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Meeting of the MAP Focal Points

Istanbul, Türkiye, 12-15 September 2023

Agenda Item 5: Specific Matters for Consideration and Action by the Meeting, including Draft Decisions

Scenarios on the Membership of the Compliance Committee and Interim Period, based on the Consultation Meeting of 31 January 2023

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Scenarios on the Membership of the Compliance Committee and interim periods

(election is according to the rule of geographical balance)

1. The Procedures and Mechanisms on Compliance under the Barcelona Convention and its Protocols (Procedures and Mechanisms) were adopted by Decision IG.17/2 of the 15th Meeting of the Contracting Parties (Almeria, Spain, 15-18 January 2008) and were amended twice, by Decision IG.20/1 and by Decision IG.21/1. In the following years, the Compliance Committee discussed further amendment to the Procedures and Mechanisms. The 17th Meeting of the Compliance Committee (Teleconference, 10-11 June 2021) agreed to invite the COP 22 (Antalya, Türkiye, December 2021) to review proposed amendments to the Procedures and Mechanisms and the Rules of Procedure and take appropriate action, including adoption (UNEP/MED IG 25/27, p. 173).

2. To this aim, COP 22 (Antalya, Türkiye, December 2021) requested the Secretariat to organise a consultation meeting with the Contracting Parties which was held on 31 January 2023 (teleconference).

3. With regards to the proposal regarding the composition of the Compliance Committee, the Consultation Meeting did not reach any conclusive outcome and left the discussion of the proposed options to the MAP Focal Points Meeting (Istanbul, Türkiye, 12-15 September 2023). It also requested the Secretariat to prepare scenarios on the Compliance Committee membership per each option and recommend possible measures for the interim period, as appropriate.

Composition and renewal of membership

The composition of the Compliance Committee is regulated by para. 3 of the Procedures and Mechanisms, which provides as follows:

- a) The Committee shall consist of seven members elected by the Meeting of the Contracting Parties from a list of candidates nominated by the Contracting Parties. For each member of the Committee, the Meeting of the Contracting Parties shall also elect an alternate member from the above-mentioned list.
- b) The mandate of members of the Committee is regulated by para. 4 and para. 6 of the Procedures and Mechanisms, which provide as follows:
- c) A full term of office commences at the end of an Ordinary Meeting of the Contracting Parties and runs until the end of the second Ordinary Meeting of the Contracting Parties thereafter.
- d) Members and alternate members shall not serve on the Committee for more than two consecutive terms.

The composition of the Compliance Committee is further regulated by Decision IG.17/2, which provides as follows:

- Two members and two alternates to be nominated by: Algeria, Egypt, Lebanon, Libya, Morocco, Syria, Tunisia;
- Two members and two alternates to be nominated by: Croatia, Cyprus, Greece, France, Italy, Malta, Slovenia, Spain and the EU;
- Two members and two alternates to be nominated by: Albania, Bosnia and Herzegovina, Israel, Monaco, Türkiye and Montenegro;
- One additional member and one alternate to be nominated from each group on a rotation basis every four years.

The status of the membership of the current Compliance Committee is:

The term of 4 members will expire at COP 23 (December 2023). The term of 3 members will expire at COP 24 (December 2025). The term of 4 alternate members will expire at COP 23 (December 2023) and the term of 3 alternate members will expire at COP 24 (December 2025).

By COP 23, 3 members and 1 alternate member will have completed 2 consecutive mandates.

The current Compliance Committee includes 3 members from Group I, 2 members from Group II and 2 members from Group III and respectively the same number of alternate members per group.

Proposed amendment to the composition of the Compliance Committee

The options for the composition of the Compliance Committee are:

1. **A Committee composed by 9 members, with no alternate members.** In this case, the quorum for meetings would be **7 members**.
2. **A Committee composed by 7 members, with 3 alternate members.** In this case, the quorum would be **7 members**.

The table below explains the need for the partial renewal per each group of Contracting Parties at the COP 23 per each option considering that the baseline of members and alternate members with a mandate until COP 24 (ie 2025) is 1/1 respectively per each Group:

Options		Group 1		Group 2		Group 3	
		Members	Alternate Members	Members	Alternate Members	Members	Alternate Members
Status quo	7/7	1	1	2	2	1	1
1)	9/0	2	0	2	0	2	0
2)	7/3	1	0	2	0	1	0
Baseline (Mandates expiring by COP24)		1	1	1	1	1	1

Proposed Scenarios:

Compliance Committee composed of 9 members

This composition would include 2 additional members, with no alternative members. Since there will be no longer alternate members, COP 23 will not elect alternate members. Considering that the term for 4 existing members will come to their end, COP 23 should elect 6 new members. However, there are 3 alternate members the mandate of whom expires at COP 24. In this context there are two possible scenarios: a) to implement this provision in 2025 that would allow that the mandate of current alternate members is fully respected; b) the 3 alternate members whose mandate would have expired at COP 24 are nominated as members together with the 3 new candidates, 1 nominated by each Group, with a term expiring in 2027, for COP 23 consideration. In this scenario, the Committee starts operating with 9 members in 2024. COP 24 elects 3 new members, 1 nominated by each Group with a term expiring in 2029. Then COP 25 elects 6 new members, 2 per each Group, with a term expiring in 2031, etc.

Compliance Committee composed of 7 members and 3 alternates

This composition would maintain the current number of members of the Compliance Committee and would reduce alternate members from 7 to 3. According to the current rules, the next COP 23 should elect 4 members and 4 alternate members of the Committee, the mandate of whom will expire in 2023. The mandate of the remaining 3 alternate members, one for each regional group, will expire at COP 24. In this case COP 23 elects 4 new members: 1 nominated by Group I, 2 nominated by Group II, and 1 nominated by Group III. COP 23 does not elect any alternate members and reconfirm that the 3 alternate members whose mandate expires at COP 24 may constitute the 3 alternate members according to the new composition of the Compliance Committee. COP24 will elect only 3 alternate members for a term of 4 years. The only difficulty is that the three alternate candidates will be elected for a term of 4 years every 2 COP (i.e COP24, COP 26, etc). So, there is no continuity unless they are partly re-elected as appropriate for a second term. But membership continuity is secured by the Members which are to be elected by different COP.