



## NOTES ON THE NATURE OF THIS DOCUMENT

1. This document has been prepared to serve as the background paper for the Second Meeting of the MAP Focal Points (MFP) on the External Evaluation of MAP, to be held in Athens on 31 March – 1 April 2005. It should not be quoted or distributed beyond those involved with the meeting, since the **findings and conclusions contained in the document are all preliminary.**
2. This outline was prepared when 11 Parties had replied to the questionnaire. MEDU and the consultants are still trying very hard to obtain a response from ALL Parties in order to ensure that the External Evaluation includes the views of all the main stakeholders. The statistical analysis is not yet included (except a sample related to the RACs) in order not to transmit at this stage a picture that could be distorted.
3. The introductory section is drafted as it would appear in the final report.

## **The nature of the Report**

1. This Report contains the finding, conclusions and recommendations of the team of consultants. While there has been ample consultation with the MAP Focal Points – including the two meetings specifically devoted to the External Evaluation – with MEDU and with a large number of MAP partners and collaborators, the views expressed here do not necessarily represent a consensus on the past and future of MAP. The Report is submitted to the consideration of the MAP Focal Points as an input for the preparations of the 14<sup>th</sup> Meeting of the Conference of the Contracting Parties to the Barcelona Convention (Slovenia, 8-11 November 2005).

## **Background**

2. The 13th Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its Protocols (Barcelona Convention)<sup>1</sup>, held in Catania, Italy, on 11-14 November 2003 adopted Recommendation I.A.2.1. entitled *MAP and RACs evaluation*, in which the COP called on the Secretariat, *inter alia*:

“To launch the external overall evaluation of MAP, including the evaluation of MEDPOL Programme, with a view to presenting it to the Meeting of the Contracting Parties in 2005. In this process the document *UNEP(DEC)/MED WG.228/5 Draft Strategic Assessment of the General Framework of the Barcelona Convention (MAP evaluation)* could be considered as an input, while ensuring the consideration of other inputs from Contracting Parties.”

3. To this end, the MAP Coordinating Unit (MEDU) engaged the services of three consultants to work on a part time basis during the period 1 October 2004 – 30 November 2005. The work of the consultants was actively supported by MEDU.

4. The evaluation covered all aspects related to the implementation of the Barcelona Convention and its Protocols, including the application of the Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean, or MAP Phase II (1995-2004) at national and regional levels. The evaluation also included a review of the operations and funding issues of all MAP components, including: a) the Regional Activity Centres (RACs) and Programmes; b) the Mediterranean Commission on Sustainable Development (MCSD); and c) MEDU.

## **Evaluation schedule**

5. The External Evaluation was carried out under a tight schedule, as follows:

5.1 On 30 October 2004, the team leader submitted to MEDU a proposal on the methodology, approach and activities to be carried out as part of the External Evaluation of MAP, which was circulated by MEDU to all MFPs.

5.2 The Launching Meeting on the External Evaluation of MAP was held in Athens, Greece, on 9-10 December 2004. All MFPs were invited to the meeting in order to

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<sup>1</sup> The 1995 amendments to the Convention have now entered into force and the new official name of the treaty is **Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean**.

discuss and make recommendations on the methodology, approach and activities to be carried out as part of this exercise.

5.3 On 31 December 2004 MEDU distributed to all MFPs a questionnaire (in English) prepared by the consultants on the basis of the views expressed and recommendations made at the 9-10 December meeting, with a deadline for submitting responses by 31 January 2005. (The French version was distributed on 15 January 2005, with a deadline for submission extended to 15 February 2005.)

5.4 On 18 March 2005, the consultants submitted to MEDU an Outline of the Report on the External Evaluation of MAP, which was used as the background paper for the Second Meeting of MFPs on the External Evaluation of MAP held in Athens on 31 March – 1 April 2005.

5.5 The consultants submitted their Report on the External Evaluation of MAP to MEDU on 30 June 2005, for discussion at the Meeting of MAP Focal Points held on XX September 2005.

5.6 It was agreed that the Report of the consultant should be submitted to the 14th Meeting of the Contracting Parties to the Barcelona Convention (Slovenia, 8-11 November 2005) as an information document.

### **The context of the MAP Evaluation**

6. MAP is now at a crossroads. Thirty years after its launch, its future role, both from a strategic and operational point of view, has to be determined in light of recent developments in the region and at the global level. On this basis, its priorities, effectiveness and direction must be assessed.

7. At the regional level, seven of the Contracting Parties to the Barcelona Convention are now members of the European Union (EU), and there are prospects of further enlargements of the EU involving other Parties. The EU has adopted, and will continue to adopt, Directives relevant to the MAP processes that have a direct impact on the policies, legal framework and practices of the Parties which are also EU members, and to a large extent also affect other countries in the region, in particular those which are seeking EU membership. With the more active role of the EU in the region, including the proposed free trade zone, MAP should seek to establish a closer working relationship with the European Commission (EC) in the interest of sustainable development in the Mediterranean.

8. The asymmetries in the levels of socio-economic development in the region, the different approaches to governance, the growing pressures on natural resources, uncontrolled migration flows and unresolved conflicts that have existed over a long period of time continue to be matters of serious concern. Some of the relevant processes that are changing dynamics of the region and that should be taken into account include: the Barcelona Process, including the Euro-Mediterranean Association Agreements and the forthcoming Euro Mediterranean Conference scheduled for 2005; the EU's New Neighbourhood Initiative – Wider Europe; the establishment of the Facility for Euro-Mediterranean Investment and Partnership (FEMIP); the wider role of the European and Mediterranean regions in the global scene; and the growing interest of the USA in the Mediterranean.

9. At the global level, the results of the World Summit on Sustainable Development, including the launching of Type II partnerships, the adoption of the

Millennium Development Goals, the regular operation of the Global Environmental Facility, and the entry into force in February 2005 of the Kyoto Protocol are particularly relevant to the MAP process.

10. In the face of these new realities, it was deemed essential to carry out an external assessment of the role played thus far by MAP's Phase II, with a view to carrying out groundwork for the preparation of a MAP Phase III to be implemented in the decade 2006-2015.

### **The aim of the External Evaluation of MAP**

11. Taking into account the context briefly described above, the overall aim of the External Evaluation of MAP was to take stock of the perceptions and positions of Contracting Parties to the Barcelona Convention and of its key partners regarding the results of the Convention processes, and the effectiveness of the institutional arrangements and funding mechanisms in place, in particular in relation to the application of the Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean, or MAP Phase II (1995-2004).

12. Based on the results of the evaluation, recommendations could be made to COP-14 of the Barcelona Convention for the preparation of a MAP Phase III for the period 2006-2015.

### **The issues addressed**

13. With this overall aim in mind, the consultants addressed three main issues:

13.1 a general analysis of the results of MAP Phase II at the national level and its impact at the regional and sub-regional levels, in particular as viewed by the Parties to the Barcelona Convention;

13.2 the capacity of the current MAP structure and *modus operandi* to respond to the political, legal, institutional and other challenges facing sustainable development in the region within the framework of current regional and global approaches and trends; and

13.3 the future orientation of MAP and its relations with other regional and international organizations and processes.

### **Methodology**

14. The evaluation was carried out:

14.1 as an integral part of the ongoing evaluations of MAP components;

14.2 taking into account lessons learned from the methodology and outputs of the various past evaluations of MAP and its components; and

14.3 fully taking into account the context of the legal, political and socio-economic developments in the region.

15. The document UNEP(DEC)/MED WG.228/5 Draft Strategic Assessment of the General Framework of the Barcelona Convention (MAP evaluation) served as the initial basis for analysis. National Reports submitted by Parties up to 30 May 2005 have been used as an additional source of information.

16. The evaluation was carried out using an open and participative approach and even though the three consultants took responsibilities for different components of the

MAP process, they operated as a team and produce this consolidated and shared report.

17. The three consultants:

17.1 undertook a thorough desk review and in-depth analysis of relevant documents, in particular the final reports of the evaluations carried out for different components of the MAP process;

17.2 analysed and tabulate the responses to the questionnaire submitted to the MPFs (see 4.3 above); and

17.3 held meetings and carried out interviews by e-mail and telephone with a number of actors in the MAP process, both at present and in the past.

### **Responses to the questionnaire**

18. Due to the tight scheduled of the External Evaluation process, Parties were given an unrealistically short period (30 days) to prepare their response to a detailed and complex questionnaire (a sample appears in Annex I). As a consequence, only one Party responded by the deadline of 31 January 2005. The team leader and MEDU undertook an active follow-up seeking to obtain responses from all Parties. At the time of finalizing this report, the consultants were able to taken into account the response to the questionnaire received from the following Parties: XXXXXXXXXX.

19. Paragraph on the overall quality of the responses.

20. Paragraph on the analysis of the process followed by the Parties in preparing the responses (as per the section entitled "The response process" in page 4 of the questionnaire).

### **Missions and other contacts**

21. The consultants undertook a total of XX missions in relation to the External Evaluation (they are listed in Annex II).

22. In addition, 68 of the institutions listed in the Directory of MAP Partners were invited to contribute their views to the External Evaluation (a copy of the questionnaire submitted to the Parties was provided to them for reference). XX of them provided input either in writing or in discussion with the consultants.

23. The views of UNEP's Regional Seas Programme were also solicited.

24. A number of individuals involved in the MAP process in the past were approached and interviews were held with a number of officers at MEDU.

## Part I

### **The Barcelona Convention and its Protocols as instruments under international law**

#### **Context**

The Mediterranean Action Plan (MAP) strives to protect the marine and coastal environment and to foster development in the Mediterranean Basin. MAP Phase I (1975-1994) was adopted in Barcelona, Spain in 1975 by 16 Mediterranean States and the EC under the auspices of the United Nations Environment Programme (UNEP). MAP Phase II (1995-2004) was adopted in 1995. The **legal framework for MAP** comprises the Convention for the Protection of the Mediterranean Sea Against Pollution (known as the Barcelona Convention) adopted in 1976 and revised in 1995 with a new title: **Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean**. The Convention, as amended in 1995, entered into force in 2004. Six Protocols to the Convention have been adopted, covering specific aspects of environmental protection. (Four of the Protocols have been amended once; in these cases, the original and the amended protocol are counted once.)

#### **I.1 The Convention**

25. Ratification of the Convention as amended in 1995 at 30 May 2005:
26. Particular difficulties in completing the ratification process, if any, as indicated by Parties.
27. List of Parties that have not ratified, indicating reasons provided for no ratification and indications, if provided, of possible ratification in the future.
28. Brief analysis of the responses to the question *Are the obligations derived from the Barcelona Convention fully imbedded in the national legislation?*
29. Brief analysis of the responses concerning the 1995 *Convention as the required instrument to ensure the protection of the Mediterranean Sea and its costal zone and as the required instrument to promote sustainable development*

#### **I.2 The Protocols to the Barcelona Convention**

30. Dumping Protocol

**Original title:** Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (Barcelona, 1976)

**Entry into force:** 12 February 1978

**Amended:** 1995 (Barcelona)

**New title:** Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft or Incineration at Sea

**The amendments have not yet entered into force**

31. Ratifications (list of the Parties)
32. Not ratified (list of the Parties and brief analysis)
33. Brief analysis of the responses concerning the transcription of the Protocol into national legislation.
34. Brief analysis concerning application.
35. Additional comments that may be pertinent.

36. Emergency Protocol

**Original title:** Protocol Concerning Cooperation in combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in Cases of Emergency (Barcelona, 1976)

**Entry into force:** 12 February 1978

**Amended:** 2002 (Malta)

**New title:** The Protocol Concerning Co-operation in Preventing Pollution from Ships and, in cases of Emergency, Combating Pollution of the Mediterranean Sea

**Entry into force:** 17 March 2004

37. Ratifications (list of the Parties)

38. Not ratified (list of the Parties and brief analysis)

39. Brief analysis of the responses concerning the transcription of the Protocol into national legislation.

40. Brief analysis concerning application.

41. Additional comments that may be pertinent.

42. Land-Based Sources (LBS) Protocol

**Original title:** Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (Athens, 1980)

**Entry into force:** 17 June 1983.

**Amended:** 1996 (Syracusa)

**New title:** Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources and Activities)

**The amendments are not yet into force**

43. Ratifications (list of the Parties)

44. Not ratified (list of the Parties and brief analysis)

45. Brief analysis of the responses concerning the transcription of the Protocol into national legislation.

46. Brief analysis concerning application.

47. Additional comments that may be pertinent.

48. SPA and Biodiversity Protocol

**Original title:** Protocol Concerning Mediterranean Specially Protected Areas (Geneva, 1982)

**Entry into force:** 23 March 1986

**Amended:** 1995 (Barcelona). New Annexes were adopted in 1996 (Monaco)

**New title:** Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean)

**The amendments have not yet entered into force**

49. Ratifications (list of the Parties)

50. Not ratified (list of the Parties and brief analysis)

51. Brief analysis of the responses concerning the transcription of the Protocol into national legislation.

52. Brief analysis concerning application.

53. Additional comments that may be pertinent.

54. Offshore Protocol

**Title:** 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 (Madrid, 1994)

**Not yet entered into force**

55. Ratifications (list of the Parties)
56. Not ratified (list of the Parties and brief analysis)
57. Brief analysis of the responses concerning the transcription of the Protocol into national legislation.
58. Brief analysis concerning application.
59. Additional comments that may be pertinent.
60. Hazardous Wastes Protocol

**Title:** Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Izmir, 1996)  
**Not yet entered into force**

61. Ratifications (list of the Parties)
62. Not ratified (list of the Parties and brief analysis)
63. Brief analysis of the responses concerning the transcription of the Protocol into national legislation.
64. Brief analysis concerning application.
65. Additional comments that may be pertinent.
66. Proposed Protocol on Integrated Coastal Zone Management
67. Summary of the views gathered by the consultants.

**General implementation of the Convention and its Protocols**

68. Response about the degree of implementation of the Convention and its Protocols in a scale of 1 to 10.
69. Analysis of the responses concerning compliance mechanism(s).

**General conclusions concerning Part I of the evaluation and summary recommendations**

70. To be added

## Part II

### **General analysis of the results of MAP Phase II and its impact at the national and regional level, in particular as viewed by the Parties to the Barcelona Convention**

#### **Context**

71. The **Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP Phase II)** was adopted by the Contracting Parties at the Conference of Plenipotentiaries held in Barcelona, Spain, from 9 to 10 June 1995. The Conference also adopted the **Barcelona Resolution on the Environment and Sustainable Development** and a document with the **Priority Fields of Activities for the period to the year 2005**. The MAP Phase II and the Priority Fields of Activities are appendices to the Barcelona Resolution. (These documents are available on the web at: [http://195.97.36.231/acrobatfiles/02BUR59\\_Inf4\\_eng.pdf](http://195.97.36.231/acrobatfiles/02BUR59_Inf4_eng.pdf))

72. General summary on the type and quality of responses received from Parties concerning this section of the External Evaluation.

#### **Economic activities and the environment**

73. Brief analysis of the responses received concerning this section of the MAP document.

#### **Conservation of nature, landscape and sites**

74. Brief analysis of the responses received concerning this section of the MAP document.

#### **Assessment, prevention and elimination of marine pollution**

75. Brief analysis of the responses received concerning this section of the MAP document.

#### **Information and participation**

76. Brief analysis of the responses received concerning this section of the MAP document.

#### **Strengthening of the legal framework**

77. Brief analysis of the responses received concerning this section of the MAP document.

#### **Support received by developing Mediterranean countries:**

78. Brief analysis of the responses received concerning this section of the MAP document.

**Full, effective and prompt implementation of the legal instruments adopted by the Contracting Parties at the regional level, and upgrading of administrative capacity**

79. Brief analysis of the responses received concerning this section of the MAP document.

**Institutional arrangements**

80. Brief analysis of the responses received concerning this section of the MAP document.

**General assessment of MAP Phase II**

81. Brief analysis of the responses, including the rationale provided for each Party's choice.

**MAP: a misnomer?**

82. The fact that a number of Parties did not respond to Part II of the questionnaire on the implementation of the *Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP Phase II)*, reflects the attitude of the Parties towards the MAP Phase II. The paucity of some of the responses received, and the indication by several key players in the Barcelona Convention process that this document was never intended to be an "Action Plan" as such but rather just a general guidance document, may lead to the conclusion that there has not really been a "Mediterranean Action Plan" in existence, at least not in the generally accepted meaning of the term "action plan".

83. The popularization of the term "action plan" in the absence of a true plan may have reduced the credibility of the Convention and its Protocol, which are the *real* international law instruments formally adopted and ratified (with some gaps) by the Mediterranean States and the European Community.

84. Thus, in order not to continue to maintain this ambiguity, it may be healthy to stop using these expressions – in spite of the popularity gained by the name "Mediterranean Action Plan" and its acronym "MAP". A new name that better reflects reality could be agreed upon to refer to the existence of the Barcelona Convention and its Protocols, and to the activities and processes in place for their implementation. A proper and descriptive name could be "The Barcelona Convention and its Protocols: regional arrangements for the protection and sustainable development of the Mediterranean Sea and its coastal zone (Med-Sea-Coast)<sup>2</sup>". The term "arrangements" would encompass both the legal framework and the *modus operandi* established for its application: the Regional Activity Centres and Programmes, the Mediterranean Commission on Sustainable Development, and the Coordinating Unit.

85. This change should, of course, be reflected in all documents that may be adopted by COP14 for a next phase in the implementation of the Convention and its Protocols.

**Summary recommendations**

86. The Convention and its Protocols should be re-valued as the central international law instruments that are at the basis of the process. In real terms, this

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<sup>2</sup> In French: Med-Mer-Côte

has never ceased to be the case, but a general perception has been generated, may be inadvertently, that there is a nebulous "Mediterranean Action Plan" being implemented when what actually exists is a mechanism to implement an intergovernmental treaty. No more, but not less. The treaty as such should be reinstalled at the centre of the process.

87. More to come.

## Part III

### **Capacity of the current MAP structure and *modus operandi* to respond to the political, legal, institutional and other challenges facing sustainable development in the region within the framework of current regional and global approaches and trends**

#### **Context**

88. The current MAP structure and modes operandi comprises:

A) The **Conference of the Contracting Parties (COP)** to the Barcelona Convention, which meets every two years and constitutes the supreme decision-making body in relation to all aspects of the Convention and its Protocols and MAP. At present the Parties to the Convention are 21 Mediterranean States and the European Community.

B) The **Mediterranean Commission on Sustainable Development (MCSD)**, established by the COP in 1996 as an advisory body and a forum for dialogue for defining a regional sustainable development strategy for the Mediterranean. MAP Coordinating Unit (MEDU) acts as the Commission's Secretariat. The MCSD is composed of 37 members, representing each of the 22 Contracting Parties to the Barcelona Convention, as well as five representatives from each of the following three groups: local authority networks, socio-economic actors, and NGOs.

C) The **Regional Activity Centres (RACs)**, responsible for the implementation of different aspects of the Mediterranean Action Plan. RACs (except REMPEC) are considered the national centres carrying out regional functions on behalf of the Mediterranean community. This regional function is financed through the Mediterranean Trust Fund (MTF). RACs perform tasks under the guidance and supervision of MEDU and in accordance with the decisions of COP.

D) The **Programme for the Assessment and Control of Pollution in the Mediterranean Region (MED POL)**, initiated in 1975 as the environmental assessment component of MAP and is now in Phase III. Its task is to assist Mediterranean countries in the implementation of pollution-assessment programmes. MED POL also provides assistance in the formulation and implementation of pollution-control, regional and national action plans addressing pollution from land-based sources and activities. It also formulates and carries out capacity building programmes. The MED POL Programme is coordinated by a small unit within MEDU.

E) The **Coordinating Unit for the Mediterranean Action Plan (MEDU)**, based in Athens, Greece since 1982. MEDU is administered by the United Nations Environment Programme (UNEP), which provides the secretariat function for the Barcelona Convention. MEDU coordinates all activities of MAP. It also prepares meetings with their necessary documentation, transmits notifications, and considers inquiries. MEDU provides the secretariat function for MED POL and MCSD and coordinates and supervises the work of the six RACs.

F) The **Mediterranean Trust Fund (MTF)**, established in 1979, to which all Contracting Parties to the Barcelona Convention contribute according to a mutually agreed scale taking into account the UN scale of assessment. The MTF mainly finances the recurrent costs of MEDU and its activities, and the regional activities of the RACs. The MTF is administered by UNEP.

G) A system of a **MAP Focal Point (MFP)** in each of the Contracting Parties, who is the officer in charge of the general relations with MEDU and matters related to the implementation of the Convention in that Party. In addition, in some Parties, there are focal points specifically designated to deal with issues related to the MCSD and/or some or all of the RACs and programmes. From time to time these focal points hold meetings to discuss issues of common interest.

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

89. Conclusions derived from the responses concerning periodicity of the meetings of the COP and its efficiency.

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

90. Statistical analysis of the responses from Parties to be added.

**General analysis** (based on responses from Parties and interviews up to 11 March 2005)

### **The MCSD's objectives**

91. On its inception, the general purpose of the MCSD was to contribute significantly in bridging the gap between the desire for sustainable development and its implementation in the Mediterranean region. Its official remit was:

“To identify, evaluate and assess major economic, ecological and social problems set out in Agenda MED 21, make appropriate proposals therein to the meetings of the Contracting Parties [to the Barcelona Convention], evaluate the effectiveness of the follow-up to the decisions of the Contracting Parties and facilitate the exchange of information among the institutions implementing activities related to sustainable development in the Mediterranean”.

And on a broader and more ambitious level:

“To enhance regional co-operation and rationalise the inter-governmental decision-making capacity in the Mediterranean Basin for the integration of environment and development issues”.

92. Thus, for some, the objectives of the MCSD were and remain clear: it is a think tank limited to providing advice to the Parties and to the arrangements related to the Barcelona Convention and its Protocols on policies and various other aspects of sustainable development.

93. For others, these objectives should include a true concern regarding the implementation of its own recommendations by Parties since there is no effective mechanism at present for monitoring the implementation of the MCSD's recommendations by the Parties.

Thus, the MCSD should play a much more pro-active monitoring role<sup>3</sup>.

94. There is a basic disagreement on this issue, creating a number of distortions; it is question that needs to be resolved without ambiguity.

### **MCSD Membership**

95. The initial concept of MCSD included official representation from the Parties, as well as access for major social groups on a rotational basis. In practice, it has developed from a ‘think-tank’ of 15-20 prominent individuals, as initially conceived, to a body of 37 members representing each of the 22 Contracting Parties to the Barcelona Convention, as well as five representatives from each of the following three

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<sup>3</sup> The MCSD Strategic Review ‘...identifies a certain ambiguity in the MCSD role, as it is a forum for discussion but sometimes perceived as an operational structure’.

groups: local authority networks, socio-economic actors, and NGOs. A number of observers from concerned international and regional organisations are at times involved.

96. However, the present composition of the Commission has serious weaknesses that undermine even its advisory role:

96.1 The majority of the Parties (approximately 2/3) are represented by the MAP Focal Points (MFPs), which means that in practice the MFPs, meeting as MCSD, are practically advising themselves. Although this situation has some practical advantages, it seems clear that membership in MCSD should be incompatible with the function of MFP. The counter-argument is that through common membership there is better communication between MCSD and MAP. In any case, terms of reference should be established regarding the qualifications to be a member of the MCSD.

96.2 Of the 37 members, 27 represent environmental concerns and only 10 represent other stakeholders, namely local governments and socio-economic actors. As the latter category is usually absent, MCSD membership remains highly biased towards the environmental pillar of sustainable development.

96.3 It has proven almost impossible for the MCSD to involve the socio-economic actors, especially from the business sector, to participate actively in the five places allocated to them. This may be a systematic problem –perhaps related to the environmental bias of the Commission– that deserve close attention and concern.

96.4 The selection of representative ‘civil society’ organisations is done with confusing criteria and with a strong dose of personal and national politics. An objective and fair system must be devised.

### **Role vis-à-vis the UN Commission on Sustainable Development**

97. To be added: The UN CSD agenda vis-a-vis that of the MCSD  
The insertion of the UN CSD and of the MCDS at the national level

### **Support to the MCSD**

98. If the MCSD were only an advisory body, it would require minimal scientific and administrative support, through MEDU, which acts as its Secretariat. At present this function is provided by the Deputy Co-ordinator of MAP (requiring 50% or more of his time), while the BP/RAC provides additional support. An agreement has existed for two years for the employment of a Sustainable Development Officer at MEDU<sup>4</sup> to work exclusively for the MCSD, but this post has not yet materialised.

99. The proponents of a more active role for the MCSD would like to see a policy and strategy centre to assist it, possibly established in Barcelona (with the support of the Spanish government), arguing that the BP/RAC has a more technical role to play. The BP/RAC, however, is proposing to assume that function and remove it totally from MEDU. According to the MAP leadership, support of the MCSD must remain ‘light’ and rely on the existing RACs.

### **Work method and activities**

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<sup>4</sup> Albeit at a rather low grade (P3, with five years of experience).

100. The MCSD meets once a year and operates through dedicated thematic groups, led by one of its members. These groups benefit from technical and administrative support from MEDU and the RACs and occasionally utilise external experts. These groups attempt to develop partnerships and introduce their results for approval by the whole Commission and, ultimately, by the Contracting Parties (QUESTION: DOES THE COP "APPROVE" THIS TECHNICAL DOCUMENTS?). With this approach, the MCSD has looked into a number of issues related to sustainable development in the region and has produced for each recommendations and proposals. These include the following (in parenthesis the year of adoption ??? by the Parties):

- Water demand management (1997)
- Sustainable management of coastal areas (1997)
- Indicators for sustainable development (1999)
- Tourism and sustainable development (1999)
- Information, public participation and raising awareness (1999)
- Industry and sustainable development
- Free trade in the Euro-Mediterranean context
- Management of urban development

101. Other issues being considered include agriculture and the rural environment<sup>5</sup>, consumption patterns, development funding, energy and transport, governance, local management, international co-operation, and waste management. For an 8-year period, with its particular bias towards environmental concerns and with the limited resources available, it appears that the MCSD has dealt with a large number of issues. The possibility of duplicating efforts or dealing superficially with issues cannot be excluded.

102. An additional significant activity of the MCSD is its role in nurturing the establishment of national committees (or councils) on sustainable development. Thus far such committees have been established in the following countries:

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103. The degree and effectiveness of the support that has been provided by the MCSD to these national committees could not be ascertained.

104. Other activities include:

- A report on *Improving the Environment in the Mediterranean: Lessons for Sustainable Development*, published by UNEP/MAP and containing about 100 positive case studies.
- A workshop on Environment and Sustainable Development in the Arab Region, and publication of a corresponding strategy???
- Preparation of a Mediterranean Declaration for the Johannesburg Summit<sup>6</sup>.
- Development of the MCSD Strategic Review, based on responses to a questionnaire and on three related studies<sup>7</sup>.

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<sup>5</sup> Including land use, erosion and desertification.

<sup>6</sup> Approved by the Parties in Monaco in November 2001.

<sup>7</sup> On regional co-operation in the Mediterranean, major groups in society, and on MAP's relationship to sustainable development.

105. Lately, the MCSD has become the main actor in elaborating the Mediterranean Strategy on Sustainable Development (see below).

## **Mediterranean Strategy for Sustainable Development (MSSD)**

### **Preparation of the MSSD**

106. The MSSD started very slowly through the MCSD in September 2002, making use of previous work done by this body and the RACs. Three studies were commissioned on key priority areas, namely:

- Economic development and social equity;
- Environment and natural resources; and
- Governance, policy and institutional issues.

107. These were discussed in a meeting of 50 experts organised in March 2003 in Barcelona (Spain), where the basic orientations of the Strategy were defined<sup>8</sup>.

108. COP13 (November 2003) entrusted the supervision of the MSSD process to the Steering Committee of the MCSD.

109. It should be noted that in all this process the participation of the socio-economic sector has been practically non-existent, although some discussions were held at the national level in countries that have committees on sustainable development.

110. In July 2004, a meeting of the **MAP organs**??? was held to discuss the MSSD, and the Blue Plan was charged with elaborating the text, with contributions from external consultants. In December 2004 the draft MSSD went through a peer review and is now being finalised. A meeting of the MCSD Steering Committee was held on 17-18 January 2005 in Rome to review it, and the results were judged positive, while extensive suggestions for improving the draft were agreed upon<sup>9</sup>. The draft will be discussed at a regional meeting in late March 2005. Two representatives from each Party will be invited to attend this meeting, hopefully with one coming from an economic or development ministry. A new draft will be debated at the MCSD meeting in June 2005, and will be presented for final approval to COP14 in November 2005<sup>10</sup>.

### **Contents**

111. The current draft of the MSSD begins with a short reference to the challenges facing the Mediterranean region. It then continues with a small number of sensible and appropriate objectives, as follows:

- (1) Increase economic development by enhancing Mediterranean assets;
- (2) Reduce social deficits by implementing the Millennium Development Goals;
- (3) Change unsustainable production and consumption patterns and manage natural resources sustainably; and
- (4) End the irreversible degradation of local and regional public goods, promote their restoration and reduce the increasing vulnerability to natural risks.

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<sup>8</sup> Two reports were produced entitled *Vision for Sustainable Development in the Mediterranean and Framework Orientations*.

<sup>9</sup> UNEP(DEC)/MED WG..., 22 January 2005.

<sup>10</sup> This meeting coincides with Ramsar COP9.

112. These are further elaborated in action-orientated proposals related to seven critical areas where progress must be achieved, as follows:

- (1) Promoting sustainable management of the sea and the seashore and urgently stopping the degradation of coastal areas;
- (2) Controlling urbanisation and promoting sustainable urban development;
- (3) Promoting 'quality' agriculture and sustainable rural development;
- (4) Improving water resources and demands management;
- (5) Managing energy demand and reducing the long-term effects of climate change;
- (6) Ensuring sustainable mobility through appropriate transport management; and
- (7) Making tourism a leading vehicle for Mediterranean sustainable development.

113. Specific objectives are then proposed for each of these areas, with concrete orientations and actions.

114. One weakness of the Strategy is the lack of sufficient emphasis on the Mediterranean heritage. **Objective (1)** (NOTE: this Objective has not been mentioned before among the four general objectives and the seven critical areas listed above. Are there other "objectives" that have not been alluded to?) refers to 'Mediterranean assets' (natural and cultural) and stresses their importance for sustainable development and the need for their conservation. This aspect though is not specifically included among the seven critical areas for action, albeit indirectly and not with sufficient emphasis.

115. The draft MSSD deals only briefly, in the third part, with the question of means and resources for implementation at the regional and national levels. At the Mediterranean level, it identifies the following aspects:

- A Euro-Mediterranean area of solidarity and commitment;
- Strengthening synergies with other co-operation frameworks in the region; and
- Exemplary regional monitoring of progress, mainly through the MCSD.

116. At the national level, it refers to the mobilisation of human and financial resources for national implementation, and more specifically:

- Strengthening human capital and involving actors: research, training, education, awareness-raising and participation;
- Financing sustainable development, and
- National implementation.

117. All of these aspects are analysed sufficiently into specific objectives and actions. Outputs and indicators of performance are not included.

118. The majority of those consulted may have other points of criticism, but the general conclusion is that the draft Strategy is a well-prepared document, with clear objectives and actions, and reasonable priorities.

### **Approval and legitimacy**

119. The MSSD process has been planned by MEDU and is to be completed with the approval by the COP in November 2005, while endorsement from the Euro-Mediterranean Partnership will be sought.

120. As the MSSD addresses to a large extent social and financial issues, its approval by the environmental authorities that participate in the COP of the Barcelona Convention may not be sufficient to give it the necessary legitimacy, which in turn is a key factor in facilitating the process of implementation. Thus, a process to obtain a broader approval from national authorities must be devised.

### **MSSD and the MCSD**

121. If approved as drafted, the MSSD will define a revised role for the MCSD, adding responsibility for monitoring the implementation of its recommendations and assisting the Parties in applying the MSSD, through advice, training and capacity building. This will require important changes in the structure, membership and operation of the MCSD, so that it can rise to this new challenge.

### **General conclusions**

122. It appears that MCSD has done innovative and useful work during the period 1996-2000, but since then its performance has remained stagnant.

123. In 2002, an *Ad Hoc* Evaluation Task Force was established to assess MCSD, consisting of 10-11 of its own members. Most of the work (and two meetings in Barcelona) was done during 2003 and a report was drafted. There is generally accepted criticism of the performance of MCSD, which is summarised as follows in the 'Draft Strategic Assessment of the General Framework of the Barcelona Convention'<sup>11</sup>:

- its work has been relatively academic and its added value rather limited;
- the minimal participation from some groups and sectors;
- the low visibility at the regional and national levels;
- the scope of its work has been very broad, which, combined with the lack of sufficient resources, has not permitted a deeper analysis of several topics; on the other hand, better and more efficient use could be made of the expertise that has been assigned (both internal and external resources); and
- national participation in the activities organised in the context of the MCSD has been somewhat scarce.

These criticisms seem valid to the consultants.

124. An extreme point of view is that the MCSD has turned into a consultants group, distributing small amounts of money to experts (including some of its members) to work on task forces and to produce recommendations on too many issues, without examining in depth their feasibility and the prerequisites for their implementation. These recommendations are usually left without follow-up.

125. The critics of the MCSD even raised proposals for its disbandment at its 8<sup>th</sup> Meeting (Cavtat, Croatia, 14-16 May 2005), during which the report of the *Ad Hoc* Task Force was reviewed without endorsing its recommendations. The proposal for disbandment was not accepted, but important decisions were taken for improving the MCSD orientation and performance<sup>12</sup>.

### **Sustainable development and the Convention**

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<sup>11</sup> UNEP(DEC)/MED WG.228/5, 6 August 2003.

<sup>12</sup> UNEP(DEC)/MED WG.217.4, 22 May 2003, especially Annex III.

126. Sustainable development must become the main axis of a possible Phase III on the application of the Barcelona Convention. Consequently, the concept and principles of sustainability must be introduced in all the activities of the system. In such a context, the role of MCSD would be:

- to assist the system in this transition;
- to advise each component of the system on how to incorporate sustainability into all their activities and how to contribute to promoting and achieving it the region;
- to monitor the implementation of sustainability at the national and the regional levels.

### **Balancing the three pillars**

127. Within the Barcelona Convention process, the three pillars of sustainability (economic, environmental and social) must be balanced. This could be done in two ways:

- by introducing significant changes in the *modus operandi* of the Convention in order to equitably involve the three pillars. This would imply changing the current system of MAP Focal Points and the capacity of MEDU and the RACs to serve a sustainable development agenda; or
- by systematically building long-term, substantial collaborations with the other two sectors involved in sustainable development (in the understanding that the Convention so far involves only the environmental sector). This could be done more effectively than today at the level of the MCSD, but it would not be sufficient and needs to be extended to the Convention system as a whole.

### **Cultural values**

128. In the work of the Convention, the cultural values of the Mediterranean must be viewed as an integral part of the social pillar of sustainability and must include both the rich cultural heritage of the past and the living contemporary culture in all its forms. Since culture in the region has always been related to nature and the environment, and has often emanated from productive activities, cultural values may provide links among the three pillars, assist in reconnecting people to their environment and lead to a holistic approach. This should be perhaps the main focus of Convention interest in relation to culture.

### **The territorial remit of the Convention**

129. As coastal areas are related inextricably to the inner lands, it is rather difficult to isolate them as far as sustainability is concerned. This might be feasible on the basis of environmental criteria, but much less so when the economy and the social issues must be taken into account.

130. Some Parties can be considered Mediterranean coastal countries in their entirety, as all of their basins drain in the Mediterranean Sea. For a few with basins draining in other seas or in the ocean, such as France, Morocco, Spain and Turkey, their involvement with any "Mediterranean strategy" is far more complicated since it would apply to only one part of their territory.

131. Thus, for the purpose of sustainability, a new definition of the territorial remit of the Convention may be necessary, starting with a consensus definition of "coastal area".

## **Agenda 21 MED**

132. Parallel to ongoing efforts for a better incorporation of sustainability in the work of the Convention process, and the more effective operation of the MCSD, an evaluation of Agenda 21 MED –ten years after it was approved– might provide very useful inputs to the entire process.

### **Summary recommendations**

133. The MCDS should clarify its role in the sense of being (a) a policy advisory body; and/or a technical advisory body; and/or a mechanism for assessment, monitoring and evaluation; and/or a mechanism to support the implementation of sustainable development strategies/programmes/plans/projects at the national and regional levels.

134. After clarifying its role, 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 MCDS should gain legitimacy to deal with sustainable development issues by truly involving the governmental and non-governmental sectors dealing with the other two pillars of sustainable development, namely the economic and social pillars, including the cultural component of the latter.

136. 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 case, 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.

137. The Commission should clarify its role vis-à-vis the UN Commission on Sustainable Development, both in terms of the substantive work and of process.

138. An effective secretarial support for the Commission should be established in one place, either in MEDU or in one of the RACs, with adequate human and financial resources to effectively play this function.

139. Before formally adopting the Mediterranean Sustainable Development Strategy, and regardless of the technical quality of the draft and its adequacy in terms of policy, the Conference of the Parties should seriously take into consideration the following key questions:

139.1 the legitimacy of the process used to prepare the draft, and thus the legitimacy of the document in itself;

139.2 the implications of adopting a Strategy with very significant components which are beyond the remit of the Barcelona Convention and its Protocols; and

139.3 which would be the specific components of the Strategy, if adopted, that will be taken up by the Convention mechanisms for implementation; the resources that would be needed to do this and where they should come from; the synergies that should be

established in order to achieve the objectives; and the monitoring system that should be established.

### **III.3 THE REGIONAL ACTIVITY CENTRES (RACs)**

#### **General Findings (up to 14 March 2005)**

140. The Parties' judgment as to the extent to which the RAC's work/activities ranged from "very helpful" to "of some help". Only in one case did a Party evaluate the RAC's work as lying between "of some help" and "irrelevant".

140. The RAC's work/activities deemed useful were primarily those associated with **the implementation of an activity (project) and/or the provision of applied and focused training**. The provision of practical tools, such as manuals and guidelines, is also a factor for positive evaluation of RAC's performance.

141. With regards to the degree of cooperation among the different RACs and programmes, there was a split in views between the Parties. Only half of the Parties viewed the cooperation between the RACs as being satisfactory, while the other half judged the cooperation as "Not very satisfactory". It is to be noted here that **all** the RACs and programmes that have been interviewed so far indicated that they were not satisfied with the current degree of cooperation among themselves.

142. Responses to the questionnaire showed that there is an almost equal division in views as regards the current system of RACs – i.e. national centres carrying out regional functions: 50% of the responses indicated that the current system has major advantages and should be maintained; and the other 50%, while admitting these advantages indicated that reforms need to be introduced to the *modus operandi*.

143. In general, parties described the activities of the RACs as being:

mostly in convening of meetings and production of reports and studies, and less in the implementation of recommended actions; and characterized by intermittent intervals of action separated by relatively long periods of inactivity.

#### **Blue Plan Regional Activity Centre (BP/RAC), Valbonne, France**

144. Statistical analysis of the responses given by Parties to be added.

#### **Priority Actions Programme Regional Activity Centre (PAP/RAC), Split, Croatia**

145. Statistical analysis of the responses given by Parties to be added.

#### **Regional Marine Pollution Emergency Response Centre for the Mediterranean (REMPEC), Manoel Island, Malta**

146. Statistical analysis of the responses given by Parties to be added.

#### **Specially Protected Areas Regional Activity Centre (SPA/RAC), Tunis, Tunisia**

147. Statistical analysis of the responses given by Parties to be added.

**Environment Remote Sensing Regional Activity Centre (ERS/RAC),  
Palerme, Italy**

148. Statistical analysis of the responses given by Parties to be added.

**Regional Activity Centre for Cleaner Production (CP/RAC), Barcelona, Spain**

149. Statistical analysis of the responses given by Parties to be added.

**Secretariat for the Protection of Coastal Historic Sites, Marseille, France**

150. Statistical analysis of the responses given by Parties to be added.

**The Programme for the Assessment and Control of Pollution in the  
Mediterranean region (MED POL)**

151. Statistical analysis of the responses given by Parties to be added.

**Analysis**

152. The following is a brief analysis (to be completed) of the performance of the "RACs system".

153. The RACs' functions and activities (this also applies to the MAP as a whole) are not sufficiently known and recognized by the relevant national institutions.

154. The RACs have relatively limited human and financial resources to address the wide range of activities in and demands from the countries of the region. Financial and human resources are even more limited when it comes to implementation of projects or activities.

155. The studies, reports and the various products of the different RACs are in general valuable, but have not been sufficiently invested in nor utilized at the national level.

156. Focal points and partner institutions in the countries could better persuade decision makers and other relevant institutional stakeholders to make use of the RACs' products if RACs (and the MAP) were to provide more tangible and concrete forms of support. In addition if the MAP were viewed as being a visible and politically attractive exercise, this would also help.

157. Parties need to interact more with the Centres, and better formulate their work/activities in directions that would be more beneficial to the region and to the countries.

158. FPs (whether MAP's or for RACs) have national day-to-day responsibilities and can therefore devote only a limited percentage of their time, efforts and attention to interaction and follow-up with the RACs. In addition in many cases, the MFPs might have responsibility for other programmes/projects with more resources addressing the same issues as the RACs, in which case they would give a relatively low priority to the RACs' activities.

159. Coordination at the national level between the different institutional stakeholders involved, mandated and interested in the RACs' (and MAP's) activities is yet inadequate. This renders the efforts of the RACs (and the MAP at large) less effective.

### **Recommendations**

160. Based on the findings and analysis presented in the previous sections, the evaluation team would propose the following set of **[preliminary]** recommendations.

161. RACs and programmes would need to open new chapters in their work that would be mainly characterized by:

plans and activities of all RACs revolving around a **common** and **shared vision** and **strategy**;

avoiding any duplication, overlap or fragmentation of responsibilities and activities; and

within the framework of the common and shared vision and strategy, all RACs and programmes would need to sharpen their focus on a number of concrete activities/actions with a view of achieving tangible results (success brings more success).

162. The RACs (and the MAP as a whole) needs to make **major efforts** with a view of making the MAP, RACs and their programmes much more **visible** and **politically attractive**. This would help in making the efforts of the RACs more effective.

163. The RACs and programmes, each within its mandate and sphere of interest, should prepare and launch a sound "Resource Mobilization Plan". This should address different sources and mechanisms of resource mobilization. These plans should be verified for overlap or duplication by MEDU.

164. The RACs and programmes, in coordination with MEDU, should consider activating a **strong** and **visible** reporting system for progress made at national level.

165. The whole MAP system needs to consider a mechanism to support MFPs and institutions in their efforts to reach, influence and involve other key national institutional stakeholders.

### **Other programmes and activities**

148. Summary of inputs to be added.

### **Summary questions related to the RACs and programmes**

149. Statistical analysis of the responses given by Parties to be added..

### **MAP Coordinating Unit (MEDU)**

150. Statistical analysis of the responses given by Parties to be added.

### **Mediterranean Trust Fund (MTF)**

151. Statistical analysis of the responses given by Parties to be added..

### **Relations with bilateral and multilateral donors**

152. Statistical analysis of the responses given by Parties to be added.

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

#### **Context**

153. The European Community is a Party to the Barcelona Convention on equal footing with the other Parties. Nevertheless, due to the different nature of the EC as a Party and the particular role played by the EU in the Mediterranean region, the relations with this Party to the Convention requires a separate treatment. The Focal Point of the EU as a Party is the European Commission (EC), and more specifically the Environment Directorate-General (DG-ENV).

154. In addition, it should also be taken into account that among the other 21 Contracting Parties to the Convention there are now seven which are EU members, with two more working towards accession to the EU. This means that 45% of the Parties are now subject to EU binding legislation or preparing themselves for adopting it.

155. Statistical analysis of the responses given by Parties in this section, to be added.

#### **Attitude of the EC towards the Convention**

156. The DG ENV<sup>13</sup> participates very actively in the Convention processes and attends meetings regularly. The EC was the only Party that submitted the response to the questionnaire related to this External Evaluation within the established deadline, having gone through, as recommended, an internal consultation process for the preparation of the answers. In principle, other DGs are kept informed (especially the External Relations Directorate-General). The EC contributes yearly to the MEDU budget one million euros, of which 50% is a voluntary contribution. The officials representing the EC participate actively in key issues and appear positive and supportive towards the Convention.

157. In spite of good intentions<sup>14</sup>, however, and at the institutional level, the EC does not seem to recognise the Convention process as a credible, major and permanent partner in the Mediterranean; thus, it does not use effectively its structure and services, and does not involve MEDU and the other components of the Convention process substantially in the major EU initiatives in the region, such as the Euro-Mediterranean Partnership (Euro-Med P) and the Short and Medium-term Priority Environmental Action Programme (SMAP). On the contrary, it treats the components of the Convention process as any other interested party submitting project proposals on a competitive basis.

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<sup>13</sup> At the level of Head of Unit or higher.

<sup>14</sup> During the 2<sup>nd</sup> Euro-Mediterranean Conference, for example, held in Athens in July 2002, the EU Foreign Ministers acknowledged the importance of strengthening the links between the Convention and the Euro-Mediterranean Partnership.

158. The reasons for this unsatisfactory relationship are complex and numerous. From the side of the EC, the internal pressure for financial transparency and accountability, and the resulting awesome bureaucracy, certainly plays a role. A major political and legal problem that may exist is that the EC treats the Convention (at least on the financial level) as an external arrangement, while at the same time the EC participates officially in all the decision-making processes of the treaty, thus being an insider in the system.

159. One other reason for this attitude from the EC towards the Barcelona Convention is that the EC is involved in other several regional seas processes in which EU member states are party to. Thus, it can not treat the Barcelona Convention and its process in a privileged manner.

160. Finally, the EU political, institutional, legislative and external cooperation processes are so complex in general – and even more so in relation to the Mediterranean, part of which “belongs” to the EU and part of which do not – that it becomes very difficult to find ways and means for establishing a more significant and meaningful cooperation with the Convention.

### **Attitude of the Convention towards the EC**

161. Within the Convention, some of the Contracting Parties (including some EU members) maintain that the EC is just one of the Contracting Parties, like any other, and should not be treated in any different way. There is also a degree of suspicion (especially among some of the states that are not members of the EU) concerning the perceived hegemony role of the EC.

162. The majority, however (including MEDU) considers that the EU plays a major and positive role in the Mediterranean, and unless there is a very close institutional relationship between the EU and the Convention, the latter runs the danger of becoming marginalised and left behind EU initiatives in the region<sup>15</sup>.

163. There is also concern due to the fact that the Parties that are EU members have no choice but to orient themselves in the first instance towards the EU and to weaken, if need be, their links with the Convention. This could undermine the basic strength of the treaty process, which is the equitable participation of countries from all the sub-regions of the Mediterranean basin.

164. Of course, even the strongest proponents of closer links with the EC, recognise that the Convention process must retain all along its independence and identity.

165. One more point to be noted is that the relationship among the two sides is made more difficult by the fact that the key persons involved belong to very different bureaucracies (the UN/UNEP and the EC), with different mentality and practices. At a broader level, policies and priorities of the UN and the EU are at times quite different.

166. In addition, the EU priorities concerning the Mediterranean are not always the same, influenced by broader considerations, and thus its policies towards and the mechanisms for cooperation with the region are often in flux.

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<sup>15</sup> The EU, for example is proceeding with the preparation of a Marine Strategy and a Green Paper on Maritime Affairs, which will have clear implications for the Convention, especially if the Strategy is translated into a EU Directive (of compulsory application by the Parties that are EU members).

## **The role of the MSSD**

167. It is only reasonable that the EC maintains a particular interest in the work of the MCSD, although it has expressed at times its dissatisfaction with MCSD priorities and results. At present, a serious effort is being made to refocus the work of the MCSD on the preparation of a Mediterranean Strategy for Sustainable Development, which would be the axis of its future work.

168. MEDU believes that through the MSSD the interest of the EU and its Euro-Mediterranean Partnership may be gained, which could lead to the endorsement of the MSSD by the Partnership during its next Ministerial Conference (Barcelona, November 2005). There are doubts regarding this possibility, as the time schedule for the finalisation and approval of the MSSD is extremely tight, leaving very limited margin for the necessary political and administrative procedures that this major step would require.

## **Improving the relationship**

169. 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. Without this high-level political initiative it may be very difficult to overcome the “good reasons” that exist to continue with business as usual in the Convention-EC working relations. The MEDU 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 catalyze this process as a matter of the highest priority.

170. 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 (EC-BC-SP). The EC-BC-SP could be implemented through a Five-year Joint Work Programme (JWP) executed through a Joint Programme Office (JOP) located, preferably, in MEDU or otherwise in one of the RACs or in a Party that would be ready 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 MEDU Coordinator.

171. Funding for the implementation of the JWP should come from the different mechanisms that now exist in the EC for external cooperation; other funds that the EC could allocate out of its budget for activities in the Mediterranean EU members; voluntary contributions from Parties and other governments; and 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.

172. The capacities of the RACs, MEDPOL and other partners, including NGOS, should be enlisted with clear roles to play in the implementation of the JWP.

173. 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 JWP proposed above, which could be ready for consideration and adoption by COP15.

## **Synergy and cooperation with other Conventions, processes and partners**

### **Context**

174. There are a considerable number of other intergovernmental treaties, global and regional processes, and activities undertaken by partners which are very relevant to PAM.

175. Brief analysis of responses to be added, followed by conclusions and recommendations.

#### **MAP outreach strategy and activities**

176. Statistical analysis of the responses given by Parties to be added, followed by conclusions and recommendations.

#### **The system of MAP (and MCSD/RACs) Focal Point(s)**

177. Brief analysis of the responses to be added, followed by conclusions and recommendations.

## Part IV

### **The future orientation of MAP and its relations with other regional and international organizations and processes**

#### **Context**

178. One of the main challenges in the preparation of a **MAP Phase III** could be the question of identifying the most adequate and efficient *niche* for MAP in the current regional and international context. These challenges include both the issues that a MAP Phase III should address and the mechanisms that should be used for an effective implementation of the Action Plan.

**179. Brief analysis of the responses, followed by general conclusions and recommendations.**

Part V

180. Summary of general comments, if provided.