

Conclusions

Towards an Improved Governance in the Mediterranean Beyond Territorial Sea 15-16 March 2004

This summary represents the key outcomes of the workshop in accordance with the workshop's key objectives, with the focus on the proposals for concrete actions.

Points agreed regarding Mediterranean high seas

Some countries have recently proclaimed their EEZ or other extended jurisdiction zones (Croatia, France, Spain and others) and recognized that the legal condition of the Mediterranean is undergoing a major evolution;

While the Mediterranean high seas are in many respects unique, the legal framework is nevertheless provided by the UN Law of the Sea Convention. It was highlighted by the UN Convention on the law of the sea is the general legal framework for the law of the sea;

As in several other regions, the issue of extension of jurisdiction is highly political because closely linked to issues of maritime delimitation;

The lack of coordination of national initiatives of extension of jurisdiction *ratione materiae* (fishery, marine pollution...) is a major obstacle to the development of coordinated legal framework for integrated resource management. Extension should be promoted on a voluntary and regional basis in a concerted manner.

- _ **Proposition:** Several raised the need of fostering an integrated approach regarding the topic of extension of jurisdiction. The idea of an informal structure to be used as a forum for management and prevention of litigation and for developing compromising solutions was raised. Besides, was proposed to organise periodical conferences open to States, governmental organisations and non governmental organisations in the field of marine areas in the Mediterranean.

Points agreed regarding the lack of regional cooperation

The issue of governance in the Mediterranean is particularly complex and lacks transparency. The necessary information is not made available to States and this information gap impedes the development of an effective and integrated legal framework for marine conservation.

- _ **Proposition:** development of a *guide* listing the actors, processes and legal tools to make information available
- _ **Proposition:** supporting a continuing process of regional cooperation to support an effective and integrated *implementation of national law*, build capacity of States and better implement their international obligation
- _ **Proposition:** improved coordination should be supported between the governance debate in the Mediterranean and developments in the international agenda

Points agreed regarding relevant effectiveness of international instruments in the Mediterranean

The relevant global instruments and arrangements should be signed, ratified and implemented effectively by all Mediterranean and other relevant States.

- _ **Proposition:** explore legal means available to *strengthen implementation* of international instruments. Concretely, such study would identify measures of non compliance existing in multilateral environmental agreements that could be integrated in international instruments related to ocean conservation.