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Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union at the 22nd meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols as regards the adoption of a decision to amend the Regional Plan on Marine Litter Management in the Mediterranean in the framework of Article 15 of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities (LBS Protocol)

COUNCIL DECISION (EU) 2021/...

of ...

on the position to be taken on behalf of the European Union at the 22nd meeting of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols as regards the adoption of a decision to amend the Regional Plan on Marine Litter Management in the Mediterranean in the framework of Article 15 of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities (LBS Protocol)

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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The amended Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean ('the Barcelona Convention') for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities ('the LBS Protocol') was concluded by the Union by means of Council Decision 1999/801/EC¹ and entered into force on 11 May 2008.
- (2) Pursuant to Article 15(1) of the LBS Protocol, the meeting of the Contracting Parties to the Barcelona Convention and its Protocols is to adopt regional action plans containing measures and timetables for their implementation.
- (3) During their 22nd meeting from 7 to 10 December 2021, the Contracting Parties to the Barcelona Convention and its Protocols are expected to adopt a decision ('the Decision of the Contracting Parties') to amend the Regional Plan on Marine Litter Management in the Mediterranean ('the Regional Plan') in the framework of Article 15 of the LBS Protocol. The Decision of the Contracting Parties will provide new definitions and will expand the scope of measures in four key areas (economic instruments, circular economy of plastics, land-based sources of marine litter and sea-based sources of marine litter).

¹ Council Decision 1999/801/EC of 22 October 1999 on accepting the amendments to the Protocol for the protection of the Mediterranean Sea against pollution from land-based sources (Barcelona Convention) (OJ L 322, 14.12.1999, p. 18).

- (4) The Decision of the Contracting Parties relates to the protection of the environment, which is a shared competence between the Union and its Member States under Article 4(2), point (e), of the Treaty. The Decision of the Contracting Parties does not fall within an area which is largely covered by Union rules concerning such protection. The Union does not intend to make use of the possibility of exercising its external competence with regard to areas covered by the Decision of the Contracting Parties in relation to which its competence has not yet been exercised internally.
- (5) It is appropriate to establish the position to be taken on the Union's behalf at the meeting of the Contracting Parties to the Barcelona Convention and its Protocols, as the Decision of the Contracting Parties concerns the adoption of amendments to the Regional Plan that will be binding on the Union pursuant to Article 15(3) of the LBS Protocol.
- (6) Since the envisaged amendments to the Regional Plan are in line with the Union's ambition to reduce pollution and improve the protection of the environment, the Union should support the adoption of the Decision of the Contracting Parties,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf at the 22nd meeting of the Contracting Parties to the Barcelona Convention and its Protocols shall be to support the adoption of a decision to amend the Regional Plan on Marine Litter Management in the Mediterranean in the framework of Article 15 of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities.

Article 2

In the light of developments at the 22nd meeting of the Contracting Parties to the Barcelona Convention and its Protocols, refinement of the position referred to in Article 1 may be agreed to by the representatives of the Union, in consultation with Member States, during on-the-spot coordination meetings without a further decision of the Council.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

For the Council

The President
