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**MEDITERRANEAN ACTION PLAN**

Meeting of the MED Unit and Regional Activity Centres

Athens (Greece), 23 January 2006

**MAP EVALUATION RECOMMENDATIONS  
(Extract)**



## RECOMMENDATIONS

### Vision and Strategic Statement

The Convention should develop a Vision and Strategic Statement that would encompass the whole process and current structure.

This document should set the road map for coordinated and concerted efforts of the COP and Bureau; the RACs and Programmes, the MCSD, the system of focal points, and the Secretariat. The Statement should aim to ensure that all these components work in synergy and achieve tangible and quantifiable results. The terms of reference, roles and responsibilities of each component, in particular of each RAC and programme and the MCSD, should be clearly defined.

This document should attempt to be practical, problem solving and action-oriented.

The Vision and Strategic Statement should be based on the understanding that the main contribution that the Convention system can make to the quest for sustainable development is the effective implementation of the Convention and its Protocols. This should be the highest priority and the system should develop the capacity to provide assistance to Parties in this direction. This approach should also take into account the fact that some Protocols require substantial resources for effective implementation.

The Convention and its Protocols should be re-valued as the central international law instruments that are at the basis of the process.

The Vision and Strategic Statement should make use of section 2.7 of the MSSD entitled: 'Promoting sustainable management of the sea and coastal zones and taking urgent action to put an end to the degradation of the coastal zones'. The concept of 'ecosystem services', coined by the report of the Millennium Ecosystem Assessment launched in March 2005, could also serve as the basis for the elaboration of the Vision and Strategic Statement.

There is a general and strong demand of more on-the-ground action, going beyond the adoption of resolutions and the preparation of guidelines and technical and policy analysis. The implementation of the Vision and Strategic Statement should contemplate, in the first instance, a limited number of regional programmes that would encourage the participation of the 22 Parties. It is very important that the Convention continues to be, or becomes, relevant to all Parties, both developed and developing countries and countries with economies in transition. MEDPOL is widely recognized as the most successful undertaking of the Convention and could serve as a model for other region-wide programmes.

In addition to these regional programmes, a series of sub-regional initiatives should be considered in order to cater to the specific needs of groups of Parties, provided that there is a guarantee of full participation of all those interested. This sub-regional approach could benefit from being associated with the methodology of EU regional policy instruments.

'Type II' initiatives similar to those launched at the World Summit for Sustainable Development (WSSD) should be envisaged at the regional and sub-regional levels.

A 'Resource Mobilization Plan' that contemplates all the components of the Convention process and in particular the RACs and programmes, should also be included within the Vision and Strategic Statement.

To improve the Convention's political visibility, a 'Davos-like approach' should be envisioned, involving political leaders, relevant corporations, other actors in the business sector, economic circles and other public figures.

### **Ratifications**

Pending ratifications and some inconsistencies in the ratifications by some Parties are key questions because they are at the base of the credibility of the whole process. The COP should seriously look into this matter and the Coordinator, with the active support of the Bureau and the Depositary, should take a much more proactive role in working with the Parties on this matter. To this end:

- a) it will be important that the COP considers electing to the Bureau Parties that are in good standing with regards to the ratifications, so that they can assist in this matter from a position of moral authority; and
- b) the Secretariat should improve its working relations with the officials in Spain dealing with the Depositary function with a view to: i) enlist their support in promoting ratifications through the appropriate use of diplomatic channels; ii) remain constantly up-to-date concerning the status of ratifications; and iii) maintain files in the Secretariat with copies of all the relevant documents of ratification.

It appears that the Protocol for the Protection of the Mediterranean Sea against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil (Offshore Protocol, Madrid, 1994) is unlikely to enter into force. It may therefore be appropriate to consider rescinding the agreement, so as to avoid dragging an instrument of international law that has little value in practice, in particular since its provisions are already covered by a global instrument.

### **Reporting and compliance**

The establishment of a compliance mechanism should constitute a high priority.

The reporting system being established for the Convention should be such that it does not become yet another burden for overworked Focal Points, but rather an instrument that can be used as a national planning tool for the implementation of the Convention and its Protocols. This tool should also be designed as an on-going, on-line reporting system, so that data can be entered at all times, avoiding the rush of producing a national report when the deadline approaches. The effort made by the Secretariat in comparing the reporting requirements and practices of other Conventions should be put to practical use in order to assist Parties to converge towards the very the important, yet elusive, 'joint reporting system'.

The Secretariat should be instructed to analyse the possibility of coupling the reporting system with other on-going exercises, such as the preparation of the Human Development Report undertaken by the United Nations Development Programme (UNDP) and/or the reports on environmental performance carried out by the Organization for Economic Cooperation and Development (OECD) and the United Nations Economic Commission for Europe (UNECE).

### **Political clout**

As in all intergovernmental treaties, the main entry point of the Convention in each Party should be the Ministry of Foreign Affairs, with other appropriate line ministries being involved in the technical aspects of the development and application of the treaty. To this end:

- a) the COP should adopt a decision requesting the Parties to designate their Ambassadors in Athens, or in the nearest capital, as the Permanent Representatives to the Secretariat of the Convention;
- b) the Secretariat should establish and maintain active contacts with the Permanent Representatives, keeping them informed of all developments and informing them of all Convention meetings;
- c) the Secretariat should organize briefing sessions for the Permanent Representatives at regular intervals during the year and at any other time there is an identified need; and
- d) all formal communications to the Parties should be transmitted under cover of a diplomatic note (*note verbale*) addressed to the Permanent Representatives, with copy to the Convention Focal Points.

In order to increase the visibility of the Convention – and thus its political clout – and also as a capacity building tool, the Secretariat should organize regular official visits to each Party, preferably by the Coordinator. Eleven Parties should receive an official visit each year – using, if appropriate, the opportunities provided by regional or international meetings – in such a way that each Party would receive an official visit every two years.

These visits should last for approximately three days and should encompass, as a minimum: i) meetings with the line Minister(s); ii) a visit to the Ministry of Foreign Affairs; iii) a working session with the Focal Points, iv) an encounter with representatives of civil society groups; and v) a press conference and interviews with the press. A lecture on the Convention and its process at a public and prestigious venue should also be envisaged. In each case, consideration should be given to organizing a media event (an inauguration, opening of an exhibition, launching of a major study, etc.).

### **The Conference of the Parties (COP)**

Each COP should define the key issues that should be in the agenda of the next meeting, in particular those issues of a strategic nature, so that the work for preparing well thought-out proposals could start immediately after the COP.

Preparations of the key decisions of the COP should be done with much more lead-time, allowing for more consultation with the Parties and the involvement of the Convention partners and other stakeholders.

The ministerial segment of the COP should be planned well in advance (one year) in terms of issues to be discussed and outcomes. Professional facilitators should be used. The aim should be to: a) use the presence of Ministers in a meaningful way; and b) ensure that Ministers go back home with the feeling that their attendance has been worthwhile, which in turn would be translated in more political support for the Convention.

The COP should avoid, at all cost, the adoption of sweeping resolutions without clear plans and identified resources for implementation. Repeating this practice will undermine the credibility of the Convention and its processes.

There should be a modification of the manner in which the decisions of the COP are worded and numbered. Until now they are registered in a very confusing manner in terms of content, language and numbering, resulting in many cases in a lack of clarity as to whom they are addressed to and as to the real intent of the decision. All decisions are registered as 'Recommendations', even if some of them are giving instructions to the Secretariat, and thus, have the value of 'resolutions', not 'recommendations'.

It is recommended that all decisions of the COP be registered as 'Decisions' using the numbering system in place in most Conventions: a roman number to indicate the COP number, followed of the Arabic numbers in chronological order (e.g. Decision XIV.1, XIV.2, etc.). Each Decision should have a preambular section providing the background and justification for the Decision followed by the operative paragraphs. There would be no need to differentiate between 'resolutions' and 'recommendations' since the intent of the Decision would be evident in the operative paragraphs.

The Rules of Procedure of the Conference of the Parties should be amended to bring them up-to-date with the present situation of the Convention. The acceptance of some of the recommendations put forward in this report would also require amendments to the Rules of Procedure. In an advanced briefing note for the Bureau on the results of the External Evaluation prepared for its meeting in June 2005, a detailed proposal for amending the Rules of Procedure was submitted as part of the briefing note.

### **The Bureau**

The COP may consider incorporating as an additional Bureau member the Party that will host the next Conference of the Parties. In this case, this Party would not be a candidate in the election of Bureau members since its seat would be already secured.

Parties, and not individuals, should be elected to the Bureau. The COP should pass a decision to the effect that the representation of Parties in the Bureau should be at the level of Ministers or their representatives.

### **The role of the Secretariat**

The COP should pass a resolution by which:

- a) the MAP Coordinating Unit (MEDU) should be renamed 'Secretariat of the Convention';
- b) the head of the Secretariat should have the title of 'Executive Secretary of the Convention' (as is the case of all the other Conventions administered by UNEP);  
and
- c) the Coordinator [Executive Secretary] should act on UNEP's behalf in dealing with all issues related to the Convention, including the issuing of invitations to the COP and other Convention meetings, preparing the agendas, reporting on administrative and financial matters, etc., as it is the common practice in all other UNEP-administered Conventions. The Rules of Procedure should be amended accordingly.

The Coordinator [Executive Secretary] should pay much more attention than is currently allotted to the diplomatic and political dimension of his/her function by establishing and maintaining contacts at higher political levels that has been the case so far. He/she should

also concentrate more on strategic issues and on the synergy with other key conventions, institutions and processes, leaving a Deputy Executive Secretary in charge of the administrative and day-to-day operational issues of the Secretariat.

Another key function of the Coordinator [Executive Secretary] should be the coordination and supervision of the work of all the RACs.

The Secretariat should reinforce its capacity to efficiently serve the key Convention processes, such as the preparation and running of the COP and the meetings of the Bureau and the Convention MFPs, the proposed briefings to the Permanent Representatives, issues of compliance, the national reporting process and questions related to ratifications and legal interpretations of the Convention and its Protocols. To this end, the Secretariat should review the level and capacity of the post assigned to these functions.

The Secretariat should take all necessary steps to ensure that at no time it 'looses contact' with any of the Parties, in spite of the frequent changes of organization charts, personnel and attribution of responsibilities that are common in the public administration of all countries. When the contacts appear to have been lost and all attempts to re-establish connections by regular means of communication have failed, an official from the Secretariat should be dispatched to the country in question to find out who is now in charge of the Convention and to make all necessary efforts to bring the Party back on board. With only 22 Parties to deal with, the Secretariat can and should maintain fluid and effective contacts with all Parties at all times.

The Secretariat has the obligation to ensure the quality of all documents that carry the imprimatur of the Convention (e.g. those produced by the RACs), including working documents of all Convention-related meetings. This includes the need to ensure the quality of language in all language versions. To this end, the Secretariat should use the service of a language editor to supervise the text in the original language and then use professional translators for the other language(s).

It would be advisable to undertake an external audit by a professional firm of the internal organization, administrative system, financial management and general *modus operandi* of the Secretariat in order to identify ways and means to render it more efficient.

The Bureau of the Convention should negotiate an agreement with UNEP HQ in Nairobi to expedite the recruitment procedures in order to reduce the long months that it currently takes to have new staff members on board in the MAP Secretariat.

### ***Resource mobilization***

In relation to resource mobilization it is recommended that:

- a) all fundraising efforts be fully coordinated by the Secretariat;
- b) efforts should be made to diversify funding sources, including the private sector in these efforts;
- c) a clear mechanism must be set up in order to assist Parties in project development and fundraising, so that they can implement the Convention and its Protocols and the recommendations of the MCS. This mechanism should be established in the Secretariat but should also build the capacity of the RACs in project development and fundraising;

- d) an overall financial reporting system must be devised. It should be simple, clear and easy to understand, covering all activities and organs of the Convention; and
- e) donors must be encouraged to participate as observers in the Convention meetings, so that they are kept informed of developments and can express their views, especially on planning issues.

The Convention and its components, in particular the RACs, need to establish efficient communication with funding agencies and to follow-up developments in the region in relation to the funding facilities under several regional and bilateral programmes and organizations. When relevant, RACs should also consider involving the private sector in public-private partnerships. Mobilization of financial resources from corporations, as a part of their corporate social responsibility, should be actively pursued. These resources could be used as seed money for major resource mobilization activities. It is proposed that CP/RAC be entrusted with an important role in setting up links with the private sector.

### **The Regional Activity Centres (RACs)**

The RACs and Programmes should identify tools and/or mechanisms to assist countries in making use of their outputs and services at the national level. This could be done:

- a) by identifying and devising tools and/or mechanisms that would help the FPs establish and maintain links with other ministries and authorities, in order to encourage them to make use of the general outputs and products of the RACs; and
- b) by including in their products, to the extent feasible, alternative tools and mechanisms for mobilizing local and national resources in order to support countries to move more towards practical on-the-ground implementation without having to always rely on external support.

There is a pressing need for all the RACs to raise their profiles (together with that of the Convention/MAP in general) and to more strongly advertise their results through a wider and more diversified dissemination of their products, public relations activities and contacts with the media.

Higher technical and political profiles would create an enabling environment that would be conducive to:

- a) getting the attention of decision-makers in the different sectors to look into the products of the RACs and consider them for use at national level;
- b) mobilizing international, regional and national resources;
- c) reaching the media and pressure groups, so as to encourage governments and line ministries to better assume their environmental responsibilities towards the Mediterranean and the Convention.

The time has come to update, amend or revisit the mandates, functions and responsibilities of the various RACs and programmes so that they can act in complete synergy, each in their specific areas of competence and all 'pushing' towards the common objective according to the Vision and Strategic Statement proposed above.

Overall, the RACs system should be re-shaped as follows:



- a) the Secretariat should be the umbrella body that coordinates, monitors and follows-up on the activities of the Centres within the framework of the operations of the Convention and its Protocols;
- b) the Blue Plan should be the technical arm of the MCSD. It should be the only Centre specializing in sustainable development issues, including those of a socio-economic nature, while all the other Centres should incorporate sustainability parameters in their respective fields of action. The components of the Mediterranean Strategy for Sustainable Development (MSSD) adopted by the COP for guidance and/or implementation should guide the work programme of BP/RAC. This basically applies to the themes and issues in the MSSD that are crosscutting and of socio-economic (not strictly environmental) nature. The role of the BP/RAC as a Mediterranean Environment and Sustainable Development Observatory should be re-emphasized;
- c) the INFO/RAC, should be transformed into a centre specialized in information and communication technology (ICT), as already reflected in the recent MOU signed between the MAP Secretariat and the Centre. This would entail that the Centre be responsible for the communication, information and visibility functions for the whole Convention/MAP system;
- d) the CP/RAC should extend its activities beyond industry, to additional economic sectors present in the Mediterranean. A new responsibility of establishing links with the multinational corporations, economic circles and the private sector in general should be added to the Centre. The objective would be the mobilization of financial resources from the private sector for the implementation of the Convention and its Protocols; and
- e) the PAP/RAC should focus on integrated coastal areas management (ICAM).

No changes are proposed concerning the basic functions of the other RACs and MEDPOL.

The Coordinator should play an active, recognized and clearly accepted function of:

- a) supervising the work of each of the RAC Directors in relation to their Convention-related regional functions, undertaking an annual evaluation of their performance on the basis of an agreed upon job description, annual work plan and performance evaluation system;
- b) ensuring that the strategies, work programme and annual plans of each of the RACs are mutually supportive, responding as a whole to the needs of the Convention/MAP and the expectations of the Parties;
- c) ensuring that there is effective and transparent financial reporting in general and in particular in relation to the contributions made to the RACs from the Mediterranean Trust Fund; and
- d) supervising and coordinating the fundraising efforts of the different RACs to ensure that there are no duplications and/or contradictions when approaching donors and that funding opportunities are used efficiently and to the maximum extent possible.

To this end, the Secretariat should sign a Memorandum of Understanding with each host country of a RAC (when there is none in place or revise existing ones) to clearly define the operations of and funding arrangement for the Centre. In particular, the role of the Coordinator in monitoring and coordinating the activities of the Centre within the general

framework of the operations of the Convention and its Protocols, including his/her meaningful participation in the search for and selection of the RAC Director, should be specified.

The Secretariat should be consulted by the RACs concerning the preparation and proceedings of their meetings in relation to the agenda, the expected outputs and the working documents that would be prepared for each meeting. In cases when the Secretariat is not fully confident that the RAC in question has the capacity to efficiently prepare and run the meeting, the Secretariat should become involved and ensure that the meeting is organized and run according to accepted standards.

The quality and pertinence of the proposals presented at all RAC meetings, especially when these proposals are meant to go to the Parties, should be reviewed by the Secretariat. The quality of the document(s) presenting the proposal should also be reviewed.

### **Additional RAC-specific recommendations**

#### *The Blue Plan Regional Activity Centre (BP/RAC)*

In its role as a Mediterranean Environment and Sustainable Development Observatory, the BP/RAC should continue to undertake research and to provide support in the area of statistics and indicators for sustainable development. In this context, it should produce a visible and politically 'attractive' periodic report (along the lines of the UNDP Human Development Report) that would reflect and compare the status of sustainable development in the different Parties.

The BP/RAC should sharpen its focus and reduce its range of activities so that it can conduct its analytical work with more depth and at a level of detail that would make its products more useable at the national level. These products should help decision-makers (and in some cases even pressure them) to understand what must be done, to find solutions and to take action. For products that are intended to address national issues and provide assistance to decision-makers, these should, as a pre-requisite, receive political backing and be deemed useful by the countries.

For a better dissemination and utilization, the products of the BP/RAC should be always published in French and English as a minimum, and also in Arabic whenever possible.

The BP/RAC's activities and products should be targeted to an audience much wider than that of environmental institutions and/or those directly concerned with the Mediterranean Sea.

If the BP/RAC comes to play the role recommended in relation to the MCSD and in the follow-up to the MSSD, the Parties' representatives in the MCSD should act as the FPs for the BP/RAC.

#### *Special Protected Areas Regional Activity Centre (SPA/RAC)*

The SPA/RAC needs to develop, as soon as possible, a vision and strategy that is action-oriented, in line with the overall Convention vision and strategy, and coordinated with the efforts of the other RACs and programmes.

SPA/RAC should, based on its strategy, mobilize resources to implement actions and activities (at least those identified in the SAP/BIO). These resources are very much needed to expand its human resources and capabilities to cover 21 countries.

The Centre should move to a more adequate office space.

Given the institutional changes that have taken place in Tunisia concerning the institutions dealing with environmental management, the agreement with the host country and the terms of reference of the Centre should be re-visited as soon as possible, in particular with regards to the mechanism to select the top management of the Centre.

More attention should be given to transforming the scientific documents produced by the Centre into guidelines and toolkits, to help practical implementation of their recommendations.

Awareness of the existence and knowledge of the activities of RAC/SPA is far too limited throughout the Mediterranean. There is a need to make the Centre better known/more visible and to open it to more active collaboration with other organisations in the Mediterranean dealing with biodiversity, including research centres, universities, and competent NGOs.

#### Regional Activity Centre for Cleaner Production (CP/RAC)

The recommendation contained in paragraph 76 above concerning MOUs is particularly applicable to this Centre, since there is no formal document signed between the Government of Spain and the Convention concerning this RAC. In doing so, it would be important to harmonise the relationship between the CP/RAC and the other RACs.

The CP/RAC should better take into consideration the real pressing needs of the Parties. As a component of the Convention's institutional set-up, the CP/RAC should also review its strategic areas of action so as to respond to the needs, gaps and weakness in the current structure.

The CP/RAC should extend its activities to cover other representative economic sectors in the Mediterranean, such as tourism, agriculture and services.

The CP/RAC presence and penetration in the Mediterranean countries needs to be improved. To this end, a number of measures that have been recommended in the recent evaluation should be seriously considered.

#### Priority Actions Programme Regional Activity Centre (PAP/RAC)

While the focus on integrated coastal area management (ICAM) should continue, more emphasis should be placed on the fact that the success in this area depends to a large extent on the commitment of and ownership by each country. The PAP/RAC should make every effort to secure ownership through the participation of key institutional stakeholders in the countries. This should include the relevant central as well as local institutional stakeholders.

Having focused to a large extent on the development of, and training in the application of ICAM-related tools, the PAP/RAC should now focus on facilitating the utilization/implementation of these tools.

#### The Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)

A number of recommended actions included in the report of the 2003 evaluation should be re-emphasized:

- a) REMPEC should provide more information on the Mediterranean Assistance Unit (MAU) (which provides advice in the event of an emergency of an oil or chemical spill or incident), including the procedures for obtaining assistance;
- b) REMPEC should make efforts to get the countries more involved in the Centre's activities and, as a consequence, in implementation at the regional, sub-regional and national levels. In particular, REMPEC should initiate a dialogue on how best to involve the national maritime organizations which are the most direct partners of REMPEC; and
- c) REMPEC's focus should now move towards implementation, using the tools that the Centre has generated. One clear example would be the implementation of the National Contingency Plans.

Secretariat for the Protection of Coastal Historic Sites

The Convention should remain involved in questions related to cultural values for a number of reasons:

- a) as sustainability is now a widely accepted aim, its social pillar cannot be conceived of without a clear cultural component, as culture itself expresses the beliefs and activities of each society;
- b) especially in the Mediterranean, a place of strong interaction between humans and nature for millennia, it is not possible to dissociate the environment from cultural heritage;
- c) associating culture to environment is now generally accepted as a need in all major conventions dealing with nature and the environment; and
- d) the World Heritage Convention has a different focus, as its concern is with cultural heritage of exceptional global value. On the other hand, the Barcelona Convention should be interested in the conservation of all the cultural heritage related to the Mediterranean Sea and its coastal zone, and promote its wise use within efforts for sustainable development. Thus, UNESCO's approach may be complementary, but in no way can it supplant the involvement of this Convention in cultural issues.

The Programme should be maintained within the broader system of the Convention, but it should be refocused and restructured.

Cultural aspects and values should be integrated in all of the activities of the Barcelona Convention. Specific activities would be carried out by existing organs of the Convention.

In order to foster the integration of cultural aspects, it does not appear advisable to establish a standalone 'unit on cultural heritage' within the Convention structure. Instead, every effort should be made to decentralise activities within the system. In view of the importance of cultural aspects, a high-level official should be added to the Secretariat. Her/his function would be to facilitate the operation of the Culture Expert Group, to liaise with the MCSD and with the RACs on cultural issues, and to report on overall progress to the Parties.

Decentralised activities would be included in the budgets of the responsible organs. However, a special budget line should be provided for the MEDU officer on culture and for the operation of the Culture Expert Group.

The MCSD should take into account cultural values in finalising the MSSD; so that the new programme on 'Mediterranean cultural heritage and sustainable development' would be fully integrated in the Strategy. In addition, the MCSD should take the lead in this field and ensure the implementation of the guidance of the MSSD in this sector, including the provision of guidance on the contribution that the cultural heritage can make to sustainable development.

Membership of MCSD should be opened to representatives of the cultural sectors.

Systematic collaboration on the integration of the cultural heritage with environmental concerns should be initiated with all major conventions and other multilateral organisations. As a priority these would include the Convention on Biological Diversity; the World Heritage Convention; the Convention on Wetlands and its MedWet Culture Working Group; the European Commission; the European Landscape Convention; the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures (established in the framework of the EMP); ICOMOS; and IUCN. As such collaborations require constant attention and considerable investment of time and funds, each case should be carefully analysed, the exact areas of collaboration should be agreed upon, specific joint actions identified and the results recorded in official memoranda or joint work plans.

*Programme for the Assessment and Control of Pollution in the Mediterranean Region (MEDPOL)<sup>1</sup>*

The MEDPOL Phase IV should be based on an action-oriented approach aimed at achieving a tangible reduction of pollution. This effort would build on and utilize the results achieved so far, such as the National Diagnostic Analyses (NDA), the National Baseline Budgets of Pollutants (NBB), the National Action Plans, and the results of the monitoring activities (monitoring database). This action-oriented approach should be supported by a strong and visible compliance monitoring and reporting system.

MEDPOL should assign specific tasks and responsibilities to its programme officers in order to actively pursue the implementation of the Dumping Protocol.

MEDPOL should analyse the underlying reasons as to why Parties are not ratifying the Hazardous Waste Protocol, and to recommend that amendments be incorporated if necessary.

**The Mediterranean Commission on Sustainable Development (MCSD)**

The MCSD should clarify its role in the sense of being:

- a) an advisory body on policy issues; and/or
- b) an advisory body on technical issues; and/or
- c) a mechanism for assessment, monitoring and evaluation; and/or
- d) a mechanism to support the implementation of sustainable development strategies/programmes/plans/projects at national and regional levels; or
- e) a combination of these options.

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<sup>1</sup> The recent evaluation conducted for MEDPOL presents a relatively large number of recommendations and suggestions for assisting MEDPOL in improving its performance and effectiveness. Only recommendations that are of strategic nature are presented here.

After clarifying its role, and as a matter of high priority, the Commission should also establish criteria for the designation/selection of its members, including the role of the Convention Focal Points in relation to its work.

The present system of individual representatives from the socio-economic sector and local authorities, selected by the MFPs and rotating every two years, could be replaced with long-term partnerships with key actors, both governmental and non-governmental, from these two sectors. With the approval of the Parties, these partnerships should be established by the Secretariat on the basis of specific MOUs for a period of at least five years. A systematic survey should be carried out to identify such organisations, assess them on the basis of agreed upon criteria and select the ones appropriate for the MCSD and willing to contribute to its mission.

As long as the MCSD remains a mechanism established under the Barcelona Convention, it should limit its remit to the sustainable development components of the issues that are dealt with by the Convention and its Protocols. In this sense, the Commission should also consider changing its name to 'Commission on the Sustainable Development of the Mediterranean Sea and its Coastal Zone' (or any variation of this concept). To really act as a 'Mediterranean Commission', dealing with all aspects of sustainable development in the entire region, the Commission should gain the acceptance and formal recognition of the governmental sectors dealing with issues that are beyond the remit of the Barcelona Convention, and of the other key intergovernmental processes active in the Mediterranean region.

The Commission should clarify its role vis-à-vis the UN Commission on Sustainable Development, both in terms of substantive work and of process, and establish a true synergy with the UNCSD. Parties should insist that the Commission has the right, and the need, to deal directly with the UNCSD, without being intermediated by UNEP.

An effective secretarial support for the Commission should be established in one place, either in the Convention Secretariat, in one of the RACs or in a new unit established to this effect in one of the Parties, with adequate human and financial resources to effectively play this function.

Concerning the MSSD, it is recommended for the parties to decide:

- a) the specific components of the Strategy that could be taken up by the Convention mechanisms for implementation;
- b) the resources that would be needed to do this and where they should come from;
- c) the synergies that should be established by the Convention in order to achieve its objectives vis-à-vis the Strategy; and
- d) the monitoring system that should be established within the Convention, including the role and activities of the MCSD in relation to the process of the implementation of the Strategy.

In addition, in the preambular section of the decision endorsing the Strategy, the COP should address and respond in an appropriate manner to two key questions raised in relation to the MSSD:

- a) the legitimacy of the process used to prepare the draft, and thus the legitimacy of the document in itself; and

- b) the implications of endorsing a Strategy with very significant components which are beyond the remit of the Barcelona Convention and its Protocols.

### **The system of Focal Points and capacity building**

A pro-active and dynamic Focal Point system is of prime importance. This applies to the Convention Focal Points as well as to the RACs Focal Points. One key question that the COP should consider in the terms of reference of the Convention Focal Points is the level of seniority that these should have in the national administration of each Party.

The whole FP system should be revisited as follows:

- a) prepare terms of reference for each group of FPs, clarifying their roles, responsibilities, *modus operandi* and linkages with each other;
- b) establish that a RAC FP should have the rank of a 'government-designated expert'; (what does it mean?)
- c) identify tools and mechanisms that would support the FPs in their national tasks, including, but not limited to, intersectoral coordination and improving the Convention's and RACs' visibility; and
- d) in each RAC evaluate whether the FPs' structure and composition need to be changed. In some cases it might prove feasible and more effective to have one FP system serving more than one RAC.

This whole exercise regarding the FPs system should be contracted out and performed in the most straightforward, independent and simple manner. The results reflecting the full picture should be presented to the Parties for discussion and approval.

Capacity building for performing the Focal Point functions should constitute one of the highest priorities in the new phase, with an emphasis on institutional capacity, more than on technical capacity which to a large extent is already there. This applies to both developed and developing countries that are Parties to the Convention.

To this end, the Secretariat should:

- a) develop a clear understanding of the capacity situation in each of the 21 member states and of the arrangements in place to implement the Convention, in particular in relation to the system of Focal Points;
- b) on the basis of this understanding, and in consultation with all interested parties:
  - I. develop guidelines on how to establish and effectively operate a focal points system at the country level, making use, to the extent possible, of the lessons learned by different Parties; and
  - II. prepare a capacity building programme, with an appropriate and realistic budget, for submission to COP-15. Such a programme should, *inter alia*, include:
    - in-country seminars/workshops to create a better awareness and understanding of the Convention and its Protocols and the tools and means for their implementation;

- technical seminars at regional and/or sub-regional levels on the implementation of the different Protocols;
- sub-regional dialogues aimed at helping environment ministries increase their implementation capacity, including improving their ability to work with other parts of their national administration to promote environmental integration;
- technical assistance on administrative matters regarding the running of an effective focal points system; and
- technical and financial assistance, when needed, to develop, use and maintain an effective electronic communications system in the institution hosting the Focal Point in each Party. To this end the Secretariat should try to connect with the work on ICT being supported by the EC within the framework of the EMP.

Capacity building should not be viewed as a one-time activity but rather as an ongoing process. Thus, constant interaction with the focal points – including training of new officers designated to perform this function – and a close follow-up of all the issues addressed to or requested from the Parties are essential components of capacity building.

The official visits to the Parties should be seen as part of the capacity building programme and should be used to raise, with political authorities, the question of the chronic understaffing for the implementation of the Convention, in developing and developed countries alike.

### **Relations with the European Union/European Commission**

There is a need for substantial improvement of the collaboration between the Convention and the EU. This improvement would entail:

- a) an agreement recognizing an official role of the Convention as a full partner in EU Mediterranean initiatives in the areas of interest of the Convention;
- b) use of the Convention's capacity, and especially its RACs, in supporting the EU initiatives in the Mediterranean;
- c) appreciation of the potential contribution of the MCSD to EU objectives and policies in the region;
- d) taking into account all the other relevant processes that the EU is involved with in the Mediterranean when developing a new phase of the Convention;
- e) coverage by the EC of the costs of the services to be provided by the Convention; and
- f) contribution of the EC to the implementation of the MSSD, especially if it is endorsed by the EMP.

In view of the current *modus operandi* of and sensitivity concerning financial management within the EC, such a relationship would only be possible through a top-level formal agreement between the EC and UNEP – the latter acting as the legal persona of the Convention – specifically focused on the Mediterranean. This would probably entail a formal decision of the EU Council based on a proposal from the Commission promoted by the Executive Director of UNEP.



The seven Parties to the Convention that are EU members should champion the establishment of a 'new deal' between the EC and the Barcelona Convention, with interventions at the highest political level. Greece, as the host country to the MAP Secretariat could – and maybe should – take the lead.

Without this high-level political initiative it may be very difficult to overcome the 'good reasons' that may exist to continue with business as usual in the Convention-EC working relations. The Convention Coordinator, with the active support of the Executive Director of UNEP and of the Head of Regional Seas (both European citizens at present), should undertake to catalyse this process as a matter of the highest priority.

This move could be justified on the basis of the Memorandum of Understanding signed between the EC and UNEP on 20 September 2004, which includes as areas of cooperation between the two parties "supporting MEA [multilateral environmental agreements] implementation, with an initial focus on biodiversity and Regional Seas"; and "enabling developing countries and countries with economies in transition to achieve environment-related targets and meet their international commitments, including implementation of multilateral environmental agreements, global initiatives and regional initiatives...".

This 'new deal' could take the form of a 'Strategic Partnership between the EC and the Barcelona Convention for Joint Actions in Areas of Common Concern'. The Strategic Partnership could be implemented through a Five-year Joint Work Programme (JWP) executed through a Joint Programme Office (JOP) located, preferably, in the MAP Secretariat otherwise in one of the RACs or in a Party that would be willing to contribute all the facilities and the required support staff. In the later case, the Director of the JOP and the rest of the professional staff should have international status and report directly to the Coordinator of the Convention.

The Convention, when the initiative within the EMP framework for the de-pollution of the Mediterranean Sea by 2020 is formalized, should become an important component of the proposed JWP.

The series of major regional and sub-regional programmes recommended in paragraph 35 above should also be part of the JWP.

Funding for the implementation of the JWP should come from:

- a) the different mechanisms that now exist in the EC for external cooperation, including the proposed European Neighbourhood and Partnership Instrument;
- b) other funds that the EC could allocate out of its budget for activities in the Mediterranean EU members;
- c) voluntary contributions from Parties and other governments; and
- d) project funds from sources such as the GEF, UNDP, the World Bank, UN agencies, foundations, NGOs and corporations.

The establishment of an Endowment Fund could also be considered.

The capacities of the RACs, MEDPOL and other partners, including NGOs, should be enlisted and assigned clear roles in the implementation of the JWP.

In the meantime, the joint work plan being developed by the two sides at present could go ahead and later serve as the basis for the preparation of the proposed JWP, which could be ready for consideration and adoption by COP-15.

The MAP Secretariat should also seek to participate in the Ministerial Conference at the level of Ministers of Foreign Affairs held every 18 months in the framework of the EMP, as well as in the EuroMed Committee.

### **Synergies**

The Convention should serve as a platform for the regional implementation of international instruments and programmes, such as those of the International Oceanographic Commission, the International Maritime Organization and the Jakarta Mandate of the Convention on Biological Diversity and other relevant CBD work programmes. Memoranda of Cooperation or Agreements with clear and specific aims should be signed or renewed with these institutions.

It is imperative that the Convention also sign or renew effective working arrangements with, at a minimum, the following additional treaties and institutions:

- i. UN Convention on the Law of the Sea
- ii. UN Framework Convention on Climate Change
- iii. Convention on the control of transboundary movements of hazardous wastes and their disposal
- iv. Food and Agriculture Organization of the United Nations
- v. Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area
- vi. UN Commission on Sustainable Development

A serious attempt should be made to bring on board other regional institutions and processes beyond the EC/EU.

The possibility of inviting the Arab League and the African Union to become Contracting Parties, as per Article 30 of the Convention, should be considered by the COP.

### **Relations with other partners**

It is recommended that:

- a) a detailed inventory of all key actors in the Mediterranean that could contribute to the work of the Convention be prepared. This should include an understanding of their policies and priorities, the identification of areas of mutual interest, and a cost-benefit assessment of efforts to be invested in and results to be expected from a possible partnership;
- b) relations with the organisations/processes selected for substantial co-operation should be maintained at the level of Secretariat and should not be delegated to other components of the Convention process. Where the RACs need to be involved, the overall co-ordination should remain with the Secretariat, including the monitoring of the development of such co-operation efforts;
- c) at regular intervals (3-4 years), each co-operation arrangement should be reviewed and readjusted as appropriate; and
- d) for the implementation of the relevant sections of the MSSD in particular, strong partnerships must be built with key actors in the economic and social sectors, including the private sector.

Clear criteria and a strategic view should be developed for the partnerships with national, regional and international NGOs active in the areas of concern to the Convention, including for the funding provided for NGO projects.

### **Outreach strategy and activities**

The Convention web site should continue to be developed as the main communication tool. All the RACs' web sites should be linked to the main web site and should develop a common graphic/corporate identity.

In addition, the Convention web site should become an interactive site, where Focal Points and partners could exchange information and documents.

The Convention should greatly increase its use of the Arabic language, including posting an Arabic version of the Convention web site.

The Secretariat should also consider establishing an unmediated electronic mailing list maintained as a service to the public for exchange of information among all those interested in the Convention issues.

The effective use of ICTs should constitute an important component of capacity building in all Parties and in the RACs where this capacity is still weak.

INFO/RAC should be approached to consider implementing a communication strategy for the Convention under the close supervision of the Secretariat. If this is feasible, a professional firm should be engaged to prepare such a strategy in consultation with the Secretariat and INFO/RAC.

The RACs should also evaluate their outreach capacities and develop plans to improve them by:

- a) obtaining the services of communication and/or marketing experts;
- b) widening and diversifying the circulation of reports and publications; and
- c) increasing their capacity to use the media.