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**MEDITERRANEAN ACTION PLAN**

Training course for the preparation of Sectoral Plans and  
National Action Plans in the framework of the Strategic Action Programme (SAP)

Izmit (Turkey), 4-6 March 2004

**STRATEGIC ACTION PROGRAMME**

**PUBLIC PARTICIPATION IN THE NATIONAL ACTION PLANS (NAPs) FOR THE STRATEGIC  
ACTION PROGRAMME (SAP) TO ADDRESS POLLUTION FROM LAND BASED ACTIVITIES IN  
THE MEDITERRANEAN**

In cooperation with





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## 1. INTRODUCTION

This document presents a set of guidelines targeted at ensuring the integration of the public participation component in the preparation, adoption, implementation and follow up of the National Action Plans (NAPs) within the Strategic Action Programme (SAP) to address pollution from land-based activities in the Mediterranean region.

These guidelines represent a general frame. Each country is expected to adapt and implement them according to its specificities.

Each guideline includes a cluster of specific actions to be taken, depending on the situation in the country, and therefore they are neither inclusive, nor exclusive.

The need for this exercise is obvious. Over the recent years, Information, Awareness and Public Participation have gained an increasing relevance in the conception, preparation, adoption and implementation of any given activity or project aimed at protecting the environment while promoting sustainable development.

The ultimate goal is to facilitate the participation of the concerned stakeholders in all stages of the process, and not limit their role to a mere collaboration in the phases of implementation of such activity or project.

By doing so, stakeholders will be increasingly aware and thus more actively involved in the key issues affecting their daily lives.

They will have the sense of ownership of decisions related to them and, consequently, their contribution to the process of implementation will be more efficient.

At the same time, such involvement will also strongly help improve the substantive quality of decisions; increase trust in institutions; reduce eventual conflicts between these and stakeholders, and achieve cost-effectiveness.

Information, Awareness and Public Participation are an integral part of the Mediterranean Action Plan (MAP) policies and activities. An increasing emphasis on this has been given since the Contracting Parties adopted the MAP strategy on Information, Awareness and Public Participation in 1999.

The 13<sup>th</sup> Meeting of the Contracting Parties to the Barcelona Convention, in Catania, Italy, 11-14 November 2003, has explicitly requested the preparation of a strategic approach to information, public awareness and public participation, in the context of Article 15 of the Barcelona Convention.

They have also requested the provision of assistance to countries for promoting public participation, access to and dissemination of information, while promoting the involvement of civil society.

Moreover, within the GEF Mediterranean Project, the preparation of the present guidelines was requested by the Inter-Agency Steering Committee of the GEF Project during its third meeting in January 2003.

## 2. FRAMEWORK

There is a series of provisions that represent a solid platform for the present exercise.

At the regional level, the Barcelona Convention explicitly recognizes the relevance of Public Information and Participation, as follows:

### Article 15

#### PUBLIC INFORMATION AND PARTICIPATION

1. The Contracting Parties shall ensure that their competent authorities shall give to the public appropriate access to information on the environmental state in the field of application of the Convention and the Protocols, on activities or measures adversely affecting or likely to affect it and on activities carried out or measures taken in accordance with the Convention and the Protocols.
2. The Contracting Parties shall ensure that the opportunity is given to the public to participate in decision-making processes relevant to the field of application of the Convention and the Protocols, as appropriate.
3. The provision of paragraph 1. of this Article shall not prejudice the right of Contracting Parties to refuse, in accordance with their legal systems and applicable international regulations, to provide access to such information on the ground of confidentiality, public security or investigation proceedings, stating the reasons for such a refusal.

At the same time, the UNECE Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters, known as the Aarhus Convention, to which several Contracting Parties have already acceded, provides an appropriate platform to this issue.

Reference is made here to it because:

- it represents the most comprehensive available standard that has been agreed upon in this field,
- several Contracting Parties (Albania, France, Italy and Malta) have ratified or approved this Convention. Others, mainly among those acceding to the European Union membership in 2004, are most likely to do so.

At world level, Principle 10 of the Rio Declaration on Environment and Development establishes that:

"Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided".

### **3. THE SITUATION IN THE MEDITERRANEAN COUNTRIES**

Though there is a wide diversity between countries in the Mediterranean in the conception of public awareness and public participation and of the ability of the public to access environmental information, there are also several common characteristics, at least at the sub-regional level.

Taking this into consideration, at the phase of preparation by the MAP of a regional Mediterranean strategy on information, awareness and public participation, the Mediterranean countries were grouped in the following two major sub-regions:

#### **3.1 The Arab Countries**

According to the main findings of an Arab experts' workshop in Cairo, among which representatives of the Arab countries members of the MAP, it was clear that there is full awareness of the issues at stake and of the need for public information and participation in environmental decisions.

It was also clear that, in this region, as in the rest of the Mediterranean, there is a need for encouraging the growth and proliferation of NGOs and their involvement in environmental decision-making.

#### **3.2 The East Adriatic Countries, Cyprus, Israel, Malta And Turkey**

A similar exercise, in Split, including the East Adriatic countries, Cyprus, Israel, Malta and Turkey, all members of the MAP, found that, while the East Adriatic countries in particular have been in the process of relatively fast transformation that implied many legislative changes, such a process is expected to move further with the accession, in 2004, of some of them (Cyprus, Slovenia and Malta) to the European Union.

In this process, the accession countries need to transpose the EU environmental legislation into national law. Most of the environmental Acquis of the Community has already been transcribed into national law in these three countries.

They have already adopted the EU Directive 90/313/EEC on access to information, now in force in the EU, and its provisions.

### **4. PUBLIC PARTICIPATION IN THE NATIONAL ACTION PLANS FOR THE SAP**

The involvement of the public in the various steps of preparing, adopting, implementing and following up the National Action Plans implies different time-frames.

The preparation and adoption of the NAPs are expected to be relatively short-term activities and are foreseen to take place within the lifespan of the current GEF Project.

The actual implementation of the NAPs on the other hand, once adopted, will require a much longer period, as outlined in the SAP.

#### **4.1 Stakeholders And Target Groups**

In a subject as broad as the one covered by the SAP to deal with pollution from land-based activities, with its additional biodiversity component, there are as many stakeholders as target groups.

The main ones are:

#### **4.2 Non Governmental Organisations:**

They can be grouped into National NGOs and “International NGOs” which are usually large, better-funded organisations acting on a regional or global scale. In the context of this paper, and the guidelines that follow, the term environmental NGOs is not intended to exclude Non-Profit

Organisations and other citizen organisations with an interest in the environment.

National or local NGOs are often small grass-root organisations, under-funded and working on a voluntary basis, with more specific aims and mandates. There is an obvious need for nurturing them, in terms of funding and recognition, if they are to raise public awareness and play a key role within civil society on the national level.

Assistance is often needed for national NGOs to become effective partners in the dialogue with governments. NGOs often participate in the preparation and/or adoption of spatial plans, EIAs, in hearings or as members of advisory environmental councils etc.

#### 4.2.1 Industry.

It is much better funded, more powerful and better connected compared to NGOs, and usually has better access to government ears.

There are areas in which a dialogue with Industry, and especially the tourism and fisheries industries, can help environmental concerns, as any environmental benefits that may accrue in certain sectors, can be of mutual benefit (clean beaches and bathing waters for example).

The Industry can therefore be classed as both a stakeholder and a target group – albeit a very varied one and one with many viewpoints. The industries involved may vary in importance from country to country but as a rule they include tourism, agriculture, oil, manufacturing, fisheries, aquaculture etc.

Umbrella organisations such as Chambers of Commerce, Unions of workers and of industrialists, tour operators, hotel owners, etc., can effectively represent Industry.

#### 4.2.2 Trade Unions.

In their respective fields of activity, they should also be actively involved in all stages related to public participation and access to and dissemination of information as they, in certain cases, represent a relevant segment of manpower and, thus, of Society.

#### 4.2.3 Scientific, Academic And Technical Bodies.

They may provide valuable input in any NAP and their participation is much needed. Technical and Science Chambers or more general academic unions, where they exist, can provide valuable contact points for such participation.

#### 4.2.4 Journalists, And Media And Communication Professionals And Experts.

They have a critical role to play and their participation is vital to getting messages across to the public. Young journalists in particular, need to be involved as they can both contribute and gain from their involvement. National Press Associations or unions of journalists or relevant syndicates etc can be contacted to provide input or provide information as to suitable persons/representatives.

#### 4.2.5 Political Parties And Politicians.



Most of them, nowadays, have their own environmental policies and agendas, and can be powerful partners or adversaries in environmental debates.

4.2.6 Local Authorities (including subsidiary bodies such as garbage and sewerage boards, where they exist).

These often reflect local interests, and their participation in shaping local plans and programmes as well as their consent and participation in their implementation, is much needed. Every effort is needed to make sure that they are well informed on the issues at hand and that they are aware of what is at stake.

In some countries, Unions or Federations of Local Authorities exist and may be the appropriate bodies to contact in relation to the NAPs.

4.2.7 Teachers, Lecturers And Educators

They can be classified here both as stakeholders and as target groups. Their participation in formulating certain modules of the NAPs is highly desirable if not mandatory. Unions of lecturers, teachers or other educators may be in a position to provide representatives or information as to who would be an appropriate contact point.

**The participation of all the above actors is needed also in the follow up of the modalities of the implementation of the NAPs, in following progress and providing feedback for the revision of the NAPs, of sectoral plans etc.**

## **5. PROPOSED GUIDELINES FOR THE INVOLVEMENT OF THE PUBLIC IN THE PREPARATION, ADOPTION AND IMPLEMENTATION OF THE NAPs**

The following are proposed as general guidelines for incorporating public participation concerns in the NAPs, including the prerequisites to effective participation, such as access to environmental information and raising of public awareness.

They are to be integrated into the texture of the various activities at all stages.

These guidelines are provided as general orientations. It needs to be reminded, once more, that they are by no means inclusive, that each one of them represents a cluster of activities, to be individually conceived and implemented by each country according to the specificity and the level of existing awareness and readiness.

### **5.1. Capacity Building**

This is a key activity in the whole process. It should be the first step, for two main reasons:

- On the one hand, institutions should become more accustomed to opening up to the participation of the public and to ensure its access to information.
- On the other hand, the stakeholders should be aware of their possibility to participate and be involved in an appropriate manner.

The activity proposed is to organize working sessions and seminars involving the above-mentioned stakeholders and target groups and, ideally, joint ones gathering the most directly concerned ones, including civil servants. It is also about developing their capacity to interact and work in team with institutions.

This exercise should also include:

- the provision of information and explanations about the general context (situation of pollution from land-based activities, main sources of pollution, proposed solutions, and the specific measures for its reduction,
- due explanation of the legal and institutional frame, and the ultimate long-term goals of any given activity or project within the NAPs, as well as the role each one of them is expected to play.

The level of awareness among the above actors will determine the number of working sessions and seminars to be organised.

## **5.2 Access To And Provision Of Information**

National legislations contain provisions ensuring the right of citizens to be informed and to express their opinion. In some cases, however, the stakeholders are not well enough aware of these provisions.

Two means would be appropriate for this purpose:

- The publication and dissemination of handbooks on public participation in environmental matters and in the preparation and implementation of the NAPs in particular, in the national language, in an easy to follow drafting style. Where appropriate, this information should be made available also through the Internet.

Such handbooks should refer to the key issues mentioned in the previous section on "capacity building".

In addition, they should refer to ways to make use of the already available provisions in the national legislation in the field of providing easy, quick and inexpensive access to up-to-date environmental information on key elements of the SAP, upon request.

- The development of an efficiently operational, reliable and regularly updated information system, accessible by the stakeholders. Information needs to be made available in forms that are appropriate for the country and the region.

## **5.3 Recognition Of The Role Of The Media**

This role needs to be recognized and taken advantage in terms of in raising public awareness on the SAP and the NAPs, and on the health of the environment.

National communication programmes for reaching the public need to be developed and implemented, utilising the most effective and cost-efficient communication channels to reach the maximum number of people (mass media, advertising campaigns, internet etc).

National TV channels should be used where possible.

## **5.4 Forming SAP Teams:**

The set up of SAP/NAPs teams will prove to be highly efficient. Such teams should include one representative of each of the most directly concerned stakeholders.

The SAP teams would act as a management body, elaborating assessments, plans and priority issues, in view of the concerns expressed by the stakeholders that each member of the team represents.

They would be responsible for reaching consensus in all stages.

They would also be an appropriate channel for the dissemination, through each of the components to his/her own group of stakeholders, of updated information about the decisions taken in every stage, about the activities these be involved in, and also about the follow up and monitoring of the results.

Depending on the situation in each country, such SAP/NAPs teams could be set up either:

- at the beginning of the process, so to act as the main channel for the organization of all the above activities, (this being the preferred option).
- at a later stage, in case the need is felt to centralize these activities at the departing point and by the institution in charge of the project or activity. In such case, the Team should be formed as soon as the appropriate stakeholders and target groups have been identified. In addition, such teams could be formed at the local level, at the sub-regional level, or at the national level. One additional option would be to set up teams at the sectoral level.

The SAP/NAPs teams should ensure regular consultations, to be informed and to inform on the ongoing activity or project.

The Teams would be also the nucleon for the follow up and monitoring of the results.

The monitoring activity should not be limited to the finalisation of the project or activity. It should foresee as well intermediate stages of implementation in order to proceed to eventual amendments.

## **6. BACKGROUND**

### **6.1 The Strategic Action Programme**

The regional Strategic Action Programme (SAP) for dealing with land-based sources of pollution in the Mediterranean Sea was adopted in 1997 by the Contracting Parties to the Barcelona Convention.

The SAP covers regional and national activities to address land-based sources of pollution, focusing on the urban environment, identifying sources of pollution, defining the strategies and measures needed, and outlining targets and deadlines for action, as well as the related costs.

Major shifts in facing pollution issues sprung from the need to do something quickly and effectively about pollution in the Mediterranean. In 1995 and 1996 the Mediterranean Action Plan and the Barcelona legal system were rather radically revised for this purpose.

The changes were also intended to align them with the principles of the Rio Summit. The LBS Protocol with its far-reaching provisions was amended in 1996, but has still to enter into force.

The Contracting parties to the Barcelona Convention adopted the Strategic Action Programme (SAP) to support the formulation, adoption and implementation of relevant national action plans to combat pollution from land-based sources.

That means that each of the Mediterranean countries needs to prepare a National Action Plan (NAP) consisting of technical, financial and administrative components in the coming years, which will enable decision makers to introduce those measures and activities needed to gradually meet the SAP targets of pollution reduction.

The NAPs will be the main instrument and driving force for the practical implementation of the SAP. In addition to activities directly addressing pollution, the Programme envisages the implementation of capacity building actions, provision of external support according to available sources, implementation of the participatory principle, and of procedures for monitoring, evaluation, reporting, feedback information and readjustments.

Due to the complexity and significance of the targets and actions envisaged, as well as the resulting financial, institutional and organizational implications, the implementation of the SAP requires careful planning, harmonization and integration at the national and regional levels.

In order to speed up the implementation of number of key activities, foreseen in the SAP, the GEF project "Determination of Priority Actions for the further Elaboration and Implementation of the SAP for the Mediterranean Sea" was launched.

The project includes activities both on the regional and the national level. In addition to activities aimed at the control of pollution the project also aims at protecting biodiversity focusing on the preparation of a Strategic Action Plan for the protection of marine and coastal biodiversity.

MAP has overall responsibility for the management of the GEF Project. In the execution of the project MAP's Regional Activity Centers and MED POL will be involved as well as WHO/EURO. The project was launched in January 2001.

## **6.2 The National Action Plans**

The formulation of National Action Plans (NAPs) represents the operational long-term result of the Strategic Action Programme, as the National Action Plans are supposed to make use of the results of the individual activities identified in the SAP.

According to the Programme, the Contracting Parties will develop or review and adopt, within five years at the latest, National Action Plans addressing pollution from land based sources, through the adoption of the targets and activities identified in the SAP and through taking action to implement these programmes. National Action Plans are expected to be fully operational by 2005.

National Action Plans will focus on sustainable, pragmatic and integrated environmental management approaches and processes, such as integrated coastal area management, harmonized, as appropriate, with river basin management and land-use plans.

Following the preparation of a national diagnostic analysis (NDA), to identify and assess national problems and issues, and National Baseline Budgets to summarise current pollution emission levels (so that progress and trends can be measured), National Sectoral Plans (NSP) will be prepared containing the actions required to reach the respective regionally adopted targets.

These plans, to be prepared by small national working teams, will consist of actions necessary to fulfill the relevant provisions adopted on a regional level, such as regional plans, guidelines, common measures, environmental quality criteria, emissions limits, capacity building activities, etc.

National experts will, on the basis, inter alia of the NDA, the NBB and the Sectoral plans, prepare, in consultation with MAP, the National Action Plans, which will be submitted to national authorities (the Inter-ministerial Committee) for formal adoption.

This activity will be supported by the Mediterranean GEF Project, which includes the provision of support to inter-ministerial committees in the countries. Public participation in the various phases of the preparation, adoption and implementation of the NAPs is foreseen.

In the countries where National Environmental Action Plans (NEAPs) have been adopted, the National Action Plans for LBS must be consistent with the NEAPs.