

No. 24079

MULTILATERAL

**Protocol concerning Mediterranean Specially Protected
Areas. Concluded at Geneva on 3 April 1982**

Authentic texts: Arabic, English, French and Spanish.

Registered by Spain on 30 April 1986.

MULTILATÉRAL

**Protocole relatif aux aires spécialement protégées de la Médi-
terranée. Conclu à Genève le 3 avril 1982**

Textes authentiques : arabe, anglais, français et espagnol.

Enregistré par l'Espagne le 30 avril 1986.

PROTOCOL¹ CONCERNING MEDITERRANEAN SPECIALLY PROTECTED AREAS

The Contracting Parties to the present Protocol,

Being Parties to the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976,²

Conscious of the danger threatening the environment of the Mediterranean Sea Area as a whole, in view of the increasing human activities in the region,

Taking into account the special hydrographic and ecological characteristics of the Mediterranean Sea Area,

Stressing the importance of protecting and, as appropriate, improving the state of the natural resources and natural sites of the Mediterranean Sea, as well as of their cultural heritage in the region, among other means by the establishment of specially protected areas including marine areas and their environment,

Desirous of establishing close co-operation among themselves in order to achieve that objective,

Have agreed as follows:

Article 1. 1. The Contracting Parties to this Protocol (hereinafter referred to as “the Parties”) shall take all appropriate measures with a view to protecting those marine areas which are important for the safeguard of the natural resources and natural sites of the Mediterranean Sea Area, as well as for the safeguard of their cultural heritage in the region.

2. Nothing in this Protocol shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 C (XXV)³ of the General Assembly of the United Nations, nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

Article 2. For the purposes of the designation of specially protected areas (hereinafter referred to as “protected areas”), the area to which this Protocol applies shall be the Mediterranean Sea Area as defined in article 1 of the Convention for the

¹ Came into force on 23 March 1986, i.e., the thirtieth day following the date on which six instruments of ratification, acceptance, approval or accession were deposited with the Government of Spain, in accordance with article 18 (6):

<i>State</i>	<i>Date of deposit of the instrument of ratification, approval (AA) or accession (a)</i>	
Algeria.....	16 May	1985 <i>a</i>
European Economic Community.....	30 June	1984 <i>AA</i>
Egypt.....	8 July	1983
Italy.....	4 July	1985
Tunisia*.....	26 May	1983
Yugoslavia.....	21 February	1986

* See p. 183 of this volume for the text of the declaration made upon signature and confirmed upon ratification.

² United Nations, *Treaty Series*, vol. 1102, p. 27.

³ *Ibid.*, *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 28 (A/8028)*, p. 28.

Protection of the Mediterranean Sea against Pollution (hereinafter referred to as “the Convention”); it being understood that, for the purposes of the present Protocol, it shall be limited to the territorial waters of the Parties and may include waters on the landward side of the baseline from which the breadth of the territorial sea is measured and extending, in the case of watercourses, up to the freshwater limit. It may also include wetlands or coastal areas designated by each of the Parties.

Article 3. 1. The Parties shall, to the extent possible, establish protected areas and shall endeavour to undertake the action necessary in order to protect those areas and, as appropriate, restore them, as rapidly as possible.

2. Such areas shall be established in order to safeguard in particular:

- a) — Sites of biological and ecological value;
 - The genetic diversity, as well as satisfactory population levels, of species, and their breeding grounds and habitats;
 - Representative types of ecosystems, as well as ecological processes;
- b) Sites of particular importance because of their scientific, aesthetic, historical, archaeological, cultural or education interest.

Article 4. The Parties to this Protocol shall, at their first meeting, formulate and adopt, if necessary in co-operation with the competent international organizations, common guidelines and, if needed, standards or criteria dealing in particular with:

- a) The selection of protected areas;
- b) The establishment of protected areas;
- c) The management of protected areas;
- d) The notification of information on protected areas.

Article 5. The Parties may strengthen the protection of a protected area by establishing, within the area to which this Protocol applies, one or more buffer areas in which activities are less severely restricted while remaining compatible with the purposes of the protected area.

Article 6. 1. If a Party intends to establish a protected area contiguous to the frontier or to the limits of the zone of national jurisdiction of another Party, the competent authorities of the two Parties shall endeavour to consult each other with a view to reaching agreement on the measures to be taken and shall, among other things, examine the possibility of the establishment by the other Party of a corresponding protected area or the adoption by it of any other appropriate measure.

2. If a Party intends to establish a protected area contiguous to the frontier or to the limits of the zone of national jurisdiction of a State which is not a party to this Protocol, the Party shall endeavour to work together with the competent authorities of that State with a view to holding the consultations referred to in the preceding paragraph.

3. If contiguous protected areas are established by two Parties, or by one Party and by a State which is not a party to this Protocol, special agreements may provide for the means whereby the consultation or the collaboration contemplated in paragraphs 1 and 2 respectively may take place.

4. If a State which is not a party to this Protocol intends to establish a protected area contiguous to the frontier or to the limits of the zone of national jurisdiction of a Party to this Protocol, the latter shall endeavour to work together with that State with a view to holding consultations, and possibly concluding a special agreement as referred to in paragraph 3.

Article 7. The Parties, having regard to the objectives pursued and taking into account the characteristics of each protected area, shall, in conformity with the rules of international law, progressively take the measures required, which may include:

- a) The organization of a planning and management system;
- b) The prohibition of the dumping or discharge of wastes or other matter which may impair the protected area;
- c) The regulation of the passage of ships and any stopping or anchoring;
- d) The regulation of fishing and hunting and of the capture of animals and harvesting of plants;
- e) The prohibition of the destruction of plant life or animals and of the introduction of exotic species;
- f) The regulation of any act likely to harm or disturb the fauna or flora, including the introduction of indigenous zoological or botanical species;
- g) The regulation of any activity involving the exploration or exploitation of the sea-bed or its subsoil or a modification of the sea-bed profile;
- h) The regulation of any activity involving a modification of the profile of the soil or the exploitation of the subsoil of the land part of a marine protected area;
- i) The regulation of any archaeological activity and of the removal of any object which may be considered as an archaeological object;
- j) The regulation of trade in and import and export of animals, parts of animals, plants, parts of plants and archaeological objects which originate in protected areas and are subject to measures of protection;
- k) Any other measure aimed at safeguarding ecological and biological processes in protected areas.

Article 8. 1. The Parties shall give appropriate publicity to the establishment of protected areas, as well as of the areas provided for in article 5, and to their markings and the regulations applying thereto.

2. The information referred to in the preceding paragraph shall be notified to the Organization designated in article 13 of the Convention (hereinafter referred to as "the Organization") which shall compile and keep up to date a directory of protected areas in the area to which this Protocol applies. The Parties shall supply the Organization with all the information necessary for that purpose.

Article 9. 1. The Parties shall, in promulgating protective measures, take into account the traditional activities of their local populations. To the fullest extent possible, no exemption which is allowed for this reason shall be such as:

- a) To endanger either the maintenance of ecosystems protected under the terms of the present Protocol or the biological processes contributing to the maintenance of those ecosystems;

b) To cause either the extinction of, or any substantial reduction in, the number of individuals making up the species or animal and plant populations within the protected ecosystems, or any ecologically connected species or populations, particularly migratory species and rare, endangered or endemic species.

2. Parties which allow exemptions with regard to protective measures or do not apply such measures strictly shall inform the Organization accordingly.

Article 10. The Parties shall encourage and develop scientific and technical research on their protected areas and on the ecosystems and archaeological heritage of those areas.

Article 11. The Parties shall endeavour to inform the public as widely as possible of the significance and interest of the protected areas and of the scientific knowledge which may be gained from them from the point of view of both nature conservation and archaeology. Such information should have an appropriate place in education programmes concerning the environment and history. The Parties should also endeavour to promote the participation of their public and their nature conservation organizations in appropriate measures which are necessary for the protection of the areas concerned.

Article 12. The Parties shall, to the extent possible, establish a co-operation programme to co-ordinate the establishment, planning, management and conservation of protected areas, with a view to creating a network of protected areas in the Mediterranean region, taking fully into account existing networks, especially that of biosphere reserves of UNESCO. There shall be regular exchanges of information concerning the characteristics of the protected areas, the experience acquired and the problems encountered.

Article 13. The Parties shall, in accordance with the procedures set forth in article 14, exchange scientific and technical information concerning current or planned research and the results expected. They shall, to the fullest extent possible, co-ordinate their research. They shall, moreover, endeavour to define jointly or to standardize the scientific methods to be applied in the selection, management and monitoring of protected areas.

Article 14. 1. In applying the principles of co-operation set forth in articles 12 and 13, the Parties shall forward to the Organization:

- a) Comparable information for monitoring the biological development of the Mediterranean environment;
- b) Reports, publications and information of a scientific, administrative and legal nature, in particular:
 - On the measures taken by the Parties in pursuance of this Protocol for the protection of the protected areas;
 - On the species present in the protected areas;
 - On any threats to those areas, especially those which may come from sources of pollution outside their control.

2. The Parties shall designate persons responsible for protected areas. Those persons shall meet at least once every two years to discuss matters of joint interest and especially to propose recommendations concerning scientific, administrative and legal information as well as the standardization and processing of data.

Article 15. 1. The Parties shall, directly or with the assistance of competent regional or other international organizations or bilaterally, co-operate, on the entry into force of this Protocol, in formulating and implementing programmes of mutual assistance and of assistance to those developing countries which express a need for it in the selection, establishment and management of protected areas.

2. The programmes contemplated in the preceding paragraph should relate, in particular, to the training of scientific and technical personnel, scientific research, and the acquisition, utilization and production by those countries of appropriate equipment on advantageous terms to be agreed among the Parties concerned.

Article 16. Changes in the delimitation or legal status of a protected area or the suppression of all or part of such an area may not take place except under a similar procedure to that followed for its establishment.

Article 17. 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 14 of the Convention. The Parties may also hold extraordinary meetings in conformity with that article.

2. It shall be the function of the meetings of the Parties to this Protocol, in particular:

- a) To keep under review the implementation of this Protocol;
- b) To consider the efficacy of the measures adopted, having regard in particular to the area to which the Protocol applies, and to examine the need for other measures, in particular in the form of annexes, or for envisaging, if necessary, an alteration to that area, in conformity with the provisions of article 16 of the Convention;
- c) To adopt, review and amend as required any annex to this Protocol;
- d) To monitor the establishment and development of the network of protected areas provided by article 12, and to adopt guidelines to facilitate the establishment and development of that system and to increase co-operation among the Parties;
- e) To consider the recommendations made by the meetings of the persons responsible for the protected areas, as provided by article 14, paragraph 2;
- f) To consider reports transmitted by the Parties to the Organization under article 20 of the Convention and any other information which the Parties may transmit to the Organization or to the meeting of the Parties.

Article 18. 1. The provisions of the Convention relating to any protocol shall apply with respect to the present Protocol.

2. The rules of procedure and the financial rules adopted pursuant to article 18, paragraph 2, of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.

3. This Protocol shall be open for signature, at Geneva on 3 and 4 April 1982, and at Madrid from 5 April 1982 to 2 April 1983 by any Contracting Party to the Convention and any State invited to the Conference of Plenipotentiaries on the Protocol concerning Mediterranean Specially Protected Areas held at Geneva on 2 and 3 April 1982. It shall also be open for signature from 5 April 1982 to 2 April 1983 by any regional economic grouping of which at least one member is a coastal State

of the Mediterranean Sea Area and which exercises competence in fields covered by this Protocol.

4. 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.

5. As from 3 April 1983, this Protocol shall be open for accession by the Contracting Parties to the Convention and by any State or grouping referred to in paragraph 3.

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

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

DONE at Geneva on this third day of April one thousand nine hundred and eighty-two in a single copy in the Arabic, English, French and Spanish languages, the four texts being equally authoritative.

[For the signatures, see p. 179 of this volume.]

عن ألبانيا :

For Albania:
Pour l'Albanie :
Por Albania:

عن الجزائر :

For Algeria:
Pour l'Algérie :
Por Argelia:

عن قبرص :

For Cyprus:
Pour Chypre :
Por Chipre:

عن المجتمع الاقتصادي الأوروبي :

For the European Economic Community:
Pour la Communauté économique européenne :
Por la Comunidad Economica Europea:

[Signed — Signé]

GUIDO BRUNNER

[Signed — Signé]

ATHANASE ANDREPOULOS

عن مصر :

For Egypt:
Pour l'Égypte :
Por Egipto:

[Signed — Signé]

SALAH EL DIN MOHAMED KHALIFA

(16.2.1983)

عن أسبانيا :

For Spain:
Pour l'Espagne :
Por España:

Ad referendum
[Signed — Signé]
ENRIQUE DOMÍNGUEZ PASSIER

عن فرنسا :

For France:
Pour la France :
Por Francia:

[Signed — Signé]
G. A. CHENU

عن اليونان :

For Greece:
Pour la Grèce :
Por Grecia:

[Signed — Signé]
ANGHELOS CHORAFAS

عن اسرائيل :

For Israel:
Pour Israël :
Por Israel:

[Signed — Signé]
URI MARINOV

: عن ايطاليا

For Italy:
Pour l'Italie :
Por Italia:

[Signed — Signé]

FILIPPO ANFUSO

: عن الجماهيرية العربية الليبية

For the Libyan Arab Jamahiriya:
Pour la Jamahiriya arabe libyenne :
Por la Jamahiriya Arabe Libia:

: عن لبنان

For Lebanon:
Pour le Liban :
Por el Líbano:

: عن مالطة

For Malta:
Pour Malte :
Por Malta :

[Signed — Signé]

EVARIST SALIBA

: عن المغرب

For Morocco:
Pour le Maroc :
Por Marruecos:

[Signed — Signé]

ABDELHAFID KADIRI

2.4.1983

عن موناكو :

For Monaco:
Pour Monaco :
Por Mónaco:

[Signed — Signé]

CÉSAR C. SOLAMITO

عن الجمهورية العربية السورية :

For the Syrian Arab Republic:
Pour la République arabe syrienne :
Por la República Árabe Siria:

عن تونس :

For Tunisia:
Pour la Tunisie :
Por Túnez:

[Signed — Signé]¹

FOUAD MEBAZAA

عن تركيا :

For Turkey:
Pour la Turquie :
Por Turquía:

عن يوغوسلا فيا :

For Yugoslavia:
Pour la Yougoslavie :
Por Yugoslavia:

[Signed — Signé]

BERISLAV BADURINA

¹ See p. 183 of this volume for the text of the declaration made upon signature and confirmed upon ratification — Voir p. 183 du présent volume pour le texte de la déclaration faite lors de la signature et confirmée lors de la ratification.

DECLARATION MADE UPON SIG-
NATURE AND CONFIRMED
UPON RATIFICATION

DÉCLARATION FAITE LORS DE LA
SIGNATURE ET CONFIRMÉE
LORS DE LA RATIFICATION

TUNISIA

TUNISIE

[SPANISH TEXT — TEXTE ESPAGNOL]

“La firma y la ratificación de este Protocolo por la República de Túnez no implica necesariamente el reconocimiento de un Estado tercero Parte en el mismo y no supone en modo alguno la constitución de una obligación que implique la conclusión de Acuerdos o la cooperación en cualquier campo con dicho Estado.”

[TRANSLATION]

[TRADUCTION]

The signature and ratification of this Protocol by the Republic of Tunisia does not necessarily imply recognition of a third State Party to the Protocol nor in any way constitute an obligation involving the conclusion of agreements or co-operation in any field with that State.

La signature et la ratification de ce protocole par la République tunisienne ne signifient pas que celle-ci reconnait de ce fait un Etat tiers partie audit Protocole, et n'entraînent aucunement l'obligation de signer des accords ou de coopérer avec ledit Etat dans quelque domaine que ce soit.