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**MEDITERRANEAN ACTION PLAN**

Fourth Meeting of the Executive Coordination Panel

Athens, Greece, 16 December 2008

**MAIN WORKING DOCUMENT FOR THE FOURTH MEETING  
OF THE EXECUTIVE COORDINATION PANEL**



## **CHAPTER 1**

### **13<sup>th</sup> Meeting of the Mediterranean Commission for Sustainable Development Cairo, Egypt -22-24 June, 2009**

#### **“Climate Change Adaptation – Experience and Strategies in the Mediterranean”**

##### **Preliminary Draft Agenda**

1. Opening of the meeting by the Minister for the Environment of Egypt H.E. Michael George (tbc)
2. Opening remarks by the MAP Coordinator
3. Keynote address by Prof. Dr. Mohammed el-Raey – Professor of Environmental Physics at Alexandria University - Cairo
4. UNEP’s Action Plan on Adaptation to Climate Change – Mr. Jian Liu – Chief –Climate Change Adaptation Unit of UNEP
5. EC Policy Paper on Climate Change by .....
6. EEA Report on Impacts of Europe’s Climate Change – 2008 indicator-based assessment (tbc);
7. Mainstreaming of Climate Change Adaptation in national policies – case studies by Egypt, Montenegro and Syria.
8. MAP Components’ activities in the field of climate change:-
  - i. Climate Change in the Mediterranean – Conclusions of the Marseille seminar;
  - ii. ICZM Protocol and adaptation measures to the impact of climate change in coastal areas;
  - iii. Impact of Climate Change on Biodiversity in the Mediterranean;
  - iv. Sustainable Consumption and Production and Climate Change – results of the Mediterranean Roundtable on SCP;
9. Discussion and approval of MCSD Communication to the Copenhagen Summit on Climate Change;
10. Information and Communication Strategy for MSSD;
11. MCSD Programme of Work:-
  - i. Support to NSSD formulation and implementation;
  - ii. Review of NSSD Status with particular reference to adaptation to climate change;
  - iii. Report on results of Thematic Working Groups;
  - iv. MSSD Indicators – update report;
  - v. Approval of new ToR of MCSD;
  - vi. Approval of new members of MCSD
  - vii. Date and place of the next meeting of MCSD



## CHAPTER 2

### **Organization of the Ministerial Segment of the 16<sup>th</sup> Meeting of the Contracting Parties to the Barcelona Convention**

**Marrakech, Morocco----,November, 2009**

#### ***Introduction***

In accordance with Article 18 of the Barcelona Convention, the Contracting Parties shall hold ordinary meetings once every two years to keep under review the implementation of the Convention and the Protocols. At these meetings, Contracting Parties consider and approve decisions and recommendations regarding different aspects of implementation of MAP legal instruments as well as the work programme and the related Budget for the next biennium.

For many years now, it has been the practice to hold a Ministerial Segment during the four-day meeting of the Contracting Parties, to provide Ministers and Heads of Delegations with an opportunity and a platform to deliver policy statements on a given topic of MAP relevance and high on the international environmental agenda. The topic is proposed by the Secretariat to the Bureau for its consideration and approval.

At its next meeting, the Bureau has to decide on the choice of topic for discussion at the 16<sup>th</sup> Meeting of the Contracting Parties in consultation with the host country. At its last meeting in Split, Croatia last September, the Executive Coordination Panel (ECP) considered a number of options that were suggested by the 67<sup>th</sup> meeting of the Bureau. The ECP finally agreed to propose to the Bureau one main topic for the Ministerial Segment of the 16<sup>th</sup> Meeting in Marrakech, Morocco in November 2008 namely "*MAP's Added Value for the Union for the Mediterranean*". The ECP suggested also a back up theme entitled "*Sustainable use of Natural Resources with the main focus on the findings of the Ecosystem Services Analysis and Cost of Environmental Degradation*".

This concept paper is intended to facilitate discussion at the next Bureau meeting to enable the members to arrive at a final decision on the topic for the Ministerial segment. This paper presents some considerations of the following issues:

- Political significance of the Union for the Mediterranean for the region;
- Basis for establishing a strong cooperation between MAP and the Union for the Mediterranean;
- MAP's Added Value to the Union for the Mediterranean;
- Expected outcome from the Ministerial discussions;
- Organization of the 16<sup>th</sup> Meeting of the Contracting Parties;
- Proposed timetable

#### **1. Political significance of the Union for the Mediterranean Initiative**

Following agreement by the Heads of State and Governments from the EU and Mediterranean countries at the Paris Summit of 13 July, 2008 to launch the Barcelona Process-Union for the Mediterranean (Foreign Ministers from EU and Mediterranean countries meeting in Marseille on 3-4 November, 2008 agreed that henceforth the initiative should be called Union for the Mediterranean) Euro-Mediterranean relations have regained their importance and the region has been placed high on the agenda of regional geopolitics. In the coming years we shall witness increased focus by the EU countries, especially those

on the Northern Shores of the Mediterranean, to assert in political terms the central importance of the Mediterranean on the political agenda.

Another reason for optimism for an improvement in Euro-Mediterranean relations is the fact that the Union for the Mediterranean has also gained the support of the Southern Mediterranean countries. These states had lost interest in the 1995 process. They are now more optimistic about the new initiative because they enjoy equal status with their European partners and have full participation in the decision-making process through the Joint Presidency as well as through an improved system of institutional governance.

It is within this new regional political scenario that MAP should consider developing its role and design its contribution within the Union for the Mediterranean.

## **2. Basis for cooperation between MAP and the Barcelona Process-Union for the Mediterranean**

Since 1975, the Mediterranean states and the EU have been jointly combating environmental pollution and degradation in the Mediterranean region under the Mediterranean Action Plan (MAP) and within the framework of the Barcelona Convention (1976). This relationship has been strengthened following the launching of the Euro-Mediterranean Partnership in 1995.

Since 1996, in the framework of its neighbouring policy, the EU and the southern Mediterranean countries established the Euro-Mediterranean Partnership (EMP) promoting cooperation on a broad range of issues. In respect of MAP, this process was of great importance because it represented a real driving force in the field of environmental protection in the region in particular with the allocation of substantial financial resources for project implementation. Although its scope of application was by far larger than that of MAP in terms of geographic coverage and topics addressed, MAP and EUROMED have been working together in synergy on a number of issues of mutual interest.

These relations were boosted as a result of the Euro-Mediterranean Environment Ministers meeting in Athens in 2002 which agreed on a number of practical steps for the strengthening of ties and improving of operational synergies between the EMP and MAP both at the regional and national levels.

With the Barcelona Process re-invigorated with the setting up of the Union for the Mediterranean, the opportunity for improved cooperation is realistic and feasible. Both MAP and the EMP share sustainable development as the overall goal of regional policy coordination. On both sides it is recognized that economic development needs to be reconciled with environmental protection and that negative environmental consequences need to be mitigated.

On a more concrete level, the Euro-Mediterranean Ministerial Conference on the Environment (Cairo 2006) agreed on a roadmap to implement the Horizon 2020 initiative to de-pollute the Mediterranean through the implementation of the Barcelona Convention, its related Protocols and the Mediterranean Strategy for Sustainable Development (MSSD). Horizon 2020, being one of the projects approved by the Paris Summit, provides an important link, both at the political and institutional level, for future cooperation between MAP and the Union for the Mediterranean.

The relationship between the European Commission and UNEP/MAP was further developed within the framework of a Joint Work Programme (JWP) which was signed in 2005. This agreement gives particular attention to enhancing cooperation at the institutional level, including MAP's Regional Activity Centres (RACs), and to increased cooperation in support

of the implementation of the relevant EC environmental policies and the achievements of MAP objectives.

Of importance is the fact that at their 15<sup>th</sup> meeting, the Contracting Parties expressed their support for the new Union for the Mediterranean. In their political declaration they requested that this new initiative should build on Barcelona Convention/MAP and Horizon 2020 initiative.

Finally MAP's participation at the 13 July, 2008 Paris Summit of Heads of State and Government from the EU and Mediterranean Governments was recognition at the highest political level of its importance and relevance for the sustainable development of the region and the contribution that it could make towards the success of the UfM.

### **3. MAP's Added Value to the Barcelona Process – Union for the Mediterranean**

MAP should develop its future relations with Union for the Mediterranean on the basis of the added value that it could bring to this new regional initiative.

As UNEP's first Regional Seas Programme, MAP is a long standing regional mechanism which has been active and effective in combating pollution in the marine environment and promoting sustainable development for many years. It has accumulated a wealth of experience and expertise in different sectors of environmental protection and sustainable development. It has produced prospective development studies and sustainability analysis which could contribute to the achievement of the objectives of the Union for Mediterranean.

Over the years, MAP has developed a number of regional policies adopted by the meetings of the Contracting parties. Their implementation is based on concrete measures, actions and targets for the achievement of pollution reduction, biodiversity protection, integrated coastal zone management, etc.

The establishment of the Mediterranean Commission for Sustainable Development (MCSD) in 1996 is a concrete manifestation of the commitment of the Mediterranean countries to working towards integrating environment and development in their development policies. It provides a regional forum for dialogue for MAP member countries, civil society including NGOs and the private sector, for promoting sustainable development in the Mediterranean.

An important contribution by the MCSD has been the elaboration of the Mediterranean Strategy for Sustainable Development (MSSD) adopted in 2005 by the 14<sup>th</sup> Meeting of the Contracting Parties. The MSSD has been recognized by a number of forums and processes of cooperation outside MAP as an appropriate framework for achieving sustainable development goals with a view to strengthening peace, stability and prosperity in the region taking into consideration also the need to narrow the gap between developed and developing countries of the Mediterranean. Action is already being taken by all MAP components to support the Mediterranean countries to adopt sustainable development strategies.

MEDPOL is the MAP component which brings immediate and substantial added value to the Union for the Mediterranean. De-pollution of the Mediterranean, on the basis of Horizon 2020 initiative, is one of the key initiatives approved at the Paris Summit. Launched at the Environment Ministers' meeting in Cairo in 2005, Horizon 2020 is a roadmap that calls for the development of a pipeline of pollution reduction projects on the basis of the National Action Plans developed by MEDPOL within the framework of the LBS Protocol. Because of its leading role in the Mediterranean for pollution reduction, MAP and more directly

MEDPOL, is considered as a valued partner in Horizon 2020. Implementation of Horizon 2020 has already started with the full participation of MEDPOL.

MAP has 6 Regional Activity Centres, which carry out activities in support of the implementation of MAP projects and programmes at the regional, national and local levels on the basis of the decisions of the meetings of the Contracting Parties. Based in both Northern and Southern Mediterranean countries, these Centres have been working with the countries in the Mediterranean for years helping them to integrate environmental considerations in development policies and boosting their technical and human resource capacities in their respective fields of expertise. Together with the Coordinating Unit, the RACs provide an established and unique structure, which could benefit the new Mediterranean initiative

MAP also has a network of MAP partners, thus mobilizing the civil society organization of the region to assist and promote sustainable development and environmental protection. These organizations could be a driving force in creating awareness and mobilizing public opinion in support of the new Mediterranean initiative.

#### **4. Expected outcome from the Ministerial discussions**

In Marrakech, the Contracting Parties will have the opportunity to state how they see MAP's future role in the region in view of the new political scenario.

Together with the President of the Contracting Parties, both Presidencies of the Union for the Mediterranean (France and Egypt) could be invited to deliver opening statements at the Ministerial session to set the scene for the interventions by Ministers and Heads of Delegation on the role that the new initiative could play in the region and its relevance for the Mediterranean Action Plan and the Barcelona Convention and its Protocols.

Of equal importance during the Ministerial session will be the intervention by the European Community. The EC would be expected to define how together with MAP where relevant their activities under Union for the Mediterranean could be better coordinated with the programmes and initiatives under the Barcelona Convention. The views of the EC will have added significance this time round because the Euro-Mediterranean Partnership includes all EU Member States and not only those with a Mediterranean coastline.

An important initiative by MAP, which is related to the topic being proposed for the meeting of the Contracting Parties because of its synergy with Horizon 2020 is the launching of the GEF Strategic Partnership for the Mediterranean Large Marine Ecosystem. By the time of the next meeting of the Contracting Parties, the implementation of both components of the new GEF Strategic Partnership would already have made considerable progress. A Project Management Unit would be in place and activities under the Regional component of the Partnership would already have been launched.

The World Bank has already approved two Global Environment Facility grants to two Contracting Parties, Bosnia Herzegovina and Croatia, under the Investment Fund of the GEF Partnership.

Being the first meeting after the launching of the GEF Partnership, the meeting in Marrakech would be an appropriate occasion for the Contracting Parties to express their support for this important initiative which is meant to assist GEF eligible Mediterranean basin countries in implementing their top priority pollution reduction and habitat protection measures and to contribute to reversing the degradation of the Mediterranean and its coastal areas.



Marrakech will also be an opportunity for the Contracting Parties, especially those on the Southern shore of the Mediterranean, to make their views known on the Horizon 2020 initiative and especially about the Mediterranean Hot-Spot Identification Programme (MeHSIP). This programme is meant for the development of a pipeline of pollution reduction projects that are both environmentally significant for the region and financially viable for a lending institution. Southern Mediterranean countries still harbour some concerns about the conditions attached to this financing mechanism. Since MAP and MEDPOL are directly involved in Horizon 2020 it is important to know the position of these countries with respect to this initiative. The meeting in Marrakech will provide these countries with a platform to make their case.

Another major development for MAP since the last meeting of the Contracting Parties in Almeria, Spain, has been the entry into force of the amendments to the LBS Protocol. Following the adoption in 1996 of the Strategic Action Programme (SAP) to address pollution from land-based activities and the endorsement of the National Action Plans (NAPs) the entry into force of the amended LBS Protocol has added value to the Barcelona Convention.

As stipulated by Article 15 of the LBS Protocol, at the next meeting in Marrakech in 2009, the Contracting Parties have to adopt regional plans and programmes containing legally binding measures and time-tables for the elimination of pollution deriving from land-based sources and activities. In Marrakech Contracting Parties are expected to express their commitments to adopt the regional plans and programmes and to meet the legally-binding targets.

Through appropriate cooperation and coordination, all the activities mentioned above (the MEDPOL programme with the SAP and the NAPs, the new GEF Strategic Partnership with its Regional Component and Investment Fund, the Horizon 2020 and the MeHSIP programme of the EIB) all constitute a strong political, technical and financial synergy between the Barcelona Convention and the Union for the Mediterranean.

## **5. Organization of the 16<sup>th</sup> Meeting of the Contracting Parties**

At the second meeting of the Executive Coordination Panel in Malta, it was agreed to propose to the Bureau that the decisions could be adopted en bloc on the first day of meeting of the Contracting Parties and thus shorten the duration of the meeting to three days. The Bureau welcomed this proposal provided that no issues are left pending from the meeting of the MAP Focal Points in which case the Contracting Parties will be of four-days duration to enable discussion on the pending matters.

## **Proposed timetable**

### **Option I**

In this regard, it is proposed that the 16<sup>th</sup> Meeting of the Contracting Parties in Marrakech follows the following timetable:-

#### **Day 1**

9.30 - 11.00	Opening of the meeting Organizational matters Adoption of Decisions and Programme of Work And Budget 2010-2011
11.00 - 11.30	<i>Coffee Break</i>
11.30 – 13.00	Continuation Adoption of Decisions and Programme of Work and Budget 2010-2011.
13.00 – 14.30	<i>Lunch break</i>
14.30 – 16.30	Opening of Ministerial Session Introduction of the topic “MAP’s added value in the Union for the Mediterranean – Political Perspective” followed by statements from delegations.
16.30 – 17.00	<i>Coffee break</i>
17.00 – 18.30	Continuation of Ministerial session

#### **Day 2**

9.30 – 11.00	Continuation of the Ministerial session
11.00 – 11.30	<i>Coffee break</i>
11.30 – 13.30	Continuation of the Ministerial discussion
13.30 – 15.00	<i>Lunch break</i>
15.00 – 16.30	Adoption of the Marrakech Declaration
16.30 – 17.00	<i>Coffee break</i>
17.00 – 18.30	Date and place of the 17 <sup>th</sup> Meeting of the Contracting Parties in 2011 Other matters

#### **Day 3**

9.30 – 11.00	First session for two parallel side events
11.00 – 11.30	<i>Coffee break</i>
11.30 – 13.30	Second session for two parallel side events
13.30 – 15.00	<i>Lunch break</i>
15.00 – 18.00	Adoption of the report
18.00 – 18.30	Closing ceremony

**Option II**

**Day 1**

1000-11.30	Opening of the meeting Speech by the President, Spain Speech by the ED Speech by local Authorities Speech by MAP coordinator Elections of officers Organizational matters Speech by the newly elected President/Morocco
11.00 - 11.30	<i>Coffee break</i>
11.30 – 13.00	Opening Introduction of the topic “MAP’s added value in the Union for the Mediterranean – Political Perspective” followed by statements from delegations.
13.30 – 15.00	<i>Lunch break</i>
15.00 – 16.30	Continuation of Ministerial Session
16.30 – 17.00	<i>Coffee break</i>
17.00 – 18.30	Continuation of Ministerial Session

**Day 2**

9.30 – 11.00	Continuation of Ministerial session
11.00 – 11.30	<i>Coffee break</i>
11.30 – 13.30	Adoption of Marrakech Declaration
13.30 – 15.00	<i>Lunch break</i>
15.00 – 16.30	Adoption of Decision and Programme budget
16.30 – 17.00	<i>Coffee break</i>
17.00 – 18.30	Continuation Adoption of Decision and Programme budget Date and place of the 17 <sup>th</sup> Ordinary Meeting of the Contracting Parties in 2011 Other business

**Day 3**

9.30 – 11.00	First session of two parallel side events
11.00 – 11.30	<i>Coffee break</i>
11.30 – 13.30	Second session of two parallel side events
13.30 – 15.00	<i>Lunch break</i>
15.00 – 18.00	Adoption of the report
18.00 – 18.30	Closing ceremony



**CHAPTER 3**

**DRAFT MODEL HOST COUNTRY AGREEMENT (HCA)  
BETWEEN  
THE GOVERNMENT OF  
AND  
THE UNITED NATIONS ENVIRONMENT PROGRAMME  
CONCERNING THE**

**(An Informal Document)**

**By  
Professor Evangelos Raftopoulos  
MAP Legal Adviser**

The Parties to the present Agreement:

Desiring to define the status, privileges and immunities of the CENTRE and persons connected with it,

**[etc.]**

Have agreed as follows:

<b>DEFINITIONAL ARTICLE 1 : USE OF TERMS</b>
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For the purposes of the present Agreement, the following definitions shall apply:

- (a) *“Appropriate Authorities”* means such government, municipal or other authorities in the Host Country as may be appropriate in the context and in accordance with the laws and customs applicable in [the Host Country].
- (b) *“Barcelona Convention”* means the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, done at Barcelona on 16 February 1976, as amended on 10 June 1995;
- (c) *“Centre”* means .....
- (d) *“General Convention”* means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations on 13 February 1946;
- (e) *“Organization”* means the body designated as responsible for carrying out secretariat functions pursuant to Article 17 of the Barcelona Convention;

**[ etc.]**

**ARTICLE 2: LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES**

1. The CENTRE shall have in [the Host Country] such legal capacity and facilities and shall enjoy such privileges and immunities as are necessary for the exercise of its functions and the fulfillment of its purpose.
2. The CENTRE shall have legal personality. It shall in particular have the capacity to contract, to acquire and dispose movable and immovable property and to be a party to legal proceedings.

**COMMENT:** *A standard provision included in HCA Agreements.*

**ARTICLE 3: PREMISES**

1. The Government shall ensure the availability of adequate premises needed for the work of the CENTRE, including furnishing of the premises, telecommunication facilities and maintenance of these premises and facilities, and shall provide an in-cash counterpart contribution for the general operation of the CENTRE and for the implementation of the regional activities assigned to the CENTRE by the Meetings of the Contracting Parties to the Convention and prescribed by the Protocol [title] where appropriate. This contribution shall be paid directly by the Government to the CENTRE. The amount of such resources shall be pledged at the Meetings of the Contracting Parties to the Convention.
2. The Government shall do their utmost to ensure that the premises shall be supplied with necessary public services, including electricity, water, sewage, gas, post, telephone, telegraph, local transportation, drainage, collection of refuse and fire protection, and that such public services be supplied on reasonable terms. In case of interruption or threatened interruption of any such services, the Government shall take all reasonable steps to ensure that the CENTRE is not prejudiced.

**COMMENT:** *Para. 1 is a standard provision contained in PAP/RAC HCA (Art.2(4))<sup>1</sup>, in INFO/RAC HCA (Art. 2(4))<sup>2</sup> and more generally in SPA/RAC HCA (sec. 5(c))<sup>3</sup>. Para. 2 is generally a standard provision in many HCAs and its formulation combines Art. V (sec. 11 (a)(b) of UNEP/MAP HQA (Art. XI(19))<sup>4</sup> and Art. 4(3) of the UK-FUND 92 HQA<sup>5</sup>.*

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<sup>1</sup> Agreement between the Republic of Croatia and the United Nations Environment Programme Concerning the Priority Actions Programme Regional Activity Centre (PAP/RAC), 1996.

<sup>2</sup> Agreement between the Government of the Republic of Italy and the United Nations Environment Programme Concerning the Environment Remote Sensing Regional Activity Centre (ERS/RAC), 2004, which now applies to INFO/RAC which, by decision of the 14<sup>th</sup> MOP, 2005, replaced the ERS/RAC.

<sup>3</sup> Accord entre le Gouvernement de la République Tunisienne et le Programme des Nations Unies pour l' Environnement relative au Centre d' Activités Régionales pour les Aires Spécialement Protégées (SPA/RAC), 1991.

<sup>4</sup> Agreement between the Hellenic Republic and the United Nations Environment Programme Regarding the Headquarters of the Coordinating Unit for the Mediterranean Action Plan, 1982.

<sup>5</sup> Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the International Oil Pollution Compensation Fund, 1992.

**ARTICLE 4: REGIONAL ROLE & TASKS**

1. In carrying out its regional role, the CENTRE shall perform the tasks assigned to it by decisions of the Meetings of the Contracting Parties, or deriving from the implementation of the functions entrusted to it by the Organization or agreed by the Contracting Parties as provided in the Protocol ..... *(title, articles)*
2. Such tasks shall be specified in the CENTRE Approved Mandate referred to in the Annex to this Agreement which shall form an integral part of this Agreement.

**ARTICLE 5: MEETINGS AND CONFERENCES**

1. Meetings and Conferences organized by a CENTRE in carrying out their regional role shall be open to all participants designated by the focal points of the Contracting Parties to the Convention.
2. The Government of [Host Country] shall extend to such participants the privileges and immunities provided under Article IV of the General Convention.

**COMMENT:** *Similar provision is contained in the PAP/RAC HCA (Art. 3) and the INFO/RAC HCA (Art. 3).*

**ARTICLE 6: INFORMATION, LOGOS, FLAG & LANGUAGE**

1. The CENTRE shall provide information on its regional activities to the focal points of the Contracting Parties to the Convention.
2. The UNEP and MAP logos shall appear on official CENTRE's papers and publications together with the name and/or logo of the CENTRE
3. The CENTRE shall be entitled to display its flag and emblem and the flag and emblem of the Organization on the premises and means of transport of the CENTRE.
4. As MAP working languages are English and French, all efforts shall be made to use both languages in meetings and for the CENTRE's publication

**COMMENT:** *Para. 1 is a standard provision contained in PAP/RAC HCA (Art.3(3)), SPA/RAC HCA (sec. 7) and INFO/RAC HCA (Art. 3(3)). Paras. 2 and 4 are also contained in INFO/RAC HCA (Art. 3(4)(5)). Sec. 3 is contained in the IMO-REMPEC HCA (Art. (1)(e))<sup>6</sup>. Similar provision is contained in other HCAs (e.g. UK-FUND 92 HQA (Art.7)*

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<sup>6</sup> Agreement between the Government of Malta and the International Maritime Organization Concerning the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea, 1990.

## ARTICLE 7: RELATIONSHIP

1. The activities of the CENTRE relevant to its regional role and to the implementation of the Mediterranean Action Plan and the Barcelona Convention and its Protocols, as appropriate, shall be carried out under the general guidance and supervision of the Organization.
2. The Organization shall coordinate the activities of the CENTRE with other components of the MAP, as well as with various international organizations and programmes concerned and with the relevant activities of the Contracting Parties to the Barcelona Convention.
3. The Government of [Host Country], the Organization and the CENTRE may jointly establish cooperation with relevant non-governmental organizations for the purposes of implementing the Mediterranean Action Plan and the Barcelona Convention and its Protocols, as appropriate.
4. The Government of [Host Country] shall designate a competent government authority to assist and monitor the implementation of the MAP Programme [and the Protocol ---] associated with the regional role of the CENTRE within the country.

**COMMENT:** *Paras. 1, 2 and 4 are standard provisions generally contained in PAP/RAC HCA (Art.4) and INFO/RAC HCA (Art. 4(1)-(3)). SPA/RAC HCA (secs. 2 and 3) includes para. 1, and, generally, para. 2. Para. 3 is a new one and incorporates Art. 32(2) of the ICZM Protocol, 2008 concerning Institutional Coordination.*

## ARTICLE 8: STRUCTURE

### Director and Personnel

1. The CENTRE shall have a full-time Director and such personnel, appointed in accordance with the provisions of this Article, as is necessary for the exercise of its functions.
2. The Director of the CENTRE whose post, in accordance with the decisions of the Contracting Parties to the Barcelona Convention, is financed by the Mediterranean Trust Fund (MTF) shall be appointed by an agreement between the Government of [Host Country] and the Organization. His recruitment shall be from among the applicants responding the vacancy announcements of this post communicated by the Organization.
3. The Director will represent the CENTRE and, subject to the provisions of the present Agreement, will have overall responsibility for the operation and administration of the Centre.
4. Locally recruited personnel, whose posts are financed by the National Government, will be appointed by the Director.
5. Internationally and locally recruited personnel whose posts, in accordance with the decisions of the Contracting Parties to the Barcelona Convention, are financed from



the MTF, will be appointed by the Director after consultation with the Organization. Internationally recruited personnel shall be appointed from among the applicants responding to the vacancy announcements of posts circulated through the Organization.

6. The Director shall communicate to [the Host Country] a list of all internationally recruited personnel of the CENTRE, and additions to the list as necessary, indicating in each case whether the individual is a citizen of [the Host Country].
7. Consultants and other experts for the CENTRE, whose engagement is financed from the MTF shall be selected in full consultation with the Organization.
8. The CENTRE shall be responsible for the formalities connected with the entry visas, residence permits and work permits of its internationally recruited personnel with the assistance of the Organization.
9. The Government of [Host Country] shall take the necessary steps to facilitate the procedure for granting entry visas to representatives or experts of the Contracting Parties on MAP activities.

**COMMENT:** *Paras. 1, 3, 4, 5, 7, and 9 are standard provisions contained in PAP/RAC HCA (Art.5) and in SPA/RAC HCA (sec. 5(a)(b)), while paras. 1, 3, 4, 7, and 9 are contained in INFO/RAC HCA (Art. 5). Para. 2 is consonant with the international character of the CENTRE and the procedure provided therein is generally implied from the above stated PAP/RAC HCA and SPA/RAC HCA. Para. 6 is taken from the IMO-REMPEC HCA (Art. 7(1) and it is generally a standard provision in HCAs ((e.g. UK-FUND 92 HQA (Art.24(1))).*

<b>ARTICLE 9: PRIVILEGES AND IMMUNITIES OF PROPERTY, FUNDS AND ASSETS</b>
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**(A) Immunity**

1. Within the scope of its regional activities the Centre shall have immunity from jurisdiction and execution except:
  - (a) to the extent that the Centre waives such immunity from jurisdiction or immunity from execution in a particular case;
  - (b) in respect of a civil action by a third party from damage arising from an accident caused by a motor vehicle belonging to, or operated on, behalf of the Centre, or in respect of a motor traffic offence involving such a vehicle;
  - (c) in respect of a civil action relating to death or personal injury caused by an act or omission in the *[host Country]*;
  - (d) in respect of any contract for the supply of goods or services;
  - (e) in respect of the enforcement of an arbitration award made under Article of this Agreement.

2. Property, funds and assets held by or for the use of the CENTRE shall be deemed to be property, funds and assets of the Organization, provided that property and assets do not include the premises and grounds housing the CENTRE which premises and grounds shall always remain the property and assets of the Government. These property, funds and assets, including the equipment purchased with the funds administered by the Organization, wherever located and by whosoever held, shall enjoy immunity from any form of legal process. They shall also be exempt from all direct taxes including income tax, value added tax, customs duties, prohibitions and restrictions on imports and exports for goods necessary for the exercise of the CENTRE's official use (except mere payments for services), and social security contributions. At the request of the appropriate authorities, the CENTRE shall provide written notification that any particular import or export is for its official use.
3. Funds, assets and equipment transferred to the CENTRE by the Organization shall enjoy immunities and exemptions referred to in para. 2 of this Article.

**COMMENT:** *Para. 1 takes into account, within the framework of the objective and purposes of the proposed model HCA for RACs, the practice of international HCAs (e.g. UK-FUND 92 HQA (Art.5(1)). Para. 2 amalgamates the corresponding standard provisions included in PAP/RAC HCA (Art.6(2)), in INFO/RAC HCA (Art. 6(2)) and in IMO-REMPEC HCA (Arts. 1(1) and 4(1)). Para. 3 is contained in PAP/RAC HCA (Art.6(3)) and in INFO/RAC HCA (Art. 6(3)).*

#### **(B) Archives**

4. The Archives of the CENTRE shall be inviolable.
5. The term archives includes all records, correspondence, documents, manuscripts, photographs, films, recording, discs and tapes belonging to or held by the CENTRE in the exercise of its regional functions.

**COMMENT:** *It is generally a standard provision for HCAs. Similar provisions are contained in the IMO-REMPEC HCA (Art. 1(g)) and in the UK-FUND 92 HQA (Art.6).*

#### **(C) Premises**

6. Except as otherwise provided in this Agreement the laws of [the Host Country] shall apply within the premises of the CENTRE, provided that the Organization or the CENTRE may establish any regulations necessary for the execution of the functions of the CENTRE, including rules of international administrative law and the terms of contracts of employment governed by the law. These regulations shall be operative within the premises of the CENTRE and no law of [the Host Country] which is inconsistent therewith will be enforceable within these premises. Any dispute between the Organization and [the Host Country] as to whether a regulation of the former is authorized by this paragraph, or as to whether a law of [the Host Country] is inconsistent with any regulation authorized by this paragraph shall be promptly settled as provided in Article 11 of this Agreement.
7. No official of the Government or person exercising any public authority, whether administrative, juridical, military or police, shall enter the premises of the CENTRE except with the express consent of, and under conditions approved by, the Director of the CENTRE. No service of execution of any legal process whatsoever shall not take place within the premises of the CENTRE except with the express consent of, and under conditions approved by, the Director of the CENTRE. Notwithstanding, the

CENTRE shall not permit its premises to become a refuge from justice for persons who are avoiding arrest or service of legal process, or against whom an order of extradition or deportation has been issued by the appropriate authorities.

8. The appropriate authorities of [the Host Country] shall take all appropriate steps and exercise due diligence to ensure the security and protection of the CENTRE, ensure that the tranquility of the CENTRE is not disturbed by the unauthorized entry of persons or groups of persons from outside or by disturbances in its immediate vicinity, and prevent the impairment of its dignity.
9. If so requested by the Director of the CENTRE, the appropriate authorities of [the Host Country] shall provide a sufficient number of police for the preservation of law and order in the premises.

**COMMENT:** *The paras. of this provision reflect standard provisions included in many HCAs. Para. 6 is also contained in IMO-REMPEC HCA (Art. 1(2)). Para. 7 reflects a similar provision contained in IMO-REMPEC HCA (Art. 1(3)(4) and in UNEP/MAP HQA (Art. III(8)) Paras. 8 and 9 are also included in UNEP/MAP HQA (Art. IV(9)).*

<b>ARTICLE 10: PRIVILEGES AND IMMUNITIES OF PERSONNEL AND EXPERTS</b>
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**(A) Internationally Recruited Personnel**

1. The Internationally Recruited Personnel of the CENTRE, provided that they are not citizens of [the Host Country], shall enjoy the privileges and immunities provided for in the General Convention, where applicable.
2. Internationally Recruited Personnel of the CENTRE and members of their families forming part of their respective households, provided that they are not citizens of [the Host Country], shall be exempt from custom duties and any taxes or charges (except charges for storage, cartage and similar services) imposed upon or by reason of the importation of articles (including a motor car) intended for their personal use or for their establishment at the time of taking up their post in [the Host Country]. Such articles shall normally be imported within six months of first entry of such persons in [the Host Country].
3. Any member of the Internationally Recruited Personnel of the CENTRE who presents a valid UN laissez-passer issued in accordance with Article VII, Section 26, of the Convention and identifying him as an official of the CENTRE shall, subject to paragraph 2 of Article 3 of this Agreement, be immune from [the Host Country's] immigration restrictions and requirements and from alien registration. Members of their families forming part of their respective household who travel with him and present satisfactory evidence of identity shall be similarly treated. No such official shall require a visa of entry into [the Host Country].
4. Any member of the Internationally Recruited Personnel of the CENTRE who does not present a UN laissez-passer shall not be exempt from the laws of [the Host Country] regarding passports and visas. They shall, however, subject to paragraph 2 of Article 3 of this Agreement, be immune from [the Host Country's] immigration restrictions and requirements and from alien registration provided that:

- (a) They produce valid travel document; and
  - (b) They produce evidence of their official capacity issued by their Government or by the CENTRE or by the Organization, or the appropriate authorities are notified of their arrival.
5. Persons other than such officials who have business with the CENTRE shall, subject to paragraph 2 of Article 3 of this Agreement, be immune from [the Host Country's] immigration restrictions and requirements and from alien registration provided that:
- (a) They produce valid travel document; and
  - (b) They produce evidence of their official capacity issued by their Government or by the CENTRE or by the Organization, or the appropriate authorities are notified of their arrival.

**COMMENT:** *The paras. Of this provision are taken from the IMO-REMPEC HCA (Arts. 5(1) & 6(1)(2)(3)) which refer to the status of officials as well as of persons other than officials who have business with the Centre.*

**(B) Director**

6. The Director, provided that he is a citizen of [the Host Country], shall enjoy the privileges and immunities to which a diplomatic agent in [the Host Country] is entitled.
7. The Director of the Centre, provided that he is a citizen of [the Host Country], shall be exempt from:
- (a) Tax arising outside the Host Country;
  - (b) Value added tax and other indirect taxes on articles imported or purchased or services rendered for their personal use or for their establishment, to the extent accorded under the law of [the Host Country];
  - (c) Social security contributions with respect to services rendered to the CENTRE.

**COMMENT:** *This provision incorporates a similar provision of the IMO-REMPEC HCA (Art. 5(2)).*

**(C) UN Personnel and Experts**

8. UN Personnel and its Experts on missions traveling to [the Host Country] in their official capacity in connection with the activities of the CENTRE, shall enjoy the privileges and immunities provided for in Article VI of the General Convention.

**COMMENT:** *Similar provision is contained in SPA/RAC HCA (sec. 6) in PAP/RAC HCA (Art.6(1)) and INFO/RAC HCA (Art. 6(1)). Also, a similar provision is included in UNEP/MAP HQA (Art. XI(19)).*

**ARTICLE 11: SETTLEMENT OF DISPUTES**

1. The Government of [Host Country] and the Organization shall endeavour to solve any dispute relating to the interpretation and application of the present Agreement by negotiation or other agreed mode of settlement.
2. Any dispute between the Government of [Host Country] and the Organization, which is not settled by negotiation or another agreed mode of settlement, shall be submitted to arbitration at the request of either party. Each party shall appoint one arbitrator and the two arbitrators so appointed shall appoint a third, who shall be the chairman. If within thirty days of the request for arbitration either party has not appointed an arbitrator, or if within fifteen days of the appointment of two arbitrators the third arbitrator has not been appointed, either party may request the President of the International Court of Justice to appoint an arbitrator. The procedure for the arbitration shall be fixed by the arbitrators, and the expenses of the arbitration shall be borne by the parties as assessed by the arbitrators. The arbitral award shall contain a statement of the reasons on which it is based and shall be accepted by the parties as the final adjudication of the dispute.

**COMMENT:** *Similar provision is contained in the PAP/RAC HCA (Art. 7), in the IMO-REMPEC HCA (Art. 9), and it is generally a standard provision for HCAs. The INFO/RAC HCA includes only sec. 39.*

**ARTICLE 12: INTERPRETATION OF THE AGREEMENT**

This Agreement shall be interpreted in the light of its primary purpose of enabling the Centre at its premises in [the Host Country] fully and efficiently to discharge its regional responsibilities and fulfill its purposes and functions.

**COMMENT:** *Similar provision is contained in the IMO-REMPEC HCA (Art. 10) and the UNEP/MAP HQA (Art. XIII(33)) and it is generally a standard provision for HCAs (e.g. the UK-FUND 92 HQA (Art.2)).*

**ARTICLE 13: AMENDMENT OF THE AGREEMENT**

At the request of the Organization or of the Government of [Host Country], consultations shall take place with respect to amendment of this Agreement. Any such amendment shall be given effect

**1<sup>st</sup> alternative** by an Exchange of Notes between the Organization and a duly authorized representative of the Government.

**2<sup>nd</sup> alternative** by written agreement between the parties.

**COMMENT:** *Similar provision is contained in the IMO-REMPEC HCA (Art. 8) [1<sup>st</sup> alternative], and in the PAP/RAC (Art.8(2)), UNEP/MAP HQA (Art. XIII(34)) and INFO/RAC HCA (Art. 8(2) [2<sup>nd</sup> alternative] and it is generally a standard provision for HCAs.*

**ARTICLE 14: FINAL CLAUSES**

1. The present Agreement shall enter into force on the date of the signature by both parties

2. The present Agreement may be terminated by either party providing six months written notice to the other party
3. In the event of the Centre being moved from the territory of [Host Country], this Agreement shall, after the period reasonably required for such transfer and for the disposal of the property of the Centre in [Host Country], cease to be in force.

**COMMENT:** *It is generally a standard provision for HCAs. Similar provisions are contained in the IMO-REMPEC HCA (Art. 11). The PAP/RAC (Art.8(1)(3)) and INFO/RAC HCA (Art. 8(1)(3) do not contain sec. 45 which, however, is a standard provision in HCAs ((e.g. UK-FUND 92 HQA (Art.27(2))*

IN WITNESS WHEREOF the respective representatives have signed this Agreement

DONE in duplicate at ----- this ----- day of -----  
200-- in two original copies in the English (French) language

### **ANNEX**

#### **MANDATE OF THE CENTRE**

## **CHAPTER 4**

### **Mandates of MAP Components**

#### **Draft Mandate**

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

The **Programme for the Assessment and Control of Pollution in the Mediterranean Region (MED POL)** was adopted in 1975 by the very first intergovernmental meeting of the Mediterranean coastal States, called by UNEP to consider the formulation of a broad and complex programme for the protection of the Mediterranean region, as the environmental assessment and pollution control component and integral part of the Mediterranean Action Plan (MAP). MED POL became MAP's first operational programme.

#### **Objectives**

The overall aim of the MED POL Programme is to contribute to the implementation of the 1995 Barcelona Convention for the protection of the marine environment and the coastal region of the Mediterranean and its Protocols, in particular the *1995 Protocol for the prevention and elimination of pollution of the Mediterranean Sea by dumping from ships and aircrafts and incineration at sea*, the *1996 Protocol for the protection of the Mediterranean Sea against pollution from land-based sources and activities*, and the *1996 Protocol on the prevention of pollution of the Mediterranean Sea by transboundary movements of hazardous wastes and their disposal*, as well as providing assistance to Mediterranean countries to enable them to respect the related commitments.

Specific objectives include:

- ◆ to assess all point and diffuse sources and load of pollution reaching the Mediterranean, and the magnitude of the problems caused by the effects of contaminants on living and non-living resources, including human health, as well as on amenities and uses of the marine and coastal regions;
- ◆ to assess status and trends in the quality of the marine and coastal environment as an early warning system for potential environmental problems caused by pollution and other anthropogenic pressures;
- ◆ to assist countries, including capacity building, for the implementation of national action plans, including programmes and measures, for the gradual elimination of pollution, for the mitigation of impacts caused by pollution and for the restoration of systems already damaged by pollution, as a contribution to the process of achieving sustainable development;
- ◆ to monitor the implementation of the action plans, programmes and measures for the control of pollution and assess their effectiveness;
- ◆ to contribute, in cooperation with other MAP components, to the application of the ecosystem approach to the management of human activities within MAP, with MED POL as the monitoring and assessment component.

## Basic principles and assumptions

The following are the principles and assumptions on which MED POL is based:

- a) The entry into force of the LBS and Dumping Protocols and the revitalization of the Hazardous Wastes Protocol as the basic assumptions which would provide all MED POL-related activities with the necessary legal and political strength;

MED POL to remain one of the key programme elements of MAP, implemented under the direct authority of the Contracting Parties to the Barcelona Convention, within the legal and policy framework defined by the Convention, the relevant Protocols to the Convention and decisions of the Parties;

MED POL to remain the MAP component responsible for:

- i. Following up and assisting the countries' implementation of the LBS, Dumping and Hazardous Wastes Protocols;
  - ii. Following up and assisting the countries' implementation of the SAP, national action plans to address land-based pollution and LBS-related programmes and measures;
  - iii. Assessing the status and trends of pollution of the Mediterranean eco-regions.
- b) The implementation of the ecosystem approach to the management of human activities adopted by MAP;
- c) The full and active involvement of all advisory and decision making bodies of MAP as one of the basic requirements for the successful implementation of MED POL;
- d) Monitoring to be fully integrated into the scope of the SAP and of any other pollution control measure adopted by the Contracting Parties in application of the LBS Protocol and to be used as a tool (i) to contribute to the continuous assessment of the status and trends of the quality of the marine and coastal environment and the effects of pollution and (ii) to assess the effectiveness of the pollution reduction measures implemented by the countries. The scope (content) of the monitoring activities of MED POL to appropriately respond to the above needs;
- e) The gradual application, as appropriate, of common and differentiated responsibilities in the process of reducing pollution, as agreed by the Parties, to facilitate the long-term implementation of the SAP;
- f) Monitoring, assessment and pollution control activities, as well as data quality assurance, data collection and handling, reporting and data management policies and procedures to be functionally harmonized with those adopted by regional, international and global bodies and organizations, such as the European Union and other UN Agencies and programmes;
- g) MED POL assessment and reporting schedules to be synchronised, and the assessment and reporting procedures harmonised, with the schedules and procedures which will be adopted for the evolving global assessment of the state of the marine environment;
- h) Public participation and communication to be considered as corner stones for the integration of regional and national civil society and for the achievement of the MED POL objectives; in order to ensure the broadest possible support and the adequate



implementation of MED POL, the appropriate non-governmental structures (e.g., the scientific communities, private sector, local authorities, NGOs and other relevant structures of the civil society) should be involved at the onset of all relevant activities;

- i) MED POL, in cooperation with other competent MAP components, to act within MAP as catalyst for the harmonization and integration of the EC Marine Strategy within MAP and for the bridging between the Mediterranean non EU member states and the EC Marine Strategy; the pollution control component of MED POL (the SAP and the NAPs in particular) to continue to be involved in the implementation of the EC initiative Horizon 2020 and, as appropriate, the Union of the Mediterranean.

### **Scope (content)**

MED POL IV will continue to deal with marine and coastal pollution assessment and control by using the approved tools (e.g. monitoring, capacity building, assessments, elaboration of control measures, etc.) successfully implemented since its phase I. However, considering 1) the results of the evaluation of MED POL Phase III, 2) the analysis of MAP's legislative framework and the contemporary initiatives and trends in environmental protection, and 3) the recent policy developments at the region and the international levels, the Contracting Parties, in approving MED POL phase IV, decided that a number of important issues were not, or not adequately, covered by the scope of MED POL III and needed to be included in its Phase IV. In particular:

#### Control and assessment

- a) Control of sources of pollution in river basins, watersheds and ground waters, as related to the inputs into the marine environment. Initially it may be reasonable to cover only the estuaries, particularly if they are declared also as hot spots, and move gradually upstream only when the available data show the existence of pollution hot spots upstream;
- b) Plans and programmes to counter physical alteration and destruction of habitats in cooperation with the competent regional bodies;
- c) Inclusion of the analysis of relevant social and economic factors such as the analysis of the social and economic roots of environmental degradation into the assessment of the state of the marine environment;
- d) Tightened control over ecological and health-related impact of dumping;
- e) Issues related to wastewater management and treatment as well as re-use of wastewater;
- f) A wider use of preventive and precautionary actions in pollution control, especially by preparation of environmental impact assessments, BAT and BEP for planned activities that may be a major source of marine pollution and substitution;

#### Cooperation, information, public participation

- g) Meaningful involvement of, and collaboration with, the private sector and other stakeholders in designing and implementation of pollution control programmes and in the evaluation of their results;

- h) Intensified dissemination of information on the problems associated with the Mediterranean; mobilization of public support to the goals of MAP/MED POL; preparation and wide distribution of regular “state of the Mediterranean” reports addressed to general public; making effective use of information technology (IT) for the preparation of an Information System including a dedicated web site;
- i) Intensified and well-structured programmes that may facilitate cooperation for the transfer of technology between countries in order to reduce the existing technological gaps in the pollution reduction processes.

#### Ecosystem approach

- j) Treatment of the “marine environment” in a holistic way, i.e. as an integral whole consisting of the sea area and the adjacent terrestrial coastal area;
- k) Application of the ecosystem approach to the management of human activities, including pollution control;
- l) Intensified collaboration with natural and social scientists, and better use of scientific understanding of marine and coastal ecosystems as a functional basis for sound decision-making;
- m) Monitoring and assessment of the environmental effects and ecological implications of fisheries management, including aquaculture, on ecosystems as well as of sea water desalination activities;
- n) Monitoring and assessment of environmental effects associated with energy production and maritime transport, in cooperation with other competent international and regional bodies;
- o) Assessment of the health risk associated with the quality of bathing and shellfish-growing waters, tourist establishment and facilities.

#### **Activities coordination and funding**

The work programme of MED POL including its budget is proposed by the Secretariat and approved by the Contracting Parties at their Meetings. During each biennium, a meeting of the MED POL National Focal Points reviews the work carried out during the biennium and revises and approves the work plan for the subsequent biennium before its transmission to the Contracting Parties. In line with the adopted work plan, technical Meetings are organized by MED POL to discuss specific subjects and guide the Secretariat in its work.

In order to increase efficiency, maximize the results and avoid overlapping, activities are implemented as appropriate in consultation and cooperation with other RACs and other relevant international and regional bodies.

The activities of MED POL and its staff, approved every two years at the Meetings of Contracting Parties, are paid through the funds of the Mediterranean Trust Fund. However, additional funds to complement and eventually expand the scope of the approved activities are regularly sought by MED POL through contacts, negotiations and preparation of projects with national and international stakeholders, donors, organizations, banks, etc.

## **Draft Mandate**

### **Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea REMPEC**

#### **Objectives:**

The general objective of the Centre is to assist the Contracting Parties to the Barcelona Convention in implementing their relevant obligations as set out in

- the Barcelona Convention on the Protection of the Mediterranean Sea and its Coastal Area (1995), in particular Articles 6 and 9;
- the 2002 Protocol concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, combating Pollution of the Mediterranean Sea;
- the Regional Strategy for Prevention of and Response to Marine Pollution from Ships, as adopted at the 14<sup>th</sup> Ordinary Meeting of the Contracting Parties and incorporated in the Mediterranean Strategy for Sustainable Development;
- decisions agreed by the Contracting Parties at their Ordinary Meetings.

#### **Guiding principles:**

As decided by the Contracting Parties by Resolution VII and its Annex of 16 February 1976, as amended, the Centre is administered by the International Maritime Organization under a biennium Project concluded between UNEP and IMO, and as such the Centre falls under the UN rules and regulations as observed by IMO. The relationship between the Centre and the Headquarters are regulated by a memorandum on the Standing Arrangements for the management of REMPEC, dated 7 May 2004. As a result, in conducting its activities, the Centre is complying with the UN principles of transparency and accountability and other relevant principles as set out in the UN code of governance.

#### **Fields of activities and functions:**

In order to achieve its objectives, the activities of the Centre are focused on:

1. strengthening the capacities of the coastal States in the Mediterranean region with a view to preventing pollution of the marine environment from ships and ensuring the effective implementation in this region of the rules which are generally recognized at the international level, relating to the prevention of pollution from ships, and with a view to abating, combating and, to the fullest possible extent, eliminating pollution of the marine environment irrespective of the source;
2. developing regional co-operation in the field of prevention of pollution of the marine environment from ships, and facilitating co-operation among the Mediterranean coastal States in order to respond to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and which require emergency actions or other immediate response;
3. assisting coastal States of the Mediterranean region, which so request in the development of their own national capabilities for response to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and facilitating information exchange, technological co-operation and training;
4. providing a framework for exchange of information on operational, technical, scientific, legal and financial matters, and promoting dialogue aimed at conducting co-

ordinated actions at national, regional and global levels for the implementation of the Protocol Concerning Co-operation in Preventing Pollution from Ships and in Combating Pollution of the Mediterranean Sea by Oil and other Hazardous and Noxious Substances in Cases of Emergency.

**The functions of the Centre concerning prevention of pollution of the marine environment from ships are:**

1. To assist the coastal States of the Mediterranean region in reinforcing their national capacities with a view to implementing in an efficient manner the international regulations for the prevention of pollution of the marine environment from ships:

- a) by collecting and disseminating information concerning legal and technical aspects of prevention of pollution from ships, making use of documents prepared by IMO;
- b) by promoting transfer of technology;
- c) by conducting training activities;
- d) by executing, at the request of the States and within the limits of available means, programmes and pilot projects;
- e) by providing technical assistance to the coastal States which so request.

2. To assist the coastal States of the Mediterranean region in developing regional co-operation with a view to implementing in an efficient manner the international regulations for the prevention of pollution of the marine environment by ships:

- a) by promoting, at request of the States the dialogue aimed at conducting co-ordinated actions at national, regional and global levels;
- b) by assisting in the implementation of regional programmes approved by the Contracting Parties;
- c) by conducting studies on subjects of regional interest, at the request of the States.

**The functions of the Centre concerning preparedness for and response to accidental marine pollution and co-operation in case of emergency are:**

1. To collect and disseminate information on:

- i. Competent national authorities responsible for receiving reports of pollution of the sea by oil and other hazardous and noxious substances and for dealing with matters concerning measures of assistance between Parties;
- ii. Inventories of experts, equipment and installations in each coastal State for response to pollution incidents which result or may result in a discharge of oil or other hazardous and noxious substances and which might be, under certain conditions, put at the disposal of the State which so requests in case of emergency;

- iii. General information, plans, methods and techniques for combating pollution by oil and other hazardous and noxious substances in order to assist as far as necessary countries of the region in the preparation of their national contingency plans;
  - iv. Mediterranean coastal zones, with a particular attention to the zones which are especially sensitive to pollution by oil and other hazardous and noxious substances. This information could be used by risk predicting models and for the preparation of environmental sensitivity maps.
2. To establish, keep up to date and operate a partially computerized data base on chemicals and their properties, risks for human life and the marine environment, response techniques and combating methods.
  3. To progressively develop and operate a marine pollution emergency decision support system with a view to providing rapidly to the Mediterranean coastal States information concerning behaviour, risks and different possibilities for action in cases of accidents involving oil and other hazardous and noxious substances.
  4. To prepare, disseminate and keep up to date operational guides and technical documents.
  5. To develop and maintain a regional Communications/Information system appropriate to the needs of States being served by the Centre.
  6. To develop technological co-operation and training programmes for combating pollution of the sea by oil and other hazardous and noxious substances and to organize training courses.
  7. To assist coastal States of the Mediterranean region, which so request, in the preparation and development of bilateral, multilateral or subregional operational agreements between neighbouring coastal States.
  8. To prepare and keep up to date operational arrangements and guidelines, aimed at facilitating co-operation between Mediterranean coastal States in cases of emergency.
  9. To organize and activate the Mediterranean Assistance Unit for combating accidental marine pollution created by a decision of the Eighth Ordinary Meeting of the Contracting Parties (Antalya, 12 -15 October 1993) in the conditions described in this decision.
  10. To assist coastal States of the Mediterranean region, which in cases of emergency so request, in obtaining assistance of the other Parties to the Protocol Concerning Co-operation in Preventing Pollution from Ships and Combating Pollution of the Mediterranean Sea by Oil and Other Hazardous and Noxious Substances in Cases of Emergency and Preventing Pollution from Ships, or when the possibilities for assistance do not exist within the region, in obtaining international assistance from outside the region.

**Relations between the Centre and the other MAP components, the national authorities and other stakeholders:**

The Centre actively participates in the Executive Coordination Panel in order to foster a holistic programme of work through the various MAP components. It joins forces with other RACs on specific topics, as appropriate. The other stakeholders, in particular from the civil society and the NGOs, are encouraged to participate in the Centre's activities. When it is

deemed appropriate, memoranda of understanding might be signed between the Centre and other partners in order to regulate the working relationship between the two sides. In implementing its activities, the Centre benefits from the technical support of IMO.

In conducting its activities, the Centre relies upon the network of its Focal Points, which are responsible for disseminating the information received from the Centre and also for selecting the most appropriate candidates within the various National Authorities, Departments and Agencies to participate in REMPEC's activities. The technical Focal Points of the Centre are keeping the Governmental Focal Point which, for the sake of consistency, should ideally be the MAP Focal Point, informed on the Centre's work and activities.

**Sources and mechanisms of financing.**

The core funding of the Centre is provided by the Mediterranean Trust Fund (MTF). The Centre is also liaising with the IMO in order to implement other activities in the Mediterranean countries funded through the IMO-Integrated Technical Cooperation Programme (ITCP). Other projects, provided they are in line with REMPEC's mandate, can be concluded with other intergovernmental bodies or private partners, after consulting with IMO and the MAP Coordination Unit.

**Participating in the visibility of MAP**

REMPEC participates, on behalf of MAP, at national, regional and international meetings relevant to its mandate. When doing so, REMPEC strives to publicise MAP's programmes and activities at the various meetings. REMPEC endeavours to maintain a website accessible to all interested parties which clearly establishes the linkage of the Centre with MAP.

## The Blue Plan Mandate

### 1) Purpose

The Blue Plan's purpose is to produce information and knowledge to make Mediterranean stakeholders and decision makers aware of the environmental and sustainable development stakes in the region, as well as to shape future scenarios to assist decision taking.

Couched in these terms, the Blue Plan's role recalls the dual function with which it was entrusted by the Contracting Parties to the Barcelona Convention- to act as an observatory for the environment and sustainable development and also as a centre for systemic and prospective analysis. At the same time, however, it also underscores its cross-cutting nature as well as its field of competence, which transcends the environment to cover the full range of issues related to sustainable development.

### 2) Objectives

The Blue Plan's role comprises four strategic objectives.

- to identify, collect and process environmental, economic and social information of use to stakeholders and decision takers on an on-going, permanent basis;
- to assess the interaction between the environment and economic and social development and use the relevant tools to measure progress towards sustainable development;
- to conduct analyses and prospective studies to assist in constructing visions of the future and to back up decision taking;
- to circulate and pass on outcome and results in a form appropriate to the target public.

These objectives stress first and foremost the need to have reliable, comparable and homogeneous data in order to assess the real state of the environment in the Mediterranean, particularly in terms of the various themes dealt with by the Barcelona Convention. At the same time, they suggest that the scope of the convention and the MAP Centres should also take account of new issues such as climate change. The objectives also relate to the need for tools and methods to explain in comprehensible fashion the interactions between the environment and development and to assess the nature of current or future developments. Indicator construction and economic modelling fall within this scope. Finally, they recall how important it is to take a long term approach to decision making, stressing that there is a correct language and appropriate channel of communication for each target public. On this front, the joint construction of scenarios is a powerful factor in collective thinking.

Whilst not actually dedicated to the implementation or promotion of any one specific Barcelona Convention protocol, the objectives entrusted to the Blue Plan square with all of them and relate to the Mediterranean Strategy for Sustainable Development, of which the Barcelona Convention is one of the tools for implementation.

### 3) Scope of activities

The themes and areas studied by the Blue Plan in its «Environment and development outlook» comprise the core of its activities, i.e. water, energy, transport, urban, rural and coastal areas but also tourism, which cuts across these various themes and areas and is covered by a specific chapter in the Mediterranean Strategy for Sustainable Development. That apart, however, ecosystems (forest ones in particular), the marine environment (particularly outside the areas of jurisdiction), waste (urban in particular) have also become the subjects of specific Blue Plan work and, depending on the means available, hazards both natural and industrial, industrial emissions which obviously demand greater investment and work which marries environmental, economic and social concerns are also dealt with.

Within these themes and areas, the specific subjects of intervention are established by referring to the *sustainability analysis grid* drawn up by the Blue Plan and presented in its strategic orientations document from November 2006. This grid relates the themes and areas for intervention to the main sustainable development issues, particularly climate change on the environmental level. For a given theme or place, therefore, any intervention by the Blue Plan means on the one hand that the subject up for study is part of an approach or line of reasoning related to sustainable development and, on the other, that the Blue Plan has a comparative advantage for its study and that, finally, the expected results will feed into the strategic objectives. The 2007-2015 intervention framework, which was drawn up by the Blue Plan in March, 2007 and subsequently validated by its focal points in June of that year, sets out the activities planned for the coming years. These are in line with the requests expressed by the Contracting Parties at their biennial meetings and involve in particular:

- continuing, improving and extending the systemic and prospective studies on population/ resource/ environment/development interaction.
- exploring the futures of specific coastal regions,
- developing the role of a Mediterranean observatory for the environment and development,
- studying the variables, statistics and environmental state and trend indicators,
- providing decision-makers with documentation on the sources of information and research on the development-environment issue and ensuring that Blue Plan work and publications are widely circulated,
- helping the Contracting Parties to build up information which will facilitate the implementation and follow-up of the Mediterranean Strategy for Sustainable Development and National Sustainable Development Strategies,
- documenting the indicators, conducting more in-depth analyses and identifying good practices in the volunteer states, EU bodies and the regional partners and initiatives concerned in the areas of water demand, energy and climate change, sustainable tourism and sustainable rural development,
- producing and circulating a set of indicators for MSSD follow-up and assisting the states in drawing up indicators for their national strategies.

#### 4) Principles for action

***The Blue Plan's work is guided by three principles:***

***A principle of openness, because although the Blue Plan's links with MAP provide it with a privileged place and status within the Mediterranean institutional context, which should obviously be reinforced, the scale and quality of its output, audience and impact will also depend on its capacity to strike up relations with other stakeholders (UN, European and bilateral players as well as from civil society).***

***A constant drive for quality, endeavouring to ensure that it applies to its output, its organisation and also its communication.***

***A results culture, because given the mandate with which it has been entrusted and the strategic objectives pursued, the Blue Plan must always be in a position to report on its work, the results obtained and under what conditions.***



#### 5) Implementing the mandate

The Blue Plan relies on the support of the Coordinating Unit to implement its mandate, and consults with it. It participates in the work of the Executive Coordinating Committee, which convenes once every three months under the Coordinator's chairmanship. On this occasion it reports on the state of play on the work for which it is responsible on behalf of the MAP components. Depending on its programme of activities, it may build up enhanced partnerships with the other MAP components, which are expressed in the form of memoranda of agreement.

It regularly briefs its focal points on its activities, with a plenary session being convened at least once every two years. Within its sphere of competence, it also presents each session of the Mediterranean Commission on Sustainable Development with a summary of the developments noted in the implementation of the Mediterranean Strategy for Sustainable Development, drawing in particular on information from its priority indicators.

Finally, the Blue Plan strives to build up partnerships with the various stakeholders in sustainable development in the Mediterranean. These partnerships take the shape of specific protocols of agreement.

#### 6) The Blue Plan's Means

The Blue Plan is provided with its means by MAP from the Mediterranean Trust Fund and by the various partners who are interested in supporting its work. The latter contribute to the implementation of the intervention programme as described in the strategic intervention framework. They are covered by specific agreements, either negotiated through the coordinating unit or concluded directly. In the latter case, the Coordinating Unit is regularly briefed.

#### 7) Communication

The Blue Plan's output centres on a limited number of regularly produced written publications; *The Blue Plan Papers*, *The Blue Plan Notes* and the *Newsletter*. They are, moreover, distributed via the Internet in order to expand the readership and keep printing and distribution costs down.

With the aim of meeting the demand for regular information by the Parties to the Barcelona Convention and in liaison with the various MAP components, the Blue Plan supervises the drawing up of a report on the environment and sustainable development in the Mediterranean (RESD), which is published every two years in advance of the conference of the Parties and falls into three major headings:

- A analysis of the most salient facts and the progress made on environmental and sustainable development issues throughout the Mediterranean riparian states;
- A thematic dossier assessing a question of importance to the Mediterranean, looking in greater depth at what lies at stake;
- Statistics and indicators.

Apart from its own collections, the Blue Plan is also developing scientific and editorial partnerships in order to produce and publish works, atlases or statistical compendia.

**Draft Mandate for  
Priority Actions Programme Regional Activity Centre  
(PAP/RAC)**

## **1 BACKGROUND**

PAP/RAC was established in Split in 1980 following the decision of the Intergovernmental Meeting (UNEP/IG.5/7, paragraph 54) of 1977 to assist in the implementation of the Integrated Planning Component of the Mediterranean Action Plan adopted in Barcelona in 1975. Its original mandate was broad in scope and encompassed ten priority actions within six fields of activity, requiring immediate action. With the development of MAP and with respect to the challenges of global environmental context, especially those related to coastal areas, the scope of PAP/RAC activities subsequently focused on Integrated Coastal Zone Management (ICZM). The main objective of PAP/RAC, as the focus of its operation was repositioned, became to respond to the needs of sustainable development of the region's coastal areas through synergies with other MAP RACs and streamlining the governance issues, co-operation and integration at various levels. With the adoption of the ICZM Protocol for the Mediterranean in 2008, the role of PAP/RAC in the Mediterranean region has been upended to the centre that is responsible, on behalf of MAP, for the implementation of the Protocol.

## **2 GOALS AND OBJECTIVES**

The long-term goal of the PAP/RAC is to contribute to the implementation of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (1995) and its protocols, particularly the ICZM Protocol (2008). In this respect, PAP/RAC provides assistance to Mediterranean countries in the implementation of their commitments to the Barcelona Convention, including related strategies, programmes and decisions, such as MAP Phase II and the Mediterranean Strategy on Sustainable Development. More specifically, the objectives of PAP/RAC are to assist the Contracting Parties in order to achieve the following:

- sustainable development of coastal zones;
- sustainable use of natural resources and integrity of coastal ecosystems and landscapes; and
- coherence of actions among coastal stakeholders, in particular the public and private actors and respective authorities at national, regional and local levels.

In order to avoid overlaps, redundancies and gaps with other initiatives of RACs, and to achieve synergies and the best use of resources, PAP/RAC will closely co-operate with other RACs in the implementation of the above objectives. In particular, a close collaboration will continue with those RACs targeting coastal areas and contributing to the fulfilment of the long-term goals. PAP/RAC will take into account the guidance provided by the MAP Co-ordinating Unit that will facilitate close co-ordination and transparency of initiatives, the definition of priorities, and communication among the RACs involved. The decisions of the Focal Points' meetings, the MCSD and the Meetings of the Contracting Parties will be fully taken into account.

## **3 SCOPE OF WORK**

**Fields of activity and make-up of the mandate:**

### **Fields of activity**

Over the years, the Integrated Coastal Zone Management has become a crucial approach in coping with constant pressures on the coastal areas of the Mediterranean, as elaborated in the *White Paper on the Coastal Zone Management in the Mediterranean (2002)*. Based on the guiding principles of integrating the economic, social and environmental systems, emphasising their interdependence and complementarity applying ecosystem approach; utilising appropriate governance mechanisms; and stimulating participation in the decision making process, ICZM is capable of coping with the persistent problems such as coastal activities concentration, urban sprawl, coastal risks, climate change, and unbalanced use of natural resources. In promoting and implementing the ICZM, PAP/RAC will capitalise on the existing knowledge, tools and practices.

The key elements of PAP/RAC fields of activity, as defined in the ICZM Protocol and other long-term policy documents of MAP, encompass the following:

- integrated management of coastal zones, in particular assistance to the Parties in the implementation of the ICZM Protocol,
- management of natural resources and activities relevant to sustainable development, such as water, soil and coastal erosion, urban management, climate change, natural risks, tourism, waste, etc.
- implementation of pilot/demonstration projects, such as CAMPs,
- development and promotion of ICZM tools and techniques, as well as training, awareness raising, dissemination of knowledge and information, networking and similar activities,
- playing a catalytic role as a broker for ICZM in the region and wider.

Within the ICZM framework several key sectoral issues with a coastal focus should be addressed by PAP/RAC:

- *Urban development*: linking ICZM to spatial planning (land-use and marine) and urban management processes,
- *Natural resources*: rational use of water in coastal, specifically urban, areas; coastal fishing and aquaculture; agriculture; industry, etc,
- *Sustainable tourism*: carrying capacity assessment for tourism, spatial planning in tourism areas,
- *Landscape and heritage*: preventing degradation of landscapes and heritage,
- *Coastal and soil erosion*: assessing vulnerability of coastal areas; coastal planning for risk mitigation,
- *Infrastructure and transports*: avoiding congestion by ensuring appropriate integration and location of various transport systems, including maritime activities,
- *Pollution and wastes*: developing integrated reduction policies, programmes and projects,
- *Risks*: abating increased vulnerability to natural hazards and climate change,
- *Specific coastal ecosystems*: integration of conservation, protection and use of wetlands and estuaries, marine habitats, dunes, coastal forests and woods, and islands in ICZM.

### **Mandate**

PAP/RAC carries out the tasks as defined by the ICZM Protocol and the related decisions of the Contracting Parties. These are the following:

#### **1. Assisting the Parties in the implementation of the ICZM Protocol**

PAP/RAC co-ordinates some of the initiatives requested by the Protocol and provides technical assistance to the Contracting Parties that so request. It can do this either on its own

or in co-operation with competent international, inter-governmental or non-governmental organisations. This co-ordination covers the following functions:

- definition of a common regional framework for integrated coastal zone management in the Mediterranean;
- preparation of regular reports on the state and development of integrated coastal zone management in the Mediterranean region;
- exchange of information and implementation of activities of common interest.

PAP/RAC also assists the Parties to:

- participate in a Mediterranean coastal zone network;
- prepare and implement their national strategies for integrated coastal zone management;
- co-operate in training activities and in scientific and technical research programmes;
- co-ordinate, when appropriate, the management of transboundary coastal zones.

PAP/RAC will carry out the tasks that will be entrusted to it by the action plans adopted within the framework of the Protocol.

## **2. Carrying out pilot/demonstration projects**

The Coastal Area Management Programme (CAMP) is one of the longest standing MAP programmes. CAMP is oriented at the implementation of practical coastal management projects in selected localised Mediterranean coastal areas, applying Integrated Coastal Zone Management (ICZM) as a major tool. The objectives of CAMP projects are to:

- implement MAP legal instruments, specifically the ICZM protocol;
- develop relevant implementation instruments and procedures for sustainable development in the project areas;
- identify and apply relevant methodologies and tools;
- contribute to capacity building at local, national and regional levels;
- secure a wide use of the results achieved.

After almost 20 years of implementation, a series of recommendations to improve the development and management of CAMP projects were adopted. Therefore, in addition to the implementation of the above objectives, future CAMP projects should aim at:

- improving governance and participatory approaches;
- establishing permanent monitoring and evaluation mechanisms;
- promoting synergy and co-operation among stakeholders;
- exploring potentials for better financing and co-financing of ICZM activities;
- stimulating public-private-NGO partnerships;
- developing ICZM knowledge and information sharing platforms; and
- improving the CAMP programme and project design.

PAP/RAC will retain a leading and co-ordinating role in the implementation of CAMP. It will specifically do the following:

- stimulate the Contracting Parties to develop initiatives for new CAMP projects;
- assist the countries in developing feasibility studies for the projects;
- develop CAMP project activities and assist national and local authorities in their implementation; and
- assist the Contracting Parties in implementing the post-CAMP activities and disseminating and replicating CAMP results.

In carrying out this task PAP/RAC will search for complementary financing and develop synergies with other regional projects, in particular those financed by other sources.

### **3. Developing ICZM methodologies, tools and techniques**

PAP/RAC will continue identifying and addressing the emerging ICZM thematic issues, and will develop methodologies, tools and techniques for ICZM (such as SEA, EIA, CCA, land-use and marine spatial planning and other), guidelines and best practices guides. A particular attention should be paid to the reports and technical studies needed for the implementation of the Protocol, including monitoring and evaluation mechanisms, observatories, data and inventories, and indicators.

### **4. Capacity building**

PAP/RAC is the lead centre to catalyse the activities supporting the implementation of ICZM by organising training, education, awareness raising, networking, publications, dissemination and alike. It will capitalise on the existing knowledge to build capacity to implement ICZM. It will support and facilitate communication mechanisms and channels between and among the Contracting Parties and other relevant stakeholders by providing clearing house mechanisms, networking, information sharing with media, internet and other means.

### **5. Co-operation with regional and international organisations**

In order to ensure complementarity and synergy of ICZM initiatives within the Mediterranean, PAP/RAC will collaborate with all relevant partners in the region, within and outside the MAP system. These are:

- MAP RACs;
- MCSD, especially its thematic groups on ICZM related issues;
- National and local governments;
- Bilateral and multilateral organisations and associations (WB, EU, UNDP, WMO, IOC, and other);
- NGOs;
- Private sector establishments;
- Sub-regional initiatives, such as the Adriatic-Ionian Initiative, Northern Adriatic Commission, RAMOGE and other.

### **6. Support the MCSD**

PAP/RAC will continue supporting the MCSD activities, in particular the issues related to coastal zone management and the implementation of the MSSD.

### **7. Tasks and functions assigned by the Parties**

Carrying out any other functions entrusted to it, particularly by the Parties, which emerge from the various meetings of the official bodies under the Barcelona Convention.

Periodically, once in two years, PAP/RAC will convene and organise the meetings of the National Focal Points and provide secretariat services.

## **4 IMPLEMENTING THE MANDATE**

### **Relations with MAP and the partners**

#### **Relations with the Co-ordinating Unit**

PAP/RAC will support the MAP Co-ordinating Unit in implementing the Barcelona Convention and will seek its assistance in implementing the ICZM Protocol. It will ask for assistance for the cross-cutting issues in implementing projects where several RACs are involved in order to guarantee better co-ordination and integration. PAP/RAC will submit regular technical and financial reports to the Co-ordinating Unit.

*Relations with the other RACs and MAP Programmes*

The MAP Executive Co-ordinating Panel (ECP), which regularly brings together the MAP Co-ordinating Unit and its various components, enables the latter to find information, consult and co-ordinate their activities and programmes, both current and planned. PAP/RAC will regularly participate in the meetings of the ECP and provide assistance, in particular for the activities that fall within its mandate.

Besides this co-ordinating mechanism, PAP/RAC can set up direct and specific partnerships with other RACs to implement joint actions or projects.

*Relations with national authorities*

Relations with national authorities are provided for by the ICZM Protocol with the appointment of Focal Points (Article 30). They are the representatives of the Contracting Parties and serve as liaison with PAP/RAC regarding the technical and scientific aspects of ICZM, and to disseminate information at the national, regional and local levels. Relations are made operational by the periodical organisation of meetings which enable them to carry out the functions deriving from the Protocol, and the drafting of regular reports providing information on the implementation of the ICZM Protocol (Article 31).

*Relations with other partners (IGOs, NGOs, private sector, ...)*

Relations with other partners are provided for by the ICZM Protocol (Article 14). With a view to ensuring efficient governance throughout the process of the integrated management of coastal zones PAP/RAC will collaborate with the following stakeholders:

- the territorial communities and public entities concerned;
- economic operators;
- non-governmental organisations;
- social actors;
- the public concerned.

Such participation may extend to partnerships.

**Sources and mechanisms of financing**

The funding for the implementation of PAP/RAC activities and its staff is provided by the Mediterranean Trust Fund (MTF). Additional funding can be secured for actions which are related to ICZM, either in response to international calls for proposals or through spontaneous proposals from sponsors, including volunteer countries and the private sector. Financing by the host country is regulated by the Host-country agreement between UNEP and the Government of Croatia (1996) and is limited to the provision of the premises and coverage of some of the operating costs.

**Contributing to better visibility of MAP**

In order to ensure MAP's better visibility PAP/RAC will continue to represent MAP at national, regional and international meetings and forums related to its field of activity.

## **Draft Mandate for the Specially Protected Areas Regional Activity Centre (SPA/RAC)**

### **Preamble**

Given the developments in the global and regional context and the conclusions of the external evaluation of the Mediterranean Action Plan (MAP) and its components, it was felt there was a need to update, amend or review the mandates, roles and responsibilities of the MAP Programmes and Regional Activity Centres (RACs). These revised and updated mandates would enable the MAP components to cope with the prevailing circumstances, to enhance their synergy, but also to promote the common objectives conveyed by MAP's new "Strategic Vision and Declaration" (2008).

### **Objectives**

The general medium and long term aim of the SPA/RAC mandate within the framework of this update is to contribute to the implementation of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (1995) and its protocols, particularly the 1995 Protocol concerning Specially Protected areas and Biological Diversity in the Mediterranean (SPA/BD Protocol), as well as providing assistance to Mediterranean countries to enable them to respect their commitments to this end. Reaching the following objectives is what lies at stake: (i) developing and promoting the specially protected areas (SPAs) in the Mediterranean; and (ii) reducing the loss of marine and coastal biodiversity.

### **Fields of activity and make-up of the mandate**

#### **Fields of activity**

Biodiversity issues are becoming increasingly complex, which means that whereas SPA/RAC's focus was initially limited to the main species and sites, it has now widened to cover habitats, sustainable ecosystem management and taking account of the ecosystemic approach. SPA/RAC's fields of intervention as identified in the Strategic Action Programme for the Conservation of Biological Biodiversity in the Mediterranean Region (SAP BIO; 2003) are broken down as follows:

- Inventorying, mapping and monitoring of coastal and marine biodiversity;
- Conservation of sensitive habitats, species and sites;
- Assessing and mitigating the impact of threats on biodiversity;
- Developing research to complete knowledge base and fill in gaps on biodiversity; and
- Capacity-building coordination and technical support.

#### **Guiding Principles**

SPA/RAC's mandate takes account of the objectives set by the Johannesburg World Summit (2002) and the following approaches:

- The participatory approach;
- The holistic and ecosystem approaches;
- The consistency principle;
- The management and conservation principle;
- The preventive, precautionary and anticipatory principle;
- The responsible fisheries principle;
- The "no adverse effect" principle;
- The "prevention better than last minute cure" principle;
- The common but differentiated responsibility principle; and

- The principle of assistance, cooperation and partnership, in particular at regional level, not excluding potential bilateral and multilateral initiatives.

### **Mandate**

The SPA/RAC carries out the tasks as defined by the SPA/BD Protocol, i.e.:

#### **1. Assisting the Countries**

The SPA/RAC provides technical assistance to Mediterranean countries that so request. It can do this either on its own or in cooperation with competent international, intergovernmental or non-governmental organisations. This assistance covers the following areas:

- The establishment and management of specially protected areas;
- The implementation of scientific and technical research programmes as defined by the SPA/BD Protocol (Article 20). Priority for scientific and technical research is granted to the Specially Protected Areas of Mediterranean Importance (SPAMIs) and the species appearing in Annexes II and III to the SPA/BD Protocol;
- The exchange of scientific and technical information concerning current and planned national research and monitoring programmes and the results thereof;
- The preparation of management plans for protected areas and species;
- The preparation of cooperation programmes in order to coordinate the creation, conservation, planning and management of the specially protected areas as well as the choice, management and conservation of protected species;
- The preparation of educational materials designed for various groups.

#### **2. The drafting of recommendations and guidelines**

The SPA/RAC formulates recommendations on guidelines and common criteria for the selection of marine and coastal protected areas that could be included on the SPAMI List; common criteria for the inclusion of additional species in the Annexes II and III to the SPA/BD Protocol; guidelines for the establishment and management of protected areas; and any other technical tool relevant to the implementation of the SPA/BD Protocol.

#### **3. Creation of databases**

The SPA/RAC creates and updates databases on the specially protected areas, protected species and other matters of relevance to the SPA/BD Protocol.

#### **4. The drafting of technical reports**

The SPA/RAC prepares reports and technical studies that may be required for the implementation of the SPA/BD Protocol.

#### **5. The implementation of training programmes**

The SPA/RAC draws up and implements training programmes particularly regarding public environmental education, the training of scientific, technical and management personnel, scientific research, the acquisition, utilisation, design and development of appropriate equipment, and the transfer of technology on advantageous terms to be agreed among the Parties concerned.



## **6. Cooperation with regional and international organisations**

The SPA/RAC cooperates with the regional and international governmental and non-governmental organisations concerned with the protection of areas and species, provided that the specificity of each organisation and the need to avoid the duplication of activities are respected.

## **7. Implementation of the Action Plans adopted within the MAP framework**

The SPA/RAC carries out the tasks with which it is entrusted by the Action Plans adopted within the framework of the SPA/BD Protocol, in accordance with their calendar for implementation.

## **8. Tasks and functions assigned by the Contracting Parties to the Barcelona Convention**

The SPA/RAC shall carry out any other functions entrusted to it particularly by the Contracting Parties, which emerge from the various meetings of the official bodies under the Barcelona Convention.

## **9. Organisation of the National Focal Points for SPAs meeting**

Every two years the SPA/RAC convenes and organises the meetings of the National Focal Points (NFPs) for SPAs and provides secretariat services.

### **Implementing the mandate**

#### **Relations with MAP and the partners**

##### ➤ Relations with the MAP Coordinating Unit

The SPA/RAC assists the MAP Coordinating Unit in implementing the SPA/BD Protocol. As a MAP component, the SPA/RAC submits regular technical and financial reports to UNEP via the MAP Coordinating Unit, a body of UNEP.

##### ➤ Relations with the other MAP RACs and Programmes

The MAP executive coordinating panel, which regularly brings together the MAP Coordinating Unit and its various components, enables the latter to find information, consult and coordinate their activities and programmes, both current and planned.

Besides this coordinating mechanism, the various MAP programmes and RACs can set up direct and specific partnerships to implement joint actions or projects.

##### ➤ Relations with the national authorities

Relations with the national authorities are provided for by the SPA/BD Protocol, with (i) the appointment of NFPs for SPAs who are the representatives of the Contracting Parties and the SPA/RAC's point of contact (Article 24); (ii) the regular organisation of meetings which enable the various stakeholders to actually get together on a two-yearly basis (Article 25-b); and (iii) the drafting of regular reports which provide information regarding the implementation of the SPA/BD Protocol (Article 23).

➤ Relations with the other partners (IGOs, NGOs, private sector, ...)

Relations with the other partners are provided for by the SPA/BD Protocol, (Article 25-g). The partners attend NFP meetings as observers. Some partners are also identified under the Action Plans for the conservation of threatened areas or species adopted within the MAP framework, as being "Partners" or "Associates" to the said Action Plans. Finally, if needs be, memoranda of cooperation are drawn up between the SPA/RAC and its partners in order to promote the implementation of activities stemming from the SPA/BD Protocol.

**Sources and mechanisms of financing**

Most of the funding is provided by the UNEP Mediterranean Trust Fund (MTF). Additional funding is sought for actions which are clearly defined in space and time, either in response to international calls for proposals or through spontaneous proposals from sponsors, including volunteer countries and the private sector.

**Helping to make MAP more visible**

The SPA/RAC may represent MAP at national, regional and international meetings and forums related to the SPA/BD Protocol's field of activity and must strive to publicise MAP's programmes and activities at the various meetings.

**Annex**

**SPA/RAC organisation chart**

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

### Background

CP/RAC was established in Barcelona in 1996 by decision of the Contracting Parties to the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean<sup>7</sup>. The Centre is managed through a cooperation agreement between the Department of Environment of the Government of Catalunya and the Ministry of the Environment and Rural and Marine Affairs<sup>8</sup>.

The CP/RAC started working on the promotion and dissemination of Cleaner Production (CP) in the industrial sector of the Mediterranean countries but since 2007 it embraced the integrated approach applied by UNEP to Sustainable Consumption and Production, based on the Mediterranean Strategy for Sustainable Development (MSSD), which also establishes SCP as one of the main objectives to address sustainable development in the region.

The approach adopted by the Centre was welcomed and recommended by its National Focal Points and the MAP Focal Points<sup>9</sup>. Accordingly, the Contracting Parties approved the CP/RAC work program on Sustainable Consumption and Production (SCP)<sup>10</sup>.

The general mission statement is:

*To promote mechanisms leading to sustainable patterns of production and consumption in the Mediterranean.*

Likewise, the CP/RAC has been *Nominated Centre for the Stockholm Convention on Persistent and Organic Pollutants (POPs)* in February 2008, with official endorsement from the Secretariat of the Convention.

This revised and updated mandates, together with those of the other MAP Components would enable CP/RAC to cope with the prevailing circumstances, to enhance synergies, promote the common objectives conveyed by MAP's new "Strategic Vision and Declaration" (2008), to bring MAP closer to UNEP's objectives on SCP and the corresponding UNEP's global initiative (the Marrakech Process), and to foster the application of the *Stockholm Convention on POPs* in the Mediterranean region.

### Objectives

The general medium and long term aim of the CP/RAC mandate within the framework of this update is to contribute to the implementation of the Barcelona Convention for the protection of the marine environment and the coastal region of the Mediterranean (1995) and its protocols, particularly the 1995 Land-based Sources and Activities Protocol (LBS Protocol) and the Hazardous Waste Protocol, the implementation of the Mediterranean Strategy for Sustainable Development (MSSD), the Stockholm Convention on POPs as well as providing assistance to Mediterranean countries to apply the principles and objectives on SCP set by UNEP.

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7 Extraordinary Meeting of the Contracting Parties held in Montpellier, 1996.

<sup>8</sup> Convenio de Colaboración entre el Ministerio de Medio Ambiente y la Generalidad de Cataluña para el apoyo a actuaciones del Departamento de Medio Ambiente y Vivienda y la Agencia de Residuos de Cataluña para el Centro de Actividad Regional para la Producción Limpia (CAR-PL) del Plan de Acción para el Mediterráneo, incluidas acciones de desarrollo de procesos industriales en relación a los contaminantes orgánicos persistentes del Convenio de Estocolmo, la Producción Limpia y el Consumo Sostenible.

<sup>9</sup> 6th Biannual Meeting of CP/RAC National Focal Points (Barcelona) and Meeting of MAP National Focal Points (Madrid), 2007.

<sup>10</sup> 15th Ordinary Meeting of the Contracting Parties held in Almeria, 2008.

### **Fields of activity**

#### *A) Follow-up and assessment of trends and challenges regarding SCP*

- Preparation of periodic reports providing review and monitoring of:
- Development trends and progress made by Mediterranean countries in implementing SCP in the business sector;
- Main initiatives by local agencies, consumer associations, NGOs and other players in civil society to promote the shift to sustainable consumption and environmentally sound lifestyles.
- Organisation of panel discussions promoting debate and discussion among experts, representatives of government agencies, consumer organisations, business and industry, civil society and other stakeholders regarding the needs, priorities and challenges facing SCP in the Mediterranean region

#### *B) Involve key SCP players*

- Creation of partnerships with representatives from the private sector, academia and civil society for joint collaboration in the promotion of SCP alternatives.
- Cooperation with international agents dealing with SCP in order to take advantage of synergies and avoid duplication of effort.

#### *C) Promote tools to facilitate SCP in the business sector*

- Preparation of technical studies on CP and other pollution prevention alternatives (eco-efficiency, BATs, BEPs, etc.) in the main industrial sectors of Mediterranean countries.
- Development of plans and methodological guidelines to facilitate the application of SCP alternatives by the public and private sectors alike, e.g. eco-labelling, green procurement, corporate social responsibility.
- Training and technical support at both regional and national levels.
- Publication, dissemination and awareness material about successful projects and SCP experience in Mediterranean countries.

#### *D) Foster green competitiveness as tool for Mediterranean SMEs to succeed in the global market:*

- Boost green competitiveness in the Mediterranean region by enhancing the visibility of financial opportunities generated by the environment.
- Promote green competitiveness of SMEs through private-public partnerships.
- Improve the understanding of green competitiveness technologies with roadshows and other awareness-raising tools.

#### *E) Raise consumers' awareness of their role and responsibility in driving change towards sustainable development*

- Dissemination of information on alternatives for sustainable lifestyles among the Mediterranean population.
- Promotion of responsible/sensible consumption among young people
- Create partnerships and build networks with institutions, agents and civil society agencies

#### *F) Promote the sound management of chemicals and pollution prevention under the Protocol for the Protection of the Mediterranean Sea against pollution sources and in land-based activities*

- Advise developing countries on sound chemicals management
- Training and technical support to stakeholders.
- Dissemination of experience in the implementation of SAICM (Strategic Approach for International Chemicals Management).

*G) Development of the Stockholm Convention*

- Help developing countries to create their own NIPs (National Implementation Plan).
- Identify the priorities in POPs (Persistent Organic Pollutants) in developing countries.

*H) Encouraging the environmentally sound management of persistent organic substances (POPs) and heavy metals*

- Publication of technical studies concerning strategies for heavy metals.
- Contribute to international projects for the management of chemical waste contaminated with PCBs.

**Guiding Principles:**

CP/RAC's mandate takes into account the objectives set by:

- The Johannesburg World Summit (2002)
- The Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona Convention)
- The Mediterranean Strategy for Sustainable Development
- The LBS Protocol
- The Hazardous Waste Protocol
- The Stockholm Convention on POPs
- The Strategic Approach to International Chemicals Management (SAICM)

Among them, particularly relevant are:

- the sustainable consumption and production principle;
- the prevention principle;
- the participatory approach;
- the holistic and eco-systemic approaches;
- the principle of common but differentiated responsibility;
- and the principle of assistance, cooperation and partnership, particularly at regional level, without ruling out potential bilateral and multi-lateral initiatives.

**Sources and mechanisms of financing**

Main sources of funding for the implementation of the activities of the Centre are the Spanish Government through the Ministry of Environment, Marine and Rural Affairs, the Catalan Government, through the Department of Environment and Housing, and International Agencies.

They are regulated on a biannual basis through the signing of specific agreements according to priorities, recommendations and plans specified by the Barcelona Convention COP in cooperation with UNEP/MAP.

**Draft**  
**Mandate for the INFO/RAC**  
**Regional Activity Centre for Information and Communication**

**Background**

INFO/RAC was established in Palermo in 1993 by the 22 Contracting Parties of the Barcelona Convention. Managed by the Sicilian Region, with the support of the Italian Ministry of the Environment and Protection of the Territory and Sea.

The status, the Director, and the structures of the Centre, its objectives, and its contribution to the UNEP/MAP and the Barcelona Convention are established by the Headquarters Agreement signed on the 19<sup>th</sup> of October 2004 by the UN's environmental organization and the Italian Government.

Together with the decision that ERS/RAC had to be transformed into INFO/RAC, a preliminary mandate in the form of a general mission statement was endorsed by the MAP Focal Points Meeting held in Athens, in September 2005, and subsequently adopted by the 14<sup>th</sup> Ordinary Meeting of the Contracting Parties, in November 2005, so as to define the Centre's regional and international role in the field of information and communication.

The general mission statement was:

*“To support the sustainable development objectives of the Mediterranean Action Plan through the delivery of selected information products and supporting (IC) services, by utilizing an established service network and by maintaining its operational components and partnership. These outputs will be accurate, reliable and timely; providing effective information on environmental conditions in the region and will be specifically designed and implemented to meet user and/or policy requirements. In addition, they will support decision making at various administrative levels and geographic scales, and facilitate compliance with relevant protocols and conventions thereby enabling sustainable development across the Mediterranean basin.”*

INFO/MAP is therefore committed to play a pragmatic, responsiveness and supporting role in helping the MAP Components to meet their Information and Communication requirements.

After 3 years of operations and in conformity with the recommendations taken by the Extraordinary MAP Focal Points Meeting in Catania (November 2006), the recommendations of COP 15 and the Governance Paper, a proper and revised mandate for the Center can now be developed, including Fields of Activities, Objectives and Functions.

This revised and updated mandate, together with those of the other MAP Components would enable INFO/RAC to cope with the prevailing circumstances, to enhance synergies, but also to promote the common objectives conveyed by MAP's new “Strategic Vision and Declaration” (2008).

**Fields of activity**

Access to information resources contributes significantly to strengthening economic, social and cultural development. Donor Agencies, multilateral organizations, private sector and NGOs demonstrated their willingness to take part in multi-stakeholders actions that ensure the full participation of civil society and bring down to the local-community level any potential benefit of the actions. However, this process requires the building and maintenance of multi-sector working partnership, a key focus area for INFO/RAC. International organizations as UNEP/MAP can definitely play a catalytic role as a promoter of working partnership between the countries and all relevant national, regional and international entities related to the environment and sustainable development. A similar approach, strengthened by partnership,

would also prove fruitful to the proposed design and successful implementation of the Barcelona Convention and MAP objectives.

Information and Communication Technologies (ICT) offers numerous and diversifying capabilities for improved information sharing and communications from the individual to collective levels with local, national and international impacts. Within the context of MAP, ICT capacity has been fragmented, project focused and under utilized. Notwithstanding, ICT can certainly help to promote the objectives of the Barcelona Convention, its Protocols and Mediterranean Strategy for Sustainable Development. Customized and appropriate ICT solutions are part and parcel of a global development strategy to increase and share knowledge and expertise, decrease inequalities and so support sustainable development.

Finally multi-sector partnership and ICT provide outstanding vehicles for media campaigns and related strategies that promote wider information dissemination, increase public awareness and so increase the efficacy and impacts of MAP outputs, including the strengthening of the UNEP/MAP image as Barcelona Convention Secretariat and the lead-coordinating Agency for sustainable development in the Mediterranean region .

### **Objectives**

The general medium and long term objective of INFO/RAC within the framework of this update is to contribute to the implementation of the Barcelona Convention for the protection of the marine environment and the coastal region of the Mediterranean (1995) and its protocols, as well as providing assistance to Mediterranean Countries to enhance:

- (i) Multi-sector Cooperation and Partnership;**
- (ii) Information and Communication Technologies (ICT); and**
- (iii) Information, Education, Public Participation and Awareness.**

Naturally those three lines of actions are closely interlinked and related at technical, operational and policy levels.

### **Guiding Principles:**

INFO/RAC's mandate takes into account the objectives set by the Johannesburg World Summit (2002) and the following approaches. Among them, particularly relevant are:

- the participatory approach;
- the holistic and eco-systemic approaches;
- the principle of consistency;
- the principle of common but differentiated responsibility; and
- the principle of assistance, cooperation and partnership, particularly at regional level, without ruling out potential bilateral and multi-lateral initiatives.

### **Functions**

Divided by fields of activities, the main functions of the Centre are:

#### **(i) Multi-sector Cooperation and Partnership:**

- a) To support the coastal States in the Mediterranean region in the implementation process of the Barcelona Convention, its Protocols and MSSD by facilitating regional cooperation, information exchange and training at national, sub-regional and regional levels.
- b) To support UNEP/MAP regional cooperation and partnership.

c) To support MEDU and all the MAP Components in the development of their activities with the aim of raising the visibility of MAP and Barcelona Convention, and to more strongly advertising the results of RACs, MED POL and MCSD through a wider and more diversified dissemination of their products via public relation activities and contacts with media.

d) To develop regional cooperation and projects in the field of information and communication, and to establish bilateral/multilateral partnership programs and activities between UNEP/MAP Components, non-governmental organizations and other relevant stakeholders, promoting public participation and raising the awareness of the objectives and activities of MAP, Barcelona Convention and MSSD.

**(i) Information and Communication Technologies (ICT):**

a) To assist the UNEP/MAP and its Components in the design, selection and implementation of the most appropriate and technical options in the ICT domain, in order to properly fit the needs and requirements of MAP in the fields of information and communication.

b) To design, establish and maintain a common information management infrastructure (*InfoMAP*) and related "ad hoc" modules aimed at facilitating and supporting IC activities across MAP, including contributing to the periodic upgrading of the UNEP/MAP website, the MED POL Info System and the BC/MAP Reporting System.

c) To provide continuous expert advice and guidance to UNEP/MAP and its Components in the ICT domain.

d) To offer similar assistance to other institutional users in the Mediterranean coastal States and to the Mediterranean community.

**(iii) Information, Education and Public Participation:**

a) To support the objectives of the Barcelona Convention, its Protocols and MSSD by delivering updated information to UNEP/MAP Components and to institutional users in the Mediterranean countries.

b) To identify and to implement in close co-ordination with MEDU an information and communication strategy and related pilot projects in relation to the MSSD.

c) To support the promotion and organization of UNEP/MAP events, or any other relevant activity and institutional meetings, taking particular care of the information/communication aspects in order to raise their visibility in the region.

d) To promote public participation in MAP activities and to raise general awareness on the achievements of MAP and Barcelona Convention in the Mediterranean region and in the relevant international forum.

e) To promote, in co-ordination with MEDU, and whenever possible in cooperation with specialized regional organisms and scientific institutions, educational campaigns in the Mediterranean countries aimed at growing education and public awareness on the key issues of the MAP and the whole Barcelona system and its various components, on their objectives and targets, as well as on the environmental needs and priorities in the Mediterranean region.



### **Sources and mechanisms of financing**

Main sources of funding for the implementation of the activities of the Center are The Italian Government through the Ministry of Environment, the Sicilian Regional Government and the Mediterranean Trust Fund.

They are regulated on a biannual basis through the signing of specific agreements according to priorities, recommendations and plans specified by the Barcelona Convention COPs in cooperation with UNEP/MAP.



## **CHAPTER 5**

### **5 year Strategic Programme of work 2010-2014**

#### **Climate change**

To be inserted later.

