that are likely to have transboundary effects or effects to areas beyond the limits of national jurisdiction, promoting the integrated management of coastal zones, adopting implementing programmes and measures containing time limits for their completion, using the best available techniques and best environmental practices, and promoting environmentally sound technology, including clean production technologies.
- Under it, the Contracting Parties formally pledge themselves to implement the Mediterranean Action Plan and to take fully into account the recommendations of the Mediterranean Commission on Sustainable Development, a new body established within the Plan's framework.
- It expands the material scope of the framework obligations of the Contracting Parties concerning dealing with the sources of pollution and



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# New Era

## Evangelos Raftopoulos

outlines the effects of the entry into force of the amended Barcelona Convention

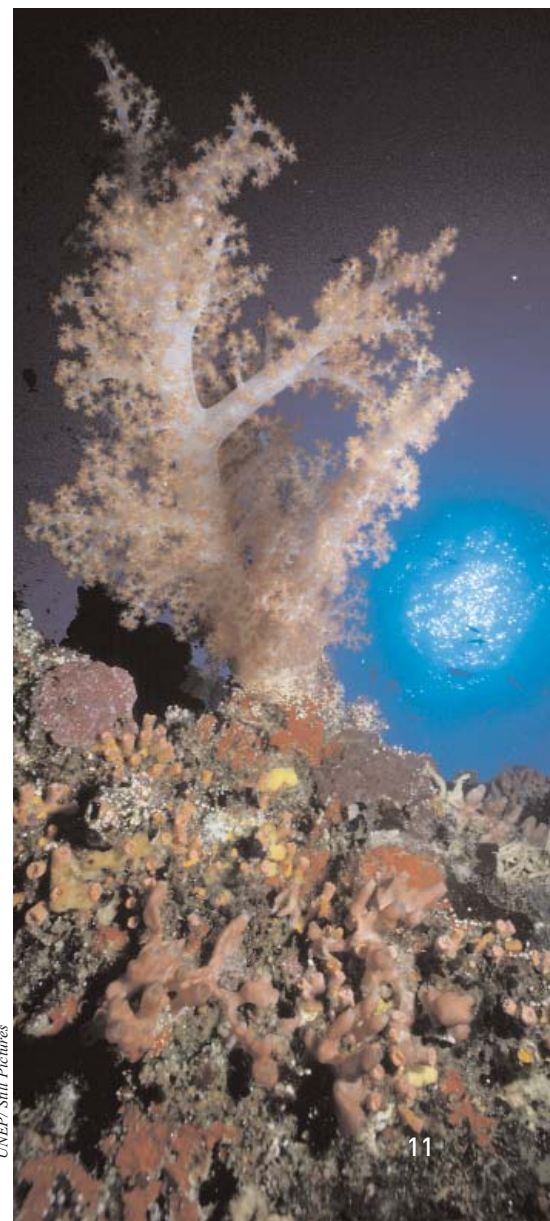
conserving the marine environment, to be implemented through the development of specific protocols. Thus, they undertake not just to prevent, control and combat marine pollution from various sources but to eliminate it to the fullest possible extent. Simultaneously, these framework obligations are updated (such as those regarding pollution caused by dumping from ships and aircraft or by incineration at sea, and concerning the conservation of biological diversity) and expanded to new areas (such as the one on pollution resulting from the transboundary movements of hazardous wastes and their disposal).

- It provides for the public's right to have appropriate access to information on the environmental state of the Mediterranean and to participate in the decision-making process relevant to the field of application of the Barcelona Convention System
- It provides for the possibility of the Secretariat assisting a requesting

Contracting Party in drafting its environmental legislation.

- It formalizes the function of the Bureau in the institutional structure laid down by the Convention, including the participation of observers
- Finally, it makes a significant step forward in the effective operation and implementation of the whole Barcelona Convention System by providing that the reports of the Contracting Parties refer to the internal implementation and effectiveness not just of the Convention and its Protocols but also of the recommendations adopted by their meetings. Correspondingly, the compliance control of the meetings of the Contracting Parties covers the Convention, and its Protocols, as well as the measures and recommendations ■

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