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MEDITERRANEAN ACTION PLAN

Meeting of the MAP focal points

Athens, Greece, 7-10 July 2009

**REPORT OF THE MEETING OF THE BUREAU OF THE CONTRACTING PARTIES
TO THE CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT
AND THE COASTAL REGION OF THE MEDITERRANEAN AND ITS PROTOCOLS**

(Istanbul, Turkey, 18-19 June 2009)

UNDER FINALIZATION



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MEDITERRANEAN ACTION PLAN



Meeting of the Bureau of the Contracting Parties to the
Convention for the Protection of the Marine Environment
and the Coastal Region of the Mediterranean and its Protocols

Istanbul, Turkey, 18-19 June 2009

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TO THE CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT
AND THE COASTAL REGION OF THE MEDITERRANEAN AND ITS PROTOCOLS**

(UNDER FINALIZATION)

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ANNEX I

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ANNEX II

AGENDA

1. Opening of the meeting
2. Adoption of the Provisional Agenda and organization of work
3. Progress Report by the Secretariat on activities carried out during the period January-June 2009
4. Specific issues
 - a. Relationship between Compliance Committee and the meeting of the MAP focal points
 - b. Institutional aspects of the implementation of the Governance Paper with regards to host country agreements, mandate of MAP components, and other issues
 - c. Update on developments related to regional cooperation
 - d. Preparation of the 16th Meeting of the Contracting Parties
 - e. Proposal on the new members of the MCSD
 - f. Main outcomes of the assessment of MAP/Civil Society Cooperation and Partnership
 - g. Main directions of the proposed program of work for 2010-2011 biennium
 - h. Implementation of recommendations of the audit of UNEP/MAP financial performance
 - i. New "legally binding" measures and programmes in accordance with Article 15 of the revised LBS Protocol to implement a different approach with regard to pollution reduction from land based activities
 - j. Breakdown of MAP activities according to geographic distribution area
5. Any other business
6. Conclusions and decisions
7. Closure of the meeting

ANNEX III

Conclusions and decisions

Status of ratification and entry into force

The Bureau, appreciating the progress achieved with regard to the ratification and entry into force of the LBS and Hazardous Wastes Protocols or their amendments, highlighted the need for the rapid entry into force of the other Protocols, and particularly the ICZM Protocol, and called upon the Contracting Parties to accelerate the respective ratification and/or acceptance procedures with a view to making the MAP legal basis/cooperation stronger and more effective.

Compliance procedures and mechanism

1. The Bureau, having considered the proposal of the Compliance Committee with regard to its relationship with the Meeting of the MAP Focal Points, agreed that:
 - a) *the Compliance Committee's general report addressing general non-compliance issues, rules of procedure, guidelines etc., would be submitted to the Meeting of the Contracting Parties through the Meeting of the MAP Focal Points*
 - b) *The Compliance Committee's report on specific situations of non-compliance of individual Contracting Parties would be submitted directly to the Meeting of the Contracting Parties; and*
 - c) *The Chairperson of the Compliance Committee would present these reports to the Meeting of MAP Focal Points and the Meeting of the Contracting Parties.*
2. The Bureau added that:
 - a) *a clear distinction should be made between the role of the Secretariat and the role of the Compliance Committee in the implementation of the compliance procedures and mechanisms and*
 - b) *that the objective of the compliance procedures and mechanisms is to facilitate the achievement by the Contracting Parties of full compliance with their obligations under the Convention and its Protocols for which clear mechanisms of communication between the Contracting Party in situation of non-compliance and the Compliance Committee are defined.*
3. The Bureau called upon Contracting Parties that have not yet done so to submit their reports on the measures taken in 2006-2007 to implement the Convention and its Protocols and the decisions taken by the Meetings of the Contracting Parties as soon as possible, but not later than the Meeting of the MAP Focal Points in July 2009.
4. The Bureau requested the Secretariat to proceed with the assessment of the information contained in the 2006-2007 implementation reports submitted by the Contracting Parties in order to enable the Compliance Committee to address any general non-compliance issues at its third meeting in October 2009.
5. The Bureau also emphasized the need for the Secretariat and the MAP components to share the information provided by the Contracting Parties in the framework of the MAP reporting system and the results achieved in the implementation of the Convention and the Protocols as a means of encouraging the Contracting Parties to participate actively in this process and fully comply with reporting obligations.

Host country agreement

1. The Bureau noted the information provided by UNEP headquarters on the arrangements in force concerning the status of the Regional Activity Centres and their relationship with their host countries as well as the discussion concerning the relative merits of host country agreements and memoranda of understanding.
2. The Bureau invited its members to provide information to the Secretariat within two weeks on whether MOUs within their legal system can achieve the objective of the harmonization of the status of the RACs and the other objectives set out in the Governance Paper and on any similar legal arrangement or precedent made so far for other institutions.

Mandates of the MAP components

1. The Bureau suggested that the mandates of MAP components should reflect more closely the purpose of their establishment either by the Meetings of the Contracting Parties or in the framework of the various Protocols to the Barcelona Convention for which they are particularly responsible, while allowing at the same time some elements of flexibility in order to accommodate emerging issues.
2. The Bureau noted that the RACs and MEDPOL have over the years produced and gathered a large volume of information and knowledge, which needs to be properly managed by the Coordinating Unit. The Bureau also recommended that cross cutting-issues related to all the MAP components, such as the ecosystem approach, should be coordinated and managed by the Coordinating Unit in order to avoid the application of sectoral approaches.
3. The Bureau also agreed to move the chapter on enhancing MAP's impact and visibility to the common introduction part of the Mandates with a view to ensuring a corporate approach covering MAP as a whole, while also acknowledging the contribution of each MAP component.

Organization of the Focal Points meetings of the MAP components

1. The Bureau acknowledged the need to enhance coordination and integration among the MAP components with regard to the preparation of their Focal Point meetings and in particular in the preparation of their programmes of activities.
2. The Bureau, after having discussed different options presented by the Secretariat, recommended the option of the organization of a common meeting of the Focal Points of all the MAP components with joint and separate sessions. This would allow joint discussion of the progress achieved during the current biennium and the preparation in an integrated manner of the programme of activities for the forthcoming biennium for all MAP components, as well as separate sessions on technical issues specific to each Component. The effectiveness of this practice would be reviewed as appropriate.

5-year programme of work

The Bureau agreed that more time is needed for the Secretariat to work on and deliver the 5-year MAP programme of work for direct submission to and consideration by the 16th Meeting of the Contracting Parties. However, the Bureau requested the Secretariat during the preparation of this programme of work to engage in a proactive consultation process with a view to ensuring the full involvement of the Members of the Bureau and the MAP Focal Points in the process.

Organization of the Ministerial Session of the Meeting of the Contracting Parties, Marrakech, 3-5 November 2009

1. The Bureau agreed that the topic for discussion during the Ministerial Session would be "Climate change in the Mediterranean: Challenges and experiences";
2. The Bureau requested the Secretariat to prepare a discussion paper which, while focusing on climate change, identifies the direct and indirect links of the subject with the subject areas dealt with by the Barcelona Convention, its Protocols and MSSD. The discussion paper should also include a list of questions/issues to stimulate and guide the interventions by Ministers. To that end, the Bureau invited its members to propose to the Secretariat within two weeks time any further suggestions on priority issues to facilitate the mobilization by the Secretariat of high-level experts to moderate the sessions.
3. Regarding the format of the meeting, the Bureau agreed that high-level experts should be invited to moderate the Ministerial Session, which could be divided into two or three sessions to be held in plenary on the basis of the questions and issues identified.
4. The Bureau emphasized that the Marrakech Declaration that will come out of the Meeting should be a vehicle for a strong message from the region to the Copenhagen Summit. The content of the Declaration should be based on the UNFCCC COP 13 decision [related to the Bali Action Plan], as well as building on the Almeria Declaration by highlighting MAP's achievements and challenges, including its direct and indirect contribution to the issue of climate change.
5. The Bureau agreed that the host country would take the lead in the preparation of the draft Declaration, with the participation of the other Contracting Parties and full support from the Secretariat. A first draft could be submitted to the Meeting of the MAP Focal Points in July 2009, which would also establish a working group to continue the work through electronic means. Special sessions could be also held in Marrakech during the Meeting of the Contracting Parties, if need be, with a view to finalizing the discussions and the text for adoption by the Ministers at the end of the Ministerial Session.
6. The Bureau agreed that every effort should be made by the host country, UNEP and the Secretariat to ensure high-level ministerial participation at the meeting.

Draft decision on MAP cooperation with civil society

The Bureau agreed on the approach proposed by the Secretariat with regard to the preparation of the draft decision entitled "Strengthening MAP/civil society partnership for the implementation of the Convention and its Protocols", which should contain the following elements:

- a) *The preamble will recall the relevant Articles of the Convention and the other decisions of the Meetings of the Contracting Parties on MAP civil society cooperation, as well as the need to establish an effective partnership between MAP and civil society.*
- b) *The body of the draft decision will contain the criteria and procedures for the admission of international and national civil society organizations as MAP Partners and a code of conduct for MAP Partners.*

- c) *As well as specific requests to the Secretariat, and particularly that it undertakes an assessment of the current list of MAP partners with a view to implementing the new criteria for admission for consideration by the Bureau during the next biennium.*

GEF Strategic Partnership

1. The Bureau encouraged the relevant Contracting Parties to fully participate in the project activities of the UNEP GEF Mediterranean Large Marine Ecosystem in order to ensure national ownership of the results and the long-term sustainability of the actions taken.
2. The Bureau also encouraged the Contracting Parties to review the project documents endorsed by GEF and to provide any comments to the Secretariat and the project management unit (PMU) and to notify them of any new national initiatives and projects with which the project may need to be coordinated.

The new WB GEF Mediterranean Environmental Sustainable Development Programme (Sustainable MED')

The Bureau welcomed the new World Bank Project as an opportunity to further strengthening the existing sustainable development-related governance structures already established in the framework of the Mediterranean Action Plan, and in this context encouraged all the Parties to avoid the proliferation of other similar initiatives in the region with a view to increasing synergy and join forces for sustainable development in the Mediterranean.

Impact of the MAP budget freeze and the lack of an operating reserve in the delivery of the Programme of Work

1. Recognizing the impact of the budget freeze since the 2005-2006 biennium on the full implementation of the programme of work of MAP, the Bureau requested the Secretariat to further continue and strengthen any actions required to improve MAP's effectiveness, efficiency and accountability.
2. The Bureau recommended the Secretariat to prepare alternative programmes of work based on a zero budget increase and an increase equal to the average inflation rate over 2007 and 2008 of around 5%. It also requested the Secretariat to highlight in the proposed programmes of work areas where savings could be made through greater efficiency and the better integration of the activities of the MAP components.
3. The Bureau agreed on the need for an annual increase of ordinary contributions to reflect the inflation rate as is the practice in different international conventions
4. The Bureau, appreciating the measures taken and planned by the Coordinating Unit to implement the recommendations contained in the audit report, requested the Secretariat to report regularly on the progress achieved. It also emphasized the need to undertake a strategic prioritization exercise of the programme of work during the next biennia, in accordance with the Governance Paper and the recommendations of the audit report.