

Decision IG.21/13

Governance

The 18th Meeting of the Contracting Parties,

Recalling Article 17 of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean hereafter called the Barcelona Convention,

Recalling Decision IG 17/5 adopted by the fifteenth meeting of the Contracting Parties in Almeria (2008) launching the Governance reform of the Barcelona Convention/Mediterranean Action Plan (MAP) as well as follow up measures taken by the Parties and the Secretariat in implementing this decision,

Recalling Decision IG 20/13 adopted by the seventeenth meeting of the Contracting Parties in Paris (2012), underlining the Contracting Parties' commitment to continue strengthening the Governance system of the Barcelona Convention/MAP based on an increased involvement of the Contracting Parties,

Bearing in mind the Paris Declaration also adopted by the seventeenth meeting of the Contracting Parties (2012) calling for the establishment of the conditions for transparent, effective and enhanced institutional Governance of the Barcelona Convention/MAP, as well as pursuing reflection on its institutional reform, taking into account in particular the results of the functional review, and drawn up in close cooperation with the Contracting Parties,

Welcoming the actions carried out to bring the Barcelona Convention/MAP system into conformity with the Governance Decisions taken by the Contracting Parties and in particular measures taken by the Secretariat to improve the sound and efficient management of resources as well as the efforts and contributions of Contracting Parties at the Bureau, the meetings of MAP Focal Points and other informal endeavors on ways to improve the governance of the Barcelona Convention/MAP,

Appreciating the work of the Bureau of the Contracting Parties with the support of the Coordinating Unit in clarifying the mandate and operational procedures of the Bureau of Contracting Parties and their recommendation at the 77th session (Ankara 2013) that the document be submitted for adoption at the eighteenth COP meeting,

Noting with satisfaction the efforts by the Secretariat to provide with an independent functional review of the Barcelona Convention/MAP system which has supported the deliberations by Contracting Parties on possible institutional reforms,

Decides to:

- ***Adopt*** the new Terms of Reference of the Bureau of the Contracting Parties to the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Annex I);
- ***Adopt*** the measures to strengthen the Barcelona Convention/MAP Governance and Management as described in Annex II, and requests the Secretariat to report at each meeting of the Bureau of the Contracting Parties on the progress achieved in their implementation;

- **Urge** countries hosting MAP Regional Activity Centers to finalize the processes to sign the new Host Country Agreements as soon as possible in accordance with the provisions in Decision IG 20/3 adopted at the seventeenth meeting of Contracting parties;
- **Request** the Secretariat, MAP Components and the Contracting Parties as need be, to implement the measures agreed under this decision before the nineteenth meeting of the Contracting Parties in 2015.

Annex I

Terms of Reference of the Bureau of the Contracting Parties to Barcelona Convention

Composition and tenure

Article I

1. The Bureau of the Contracting Parties shall be composed of representatives of six Contracting Parties elected by the Ordinary Meetings of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols.

Article II

1. The members of the Bureau shall serve as the President, the four Vice-Presidents and the Rapporteur and shall be elected at the commencement of the first sitting of each ordinary meeting.
2. A representative of the State hosting the meeting of the Contracting Parties shall be elected President of the Bureau and act in such capacity until a new President is elected at the next Meeting of the Contracting Parties.
3. In electing the members of the Bureau, the Contracting Parties shall seek to ensure rotation amongst the Contracting Parties, and will take into account regular payment of the contributions of the Contracting Parties to the MTF and regular attendance at the meetings of the Contracting Parties.
4. Two members of the Bureau will be elected from each of the three groups of Parties to the Convention.
5. A representative of the State that is going to host the following meeting of the Contracting Parties shall be one of the members of the Bureau. In case of no decision in this regard at the moment of the election of the Bureau members, a representative of that State will become an ex-officio member of the Bureau from the moment a decision is made on the venue.

Article III

1. The members of the Bureau are elected in their personal capacity and shall hold office until the election of the new Bureau at the next Ordinary Meeting of the Contracting Parties.
2. At least four members shall be replaced at each ordinary meeting, and no State may be a member of the Bureau for more than two consecutive periods, except for ex-officio members, as established in Article II (5).
3. In case of temporary absence of the President, one of the Vice-Presidents designated by him/her shall serve as President of the Bureau.
4. If a member of the Bureau resigns or otherwise becomes unable to complete his term of office, a representative of the same Contracting Party shall be named by the Contracting Party concerned to replace him/her for the remainder of his/her mandate.
5. The Coordinator shall assist the Bureau in its work and shall sit ex-officio on the Bureau.

Meetings

Article IV

1. The work of the Bureau will be carried out both by electronic means (audio and teleconferences and email) and through face-to-face meetings. The Bureau shall meet at least twice a year for a two or three day period, in regular meetings, and in extraordinary meetings, upon one month's notice, as may be necessary for the efficient discharge of its duties upon the summons of its President or upon request by one of its members.
2. Unless decided differently, the Bureau shall hold its meetings at the Headquarters of the Coordinating Unit. In case a Contracting Party offers to host a meeting of the Bureau, it shall bear the additional costs of holding the meeting in a venue other than the Coordinating Unit Headquarters.
3. The Bureau members may be accompanied to the meetings of the Bureau by advisors, as they may consider appropriate. Travel costs of advisors are born by the relevant Contracting Party.

Organizational matters

Article V

1. The meetings of the Bureau shall be convened by the Secretariat in consultation with the President of the Bureau.
2. Invitations to the meetings of the Bureau shall be sent out by the Secretariat to the members of the Bureau.
3. All Contracting Parties of the Convention which are not members of the Bureau shall be informed about the intent to hold a meeting of the Bureau and of about the agenda.
4. The Bureau may invite any Contracting Party which so requests to participate as an observer in its deliberations on any matter of particular concern to that Party, on their own expense.
5. The Secretariat shall, in consultation with the President of the Bureau, prepare the draft Agenda for each Bureau meeting, which can be completed or amended by the members of the Bureau, giving adequate advance notice to that effect.
6. Once finalized the Agenda of the Bureau shall be shared with all Contracting Parties.

Article VI

1. The Secretariat shall prepare the documents needed for the discussion of the various agenda items. These documents shall be sent one month before the meeting and shall include as a minimum the following:
 - provisional agenda and annotated provisional agenda;
 - status of contributions and letters requesting payment or reminders, as appropriate;
 - status of funds committed;
 - progress reports of the Coordinating Unit and the MAP Components on activities carried out;
 - recommendations on specific questions;

- identification of the main international and national events, whose results contribute to a better knowledge of environmental development and of sustainable development in the region and which may provide a sounder basis for decision making.

Article VII

1. The working languages of the meetings of the Bureau shall be English and French.
2. The Bureau adopts its decisions by consensus. In cases where consensus cannot be reached, decisions will be made with the favorable vote of four members of the Bureau but the dissenting opinions should be reflected in the report of the meeting.
3. The reports of the Meetings of the Bureau consist of conclusions and recommendations of the Bureau meetings drafted by the Rapporteur with the support of the Secretariat and adopted in session. The final edited report shall be distributed in the working languages of the Bureau by electronic means, as soon as available, but no later than one month after the meeting, to the focal points of the Contracting Parties. Such reports shall also be made available to the ordinary meeting of the Contracting Parties taking place subsequently after the relevant meetings of the Bureau, as information documents.
4. Representatives of a Party taking part in the Bureau proceedings or meetings may use a language other than the working languages of the Bureau, only if that party provides for the interpretation.

Article VIII

1. The members of the Bureau shall consult before the meetings of the Bureau, with the focal points of the Contracting Parties of the group of Parties to the Convention from which they were elected, on the issues of the agenda of the meetings.

General Mandate

Article IX

1. The Bureau members serve as the officers of the meetings or conferences of the Contracting Parties.
2. The Bureau is not a negotiating body. In the intersessional period between ordinary meetings of the Contracting Parties, and on their behalf, the Bureau reviews and evaluates progress in the implementation of the Convention and its protocols, and the decisions of the Contracting Parties, and provides guidance and advice to the Secretariat on all policy and administrative matters related to such implementation.
3. The Bureau makes recommendations, as appropriate, for consideration at the following meeting of the Contracting Parties, on issues of the agenda of that meeting, and overviews the preparations for those meetings including advice to the Secretariat on how to enhance the preparations, efficiency and results of the meetings of the Contracting Parties, and on any other matters brought to it by the Secretariat.
4. The Bureau carries out interim activities as may be necessary to execute the decisions of the Contracting Parties and performs any other function as may be entrusted to it by the Conference of the Parties.
5. The Bureau works together with the Secretariat on measures to enhance the functioning of the Secretariat and MAP Components, taking into account, inter alia, cost benefit analyses, performance and success indicators. To this aim, an evaluation report shall be submitted to Meetings of the Contracting Parties to facilitate on future planning of the Barcelona System.

Programme of Work and Budget

Article X

1. The Bureau shall provide guidance to the Secretariat on the preparation of the draft work programme and budget proposals for the next biennium including on the indicative planning figure in line with MAP's planning processes.
2. At its meetings, the Bureau shall consider the draft work programme and budget proposals prepared by the Secretariat and make recommendations to the Conference of the Parties.

External Relations

Article XI

1. The Bureau may, in periods between the meetings of the Contracting Parties, review the relations with similar regional Conventions and Action Plans, international financial institutions and programmes and relevant Intergovernmental and non-governmental organizations. In cooperation with the Coordinating Unit, the Bureau may submit to the meetings of the Contracting Parties policy proposals concerning such a relationship.

Emergency Situations

Article XII

1. The Bureau shall decide, during its meetings or by electronic means, with the Coordinating Unit, on responses in case of emergency situations and shall take emergency measures within the functions and financial resources of the Convention and Action Plan to deal with events requiring immediate action. The Contracting Parties shall be informed of any such decision within two months of its adoption.

Annex II

Measures to strengthen Barcelona Convention/MAP Governance and Management

Introduction

With a view to enhance effectiveness, coherence and transparency in the governance of the Barcelona Convention/MAP system and further to the reflections and recommendations on institutional reform at the MAP Focal Points and Bureau Meetings during the 2012-2013 biennium, the Parties agree to adopt the following measures to strengthen the governance and management of the system.

I. The focal point system – Thematic Focal Points

The current MAP Components Focal Points system will be refocused into Thematic Focal points so as to promote an integrated and coherent approach in the implementation of the Convention, its Protocols and the Programme of Work, generate system-wide interest and optimize costs while avoiding fragmentation.

Thematic Focal Points will perform the functions assigned to Focal Points under Article 24 of the Protocol concerning Specially Protected Areas and Biological Diversity and Article 30 of the Protocol on Integrated Coastal Zone Management. They will be the national liaison for the implementation of the technical and scientific aspects of thematic Protocols and in this context cooperate with the Secretariat and the corresponding supporting Centres as well as disseminate information at the national, regional and local level.

Since 2014-2015 is a transition biennium, current component focal points consistent with the themes in existing Protocols and the Strategic Programme of Work will be maintained. The Secretariat with the support of the Bureau will prepare more concrete proposals for next biennium.

Technical Working Groups and Correspondence Groups may be created for specific purposes, as need be.

The Secretariat with the support of the Bureau will prepare more concrete proposals for next biennium.

II. Integrated strategic planning process

The strategic planning process will help increasing the quality of decision-making; improving the communication with key actors and their participation, accommodating their divergent interests and values; promoting its successful implementation; fostering accountability; and, improving long-term performance. The process is to be led by the Contracting Parties in making strategic choices and setting the priorities (top-down). Thematic focal points provide technical guidance within the results to be achieved (bottom-up).

The current Programming cycle of the Five Year Mid-term PoW will be aligned with the COP decision-making and the Ecosystems Approach (EcAp) cycles, be integrated and strategic. This alignment will follow UNEP's practice under the Medium-term Strategy.

The initial phase of the strategic programming process will be the External Evaluation of the preceding Strategic Plan, which will be the first instance of consultation with the Contracting Parties, MAP Partners and other external relevant actors. The evaluation process will be participatory and the draft evaluation report will be shared with MAP's constituency and be

accompanied with a questionnaire on strengths, weaknesses, opportunities and threats (SWOT) of the Barcelona Convention/MAP system. The analysis of the responses to the questionnaire will guide the second phase focused in identifying the issues to be considered in designing the thematic framework of the Midterm Strategy.

An issues paper for consultation will be prepared by the Secretariat following the guidance of the First Bureau Meeting to facilitate the second phase. The paper will be based on the SWOT analysis of the system, the findings of the existing Mid-term Strategy, a scan of major programmes, projects and processes contributing to the implementation of the Mid-term Strategy (external actors) and main gaps in implementing the Convention and Protocols at national level also identifying technical assistance needs. In addition, new issues and remaining challenges to be addressed by the new Midterm Strategy will be identified.

The issues paper will be subject to a comprehensive consultation process facilitated by a virtual consultation platform, with the MAP and thematic Focal Points, the MCSD members, MAP Partners, regional stakeholders, and, where appropriate, global stakeholders, with full involvement and guidance of the Second Bureau of the Contracting Parties.

Based on the results from the consultation and drawing on the assistance from MAP Components, the Secretariat will prepare a strategic framework for the Midterm Strategy which clarifies the structure and content of the future Mid-Term Strategy, to be considered and endorsed by a first meeting of MAP Focal Points in March 2015. The guidance of MAP Focal Points will be the main reference to develop a full-fledge draft Mid-term Strategy. The Strategy will include major global and regional trends, lessons learned and comparative advantages; a vision; the main strategic directions/themes; the means of implementation including partnerships, institutional mechanisms and resources; the monitoring and evaluation cycle; and, a results matrix including objectives; expected outcomes and corresponding strategic targets to achieve.

The Secretariat with the support of MAP Components will prepare a Draft Midterm Strategy for consultation with the Third Bureau of the Biennium.

The Biennium Programme of Work will be aligned with the Midterm Strategy. Its preparation will start immediately after endorsement by MAP Focal Points of the strategic framework. The Coordinating Unit will lead the process with the support of MAP Components, and will be responsible for timely compilation and consolidation of the feedback received from the thematic Focal Points. Based on the strategic themes, overall objective, outcomes and strategic targets in the Midterm Strategy, the Biannual Programme of Work will develop results and specific, measurable, achievable, relevant and time-based (SMART) indicators that allow to monitor progress in activities; links with the Convention, Protocols, adopted Strategies and decisions of the Contracting Parties; links to other actions; indication of resources; and, assumptions and risks.

More advanced versions of the Mid-term Strategy and the Biennium Programme of Work will be submitted to the Bureau and the final draft versions to MAP Focal Points before submitted to COP for adoption.

III. Boosting use of system-wide competencies for improved operational management and knowledge sharing

MAP Components and the Coordinating Unit provide a well-structured foundation for an efficient hub of political and technical expertise to protect and manage the Mediterranean coastal and marine environment that could be further strengthened as follows:

Thematic Groups of selected representatives of Components will be set up to focus on critical themes that require internal attention such as technical and horizontal thematic issues or operational ones (for ex. communication, fundraising, proposal pipeline, monitoring and evaluation, financial management). These groups should convene regular virtual meetings to identify areas of common concern and explore joint planning and programming.

MAP/Barcelona Convention should also explore establishing external practice areas on those substantive issues that it has a clear knowledge lead for the benefit of the whole region. These virtual practice groups would provide needed knowledge sharing and dissemination as well as a link to knowledge centers which are not yet part of the system. The Executive Coordination Panel should repurpose itself as a strong operational management body between the Barcelona Convention/UNEP-MAP Coordinator and MAP Components Directors.

IV. Communications and Visibility

In order to make the achievements of the Barcelona Convention/MAP more visible, the Communication Strategy adopted in COP 17 should be fully implemented and in particular its visibility rules and standards. Clarifying the rules and regulations around using the Barcelona Convention/MAP, UNEP and UNEP/MAP brands for communication will be particularly important. The guiding principle should be to use the brand only for work that has been approved by the Contracting Parties and funded by the MTF. All other work should not be branded as Barcelona Convention/MAP, UNEP or UNEP/MAP work. A distinction between work funded by the MTF and work funded by external donors should also be made.

V. Budget Contact Group

A Budget Contact Group should be set up during COPs, in order to facilitate informed discussion among the Parties of the Barcelona Convention/MAP about its budget that can take account of draft decisions and the state of contributions and commitments in the on-going biennium.

