

Organisers:



**Mediterranean Marine Law
Programme supported :**



Legal Workshop

Towards an Improved Governance of the Mediterranean Beyond Territorial Seas

Malaga, Spain, 15 and 16 March 2004

***IUCN
Centre for Mediterranean Cooperation
Global Marine Programme
Environmental Law Programme***

The IUCN Centre for Mediterranean Cooperation is supported by :



Programme

Saturday, 13 March 2004

Participants arrive in the evening at Hotel Posadas de España

C/ Graham Bell 4
Parque Tecnológico de Andalucía (PTA)
29590 Campanillas (Málaga)
Tel: +34.95.123.3000
Fax: +34.95.123.3001

Sunday, 14 March 2004

09:15 am **Pick up guests from hotel**
Visit Museum Picasso in the Centro Historico de Malaga
Visit Alcazaba de Malaga
Lunch
Visit Jardin Botanico La Concepcion

Monday, 15 March 2004

9:00 **Welcome of the participants at the Hotel**

Jamie Skinner, *Director, IUCN Centre for Mediterranean Cooperation*

9:15 **OPENING SESSION**

Carl-Gustaf Lundin, *Head, IUCN Global Marine Programme*

John Scanlon, *Head, IUCN Environmental Law Programme*

Pr David VanderZwaag, *Chairman, IUCN CEL Oceans Law and Governance*

Pr Tullio Scovazzi, *IUCN CEL, University of Milan*

10:00-11:30	Chairman: Elie Jarmache, Ifremer, France
<p>LEGAL CONDITION OF THE MEDITERRANEAN</p> <p>AND</p> <p>NATIONAL INITIATIVES EXTENDING JURISDICTION BEYOND TERRITORIAL WATERS</p>	<p><i>We will focus here on the legal condition of the Mediterranean sea and its specificity that the High seas represent mostly 80% of its waters. Keeping in mind that in the High seas, each State is in charge of implementing laws and regulations on its national subjects and cannot implement them on non nationals, the recent practice of extension of jurisdiction beyond the traditional 12 n.m. on finalized topics will be discussed here.</i></p> <p>Pr Haritini Dipla, <i>University of Athens, Greece</i> Maritime Delimitation in the Mediterranean and protection of marine biodiversity</p> <p>Pr Said Ihrai, <i>University Mohammed V, Morocco</i> The Exclusive economic zones of Morocco in the Mediterranean</p>
10:45 – 11:15	COFFEE
	<p>Daniel Silvestre, <i>S�cretariat G�n�ral de la Mer, France</i> The Ecological Zone, a French experience: Improved marine resources conservation and management in the Mediterranean?</p> <p>Pr David Vidas, <i>Fridtjof Nansen Institute, Norway</i> Croatia's Ecological and Fisheries Protection Zone in the Adriatic Sea</p> <p>Pr Tullio Scovazzi, <i>University of Milan, Italy</i> The Extension of Maritime Jurisdiction in the Seas surrounding Italy</p> <p>The Spanish legislation establishing a Zone of Fishery Protection - <i>Ministerio de Agricultura, Pesca y Alimentacion</i> - to be confirmed</p> <p>Discussions</p>
13:00 - 14:30	LUNCH

14:30 – 16:00**Chairman: Pr Habib Slim, University of Tunis, Tunisia**

**TRANSBOUNDARY
MARINE
PROTECTED AREAS
IN THE
MEDITERRANEAN:
LEGAL ISSUES**

The Mediterranean is puzzled of different legal regimes (each regime corresponds to a degree of powers that the interested States can exercise over them) and as a result, a marine protected area can have different legal status applying including the High seas regime.

The 1995 Protocol on Specially Protected Areas and Biodiversity in the Mediterranean organizes for the establishment of a Mediterranean network of protected areas in the High seas through a list of specially protected areas of Mediterranean Importance (SPAMI), inscribed by consensus of the Parties. However, support to the Protocol needs to be strengthened and issues of opposability of SPAMI to non-Barcelona States (as well as of other instruments to third Parties) will be of strong interest here.

Pr Josette Beer-Gabel, University Paris I, France
Legal Issues Pertaining to the Ligurian Sanctuary and issues of the management of fisheries

Marianne Laudato, Office Environnement Corse, France
Claudiane Chevalier, IUCN Centre for Med. Cooperation
The International Marine Park of the Mouths of Bonifacio and the regime of navigation in the international strait

Pr Aref Fakhry, International Marine Law Institute, Malta
Special Protective Areas in the Mediterranean

Pr Gemma Andreone, University of Napoli, Italy
Implementation of fisheries management and marine conservation instruments in the Mediterranean High Seas

Pr Habib Slim, University of Tunis, Tunisia
SPAMI as a tool for legitimization for the formation of a norm of a customary law at the regional level?

16:30 – 17:00**COFFEE**

Discussions and wrap up of the day**17:00 – 17:30**

Tuesday, 16 March 2004

09:00 - 11:30

Chairman: Pr José Juste Ruíz, University of Valencia, Spain

**COOPERATION
WITH RELEVANT
PROCESSES**

The workshop aims at launching a process exploring measures or means for fostering improved governance of Mediterranean marine biodiversity and set the path for further work for the IUCN Mediterranean Marine Law Specialist Group.

This session aims at focusing on the role of stakeholders in improving governance in the Mediterranean.

Alain Bonzon, GFCM FAO, Italy

The reform of GFCM as a tool for an enhanced management of marine resources in the Mediterranean.

Chedly Rais, MAP, Tunisia

Role and Development of the Barcelona system for an improved governance

Pr Lilia Khodjet el Khil, REMPEC, Malta

An improved cooperation for prevention of marine pollution in the Mediterranean: The Protocole for Prevention and Emergency Situation

DG Fisheries EU – to be confirmed

Henning von Nordheim, BfN, Germany

OSPAR and HELCOM experience in establishing MPAs in Territorial seas and Economical Economic Zones

Discussions

11:30 – 12:00

COFFEE

12:00 – 13:00

**CONCEPT
DEVELOPMENT
–
ORGANISATION
OF
STRUCTURED
DISCUSSIONS**

Chairman: Pr Tullio Scovazzi / Pr Jose Juste/ Pr David VanderZwaag

Facilitator: Carl-Gustaf Lundin/ John Scanlon

13:00 – 14:30

LUNCH

14:30 – 16:00 **CONCEPT** **Chairman: Pr Jose Juste / Pr David VanderZwaag**

**Facilitator: Carl-Gustaf Lundin/
John Scanlon**

16:00 – 16:30

COFFEE

16:30 – 17:30 **WAY FORWARD** **Chairman: Pr Jose Juste / Pr David VanderZwaag**

**Facilitator: Carl-Gustaf Lundin/
John Scanlon**

CLOSURE OF THE WORKSHOP
Carl-Gustaf Lundin/ John Scanlon / Jamie Skinner