

Background and rationale Protocol on (Environmental) Monitoring, Assessment and Information Exchange to the Tehran Convention.

(Note by TCIS)

In the meeting of 8 June 2021, at which the Contracting Parties reviewed the text of the draft Protocol on (Environmental) Monitoring, Assessment and Information Exchange, Tehran Convention Interim Secretariat (TCIS) offered to provide some points to clarify the background and rationale for the Protocol. The points which may serve that purpose are the following.

The Caspian Environments Programme (CEP) as supported by the UNDP GEF CASPECO project, inter alia, provided for:

1. Building upon the Regional Environmental Monitoring Program initiated under CEP I and II, the development of a unified, integrated and affordable Caspian ecosystem monitoring program (EMP) among all five Caspian countries, by a working group comprised of one technically qualified expert from each of the 5 Caspian countries. The EMP was to include specific practical information such as agreed parameters (including socio economic), methods for the inter-calibration of the parameters for monitoring of ecosystem health as well as methods and types of equipment to be used.
2. The development of standard reporting formats for collecting information and reporting on the primary types of technical (quantitative) and programmatic (qualitative) data required under each protocol. Harmonized data would allow countries to apply common approaches and criteria to protocol implementation.
3. The development of a regional framework to track implementation of regionally agreed measures (Protocols, CAP, NCAP) using a suite of measurable indicators essential for the monitoring and evaluation of the implementation of the protocols and selected partnerships in specific thematic areas. The indicators would enable the countries to focus their reporting and to better monitor and evaluate progress as well as provide regular progress reports on the implementation of the Convention and the Protocols.
4. The development of a web-based Caspian (Environment) Information Centre (CEIC): an internationally accessible database on environmental health parameters in the Caspian Sea, promoting data collection, monitoring, analysis, harmonization and public communication, building upon work done to create the Unified EMP and work done to harmonize environmental reporting.
5. The preparation of biennial reports on the state of the environment of the Caspian Sea and a Biodiversity Atlas for the Caspian. The activity would aim at ensuring and improving the availability of regular comprehensive reports providing accurate, up-to-date and accessible information about environmental conditions of the Caspian Sea and thereby enhancing the consciousness of the civil society.

The Tehran Convention and its ancillary Protocols were meant to codify the work under the CEP and provide a legal framework for it. Consequently, by and following their entering into force the Contracting Parties:

- committed to collect, exchange and disseminate information related to the marine environment of the Caspian Sea, its biological diversity conservation, pollution from land-based sources, oil pollution incidents, and activities which are likely to cause significant transboundary impact;
- developed and welcomed the EMP which organizes the common baseline and collection of the original monitoring data/information;
- commissioned SOE reports which provide policy makers and the public at large an analysis and assessment of the data in terms of their impact and effect/ influence on the waters of the Caspian Sea;

- developed and adopted the unified reporting format for harmonized, common reporting on what has been done with the data/information;
- commissioned the web based CEIC as the thesaurus for the data and information related to the protection of the marine environment of the Caspian Sea;
- established the WGMA to assist the Convention Secretariat and provide expert advice on how to promote and oversee the implementation of these means and tools.

At COP5 the Contracting Parties called for a legal instrument for information sharing, in support of the implementation of the Tehran Convention, in particular articles 19 and 21, and its ancillary protocols. The instrument was supposed to frame, build on and bring specifics to the work done, by regulating and committing the Parties to:

- Systematic, harmonized monitoring and analysis of the quality of the water of the Caspian Sea based on agreed objectives and standards for a distinct number of parameters (in line with the provisions of the EMP);
- harmonized periodic reporting on the implementation of the TC and its Protocols (in line with the requirements of the unified reporting format and parameters for SOE reporting);
- through the web based CEIC and SOE reports, promoting and ensuring access to information on the state of the Caspian Sea environment for policy makers and the public at large.

Against the background of the above and in negotiating the proposed Protocol on (environmental) Monitoring, Assessment and Information Exchange, the Contracting Parties may consider/confirm the following:

1. The Protocol does not exclusively focus on monitoring and creating comparable sets of data for policy makers, but also provides a common frame regulating and reporting the information exchange in the broader sense;
2. The Protocol is not meant to contradict or interfere with the relevant provisions of the Convention and its ancillary Protocols but to promote and harmonize implementation through the means and tools it codifies and regulates (EMP, Unified reporting, SOE reporting and the CEIC);
3. The Protocol is a formally binding legal instrument, whereas the EMP, the Unified Reporting format, SOE reporting and the CEIC offer sets of implementation measures open for change and adaptation to emerging trends and developments. Issues like institutional matters, such as the establishment, Terms of Reference and composition of the WGMA, as well as the actual water quality objectives and standards that need to be adhered to, may well be left to the COP to decide when it deals with reviewing or updating the implementation means and tools mentioned above.