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Introduction

1. At their thirteenth meeting, held in Catania from 11 to 14 November 2003, the Contracting Parties requested the Secretariat to “*To launch the external overall evaluation of MAP*”, specifying that “*In this process the document UNEP(DEC)/MED WG.228/5 ‘Draft Strategic Assessment of the General Framework of the Barcelona Convention (MAP evaluation)’ could be considered as an input, while ensuring the consideration of other inputs from Contracting Parties*”.
2. With a view to adopting a transparent and fully participatory approach, the Secretariat convened a meeting to launch the external evaluation of MAP in which all Contracting Parties were invited to take an active part, together with the three consultants responsible for preparing the evaluation. The meeting was held in Athens on 9 and 10 December 2004 at the Holiday Inn.

Participation

3. Representatives of the following Contracting Parties to the Barcelona Convention took part in the meeting: Albania, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, European Community, France, Greece, Israel, Italy, Libyan Arab Jamahiriya, Malta, Morocco, Slovenia, Spain, Tunisia, and Turkey.
4. The three consultants entrusted with preparing the external overall evaluation of MAP also participated in the meeting.
5. The Secretariat of the Mediterranean Action Plan was represented by the Coordinator, the Deputy Coordinator, the MED POL Coordinator, the Administration/Fund Management Officer, the Information Officer, the Director of SPA/RAC, the Director of PAP/RAC and an Expert from BP/RAC. The MAP Secretariat acted as the Secretary of the meeting.
6. The full list of participants appears as **Annex I** to the present report.

Agenda item 1: Opening of the meeting

7. Mr. Paul Mifsud, Coordinator of the Mediterranean Action Plan (MAP), opened the meeting and welcomed participants to Athens. He underscored the importance of the meeting, as could be seen from the large number of Contracting Parties represented. It was intended to implement the decision taken at Catania in 2003 by launching an evaluation process to pave the way for the formulation of a new phase of the MAP for the years 2006-2015. He introduced the three members of the team responsible for the external evaluation: Mr. Delmar Blasko, Mr. Tarek Genena and Mr. Thymios Papayannis, and called on the meeting to deal with procedural matters before embarking upon its substantive work.

Agenda item 2: Rules of procedure and election of officers

8. In accordance with Article 20 of the Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Barcelona Convention, the meeting elected the following officers:

Chair: Ms. Maria Dalla Costa (Italy);

Vice-Chair: Mr. Mohamed Borhan (Egypt);

Rapporteur: Mr. Vincent Gauci (Malta).

Agenda item 3: Adoption of the agenda and organization of work

9. The meeting considered and adopted the provisional agenda prepared and circulated by the Secretariat as document UNEP(DEC)/MED WG.261/1. The agenda is attached as **Annex II** to the present report. The Coordinator said that, if they so wished, participants could divide up their work by establishing working groups to meet between plenary meetings to address separately the issues which the three evaluators had allocated amongst themselves. Following a short exchange of views, the meeting decided to carry out all its work in plenary.

Agenda item 4: External evaluation of the Mediterranean Action Plan (MAP)

10. After having introduced document UNEP(DEC)/MEDWG.261/3 entitled “*External Evaluation of the Mediterranean Action Plan (MAP) – Proposed approach and methodology*”, which would serve as a basis for discussions, the Coordinator outlined the background to the evaluation exercise being launched, referring to past evaluations of the various MAP components or those nearly completed and the draft strategic assessment of the general framework (internal evaluation) submitted to the Catania meeting in November 2003. He then highlighted the main aspects which the evaluators would have to address in order to define the future role and action of the MAP over the next few years: current status of implementation of the Convention and its Protocols; synergy and integration of the RACs and the MED Unit; relations with the European Commission and other regional and international conventions and processes; role of the Mediterranean Commission on Sustainable Development (MCSD); role of National Focal Points (NFPs); and the visibility of MAP. The full text of the Coordinator’s opening statement is attached as **Annex III** to the present report.

11. Following the Coordinator’s statement, the Chair proposed that the meeting hold an initial exchange of comments to obtain preliminary views on the evaluation process.

General discussion: aim and scope of the evaluation

12. All speakers who took the floor congratulated the Coordinator on the clarity and relevance of his opening statement, which placed the exercise in perspective, identified its objectives and helped to ensure fruitful discussion.

13. During the discussion, most of the representatives of Contracting Parties took the floor. For some of them, MAP was at a crossroads and due importance had to be attached to the discussions to ensure that the right path was chosen, otherwise the momentum of the process launched 30 years previously might grind to a halt. All the issues to be addressed were important so the meetings should be in plenary. The evaluation should not be an end in itself but a tool with which to define future orientation. In the beginning, the environment had been MAP’s main concern, but following the Rio and Johannesburg Summits, MAP had gradually refocused on the concept of sustainable development, to which it should become even more closely linked, integrating social and economic dimensions into the environment, reviewing the programme’s objectives to that end and expanding the range of activities. The

world was changing, as were attitudes, new problems were emerging, together with new forms of pollution and degradation, and those factors had to be taken into account.

14. In the view of other representatives, however, refocusing had already been accepted and translated into action. Consequently, the future path was clear and what was primarily expected of the external evaluation was that it should spell out ways of enhancing and strengthening the work already being undertaken within MAP in all areas: compliance with legal obligations, combating pollution from land-based sources and marine pollution, conservation of biological diversity, integrated coastal area management, and protecting the historical heritage. Knowing where one was heading did not mean that recent trends and the Johannesburg message should be disregarded. Sustainable development was based on three pillars – social, economic, environmental – and the task of the MAP, linked to an environmental convention, was to focus on the environmental pillar without losing sight of links to the two others, which were within the purview of other specialized bodies such as the UNDP or UNIDO. In fact, MAP had started to think in sustainable development terms well before the expression and concept had been formulated and, in that respect, all the Protocols were already directly linked to sustainable development. Before “bringing in the new”, the priority was to ensure that the Protocols were ratified and applied by assisting countries that were encountering problems in that respect. In 1996, the MAP had set up a new advisory body, the Mediterranean Commission on Sustainable Development, which had enabled it to open up to civil society and to establish the link between the environment and the broader and more complex problems highlighted at Johannesburg. Another representative said, however, that if it was hoped to define more precisely the priorities for action and the objectives of Phase III, there had to be a detailed and substantiated assessment that identified the gaps and the successes of the programme in recent years and the evaluators had to be given the time and resources needed.

15. The question of visibility was highlighted several times. MAP was still not sufficiently well known, neither among organizations active in the Mediterranean nor within each country outside the ministry responsible for relations with the MAP, usually the Ministry of the Environment. The perception of MAP in the community outside the programme needed to be examined in order to ensure that MAP became more open to the community. It was the responsibility of countries to take measures to remedy the lack of knowledge about MAP and its work that had frequently been mentioned at meetings of the Parties. NFPs had an important role to play in that regard, as did the Secretariat, which was called on to make contact with the authorities and NGOs in each country in order to organize events and information seminars on the MAP.

16. Two participants emphasized the subregional dimension, particularly the agreements associating countries members and non-members of the EC. Others referred to the RACs, indicating that at least three of them – BP, CP and PAP – were working on sustainable development issues and that their activities should be better integrated under the aegis of the Coordinating Unit. It was also stated that the evaluation should take into account the performance of countries themselves, particularly regarding the application of legal instruments and the real effectiveness of NFPs. One representative agreed that MAP's action should be limited to the environment but, in future it would have to find ways and means of carrying the ideas and proposals stemming from its environmental expertise over into social and economic areas through interministerial and multi-actor efforts in each country, based where appropriate on progress made in the EU in those areas, particularly the Cardiff Process.

17. The Chair considered that the discussions had already been intensive and of high quality, and in many ways they had already responded in part to the draft questionnaire intended for NFPs and national and international partners, which had been circulated. Discussions should focus more, however, on the purpose of the meeting itself, namely the approach and methodology for the evaluation, and should not encroach on the work to be done by the evaluators by prolonging the discussion on the nature of the problems and their solution. As far as sustainable development was concerned, it had undoubtedly marked the passage from Phase I to Phase II of the MAP, but the Johannesburg conclusions had made it more complex. Today, it was no longer possible to develop or administer entire sectors of the economy such as energy and transport without taking into account their environmental impact.

18. The MAP Coordinator also noted the keen interest in the discussions and considered that the extremely valid arguments that had just been put forward should be kept in mind when discussing the concrete aspects on which the team of evaluators sought clarification. As far as the question of sustainable development and the future role of the MCSD were concerned, in his view that question had been fully discussed and dealt with at recent institutional meetings and there was no need to return to it. One of the evaluators' tasks would be to recommend to Contracting Parties ways in which sustainable development could become the axis for Phase III. The Barcelona Convention was of course primarily an environmental agreement, but the reason it had been revised in 1995 was precisely to extend its scope in the light of the conclusions of Rio so as to promote sustainable development and implement its objectives, as specifically prescribed in the general provisions and obligations of the Declaration. That position had been definitively adopted by the Parties and the evaluators would have to take it into account; it was a position that was not contested. Lastly, the Coordinator asked participants to continue to speak frankly because it was the best way of assisting the evaluators in their task.

19. One speaker considered that the question of compliance with legal obligations and the mechanism needed to obtain it had not been sufficiently emphasized, while another said that several tools such as recommendations, guidelines of organizations such as the OECD, etc., could be extremely helpful. Another participant considered, on the contrary, that experience had shown that none of those formulas was effective if it was not binding and that the process launched with a view to setting up a mechanism to ensure compliance with the Convention and the Protocols should continue and be brought to a successful conclusion. It should be accompanied by a careful determination of the reasons why a country had not ratified a particular instrument as that would permit consideration of new amendments to make the texts easier to apply where needed.

20. Two participants said that during the initial exchange of views there appeared to be an attempt to exert pressure on the evaluators to incite them to envisage radical changes. The value of the evaluations undertaken to date, both those of the RACs and the strategic assessment of the general framework of the Convention carried out at the internal level in 2003, should not be underestimated. In that regard, it would be helpful if the Secretariat could summarize the situation regarding the evaluations under way. The evaluations of PAP/RAC and BP, and of the 100 historic sites, had generally been considered relevant and objective, and the evaluators could base themselves on those. They were not starting from zero and it should always be borne in mind that they were undertaking an "external" evaluation, which meant that they should be given the greatest possible latitude and flexibility.

Examination of the approach and methodology of the evaluation

21. Mr. Delmar Blasko, MAP consultant and head of the evaluation team, introduced himself, saying that he had been Secretary-General of the Ramsar Convention. He summarized the main points of the discussion that had taken place, adding that they would be duly taken into account by the team in its work, particularly where there was no obvious consensus, as for example on questions of sustainable development, the MCSD, and the compliance mechanism. He wished to emphasize, however, that both himself and his colleagues were only working part time in accordance with the contracts they had signed with the MAP and they could not undertake an in-depth analysis of certain issues that had been raised, for example, the implementation of legal instruments in each country. He then gave a detailed presentation of the working document for the meeting, "*External evaluation of the Mediterranean Action Plan – Proposed approach and methodology*" (UNEP(DEC)/MED WG.261/3), including the schedule, the context and aim of the evaluation, the issues to be addressed, the tasks of the consultants, and the methodology to be adopted. He identified the aspects on which the team sought opinions and clarification, including the "*Draft questionnaire*", which had been distributed to participants to complement the working document.

22. Following the presentation, the meeting took up the working document section by section.

Evaluation schedule

23. The schedule proposed in the working document was the subject of lengthy discussion during which several participants raised concerns about the short period between the various stages, the usefulness, content and recipients of the questionnaire(s) envisaged, the excessive time constraints for collecting information, and the identification of partners to be consulted. The timetable was revised in part in order to make it more specific and explicit. It was agreed that, at the end of February 2005, a fairly comprehensive preliminary draft evaluation report would be circulated to the Focal Points of the Parties and to MAP Partners involved in its activities. It was also agreed to revise the time-limit at the end of July and the beginning of September for submission of the second version and the convening of the third meeting respectively because of the holiday period in August.

24. The problem of the questionnaire was raised. There was consensus that, in its current form, it was both too general, too complex and too vague and that it would require an excessive amount of time to provide valid replies, particularly on issues that were politically sensitive. The questionnaire sent to NFPs should therefore be simplified and better targeted and made easier to complete, and it should not duplicate the questionnaire circulated for the purpose of national reports on implementation. The general questionnaire could perhaps be retained as a guide during personal interviews. It was also emphasized that countries had to send to the Secretariat, by 15 January 2005, their national reports on the implementation of the Convention and the Protocols for the preceding period 2002-2003, pursuant to Article 28 of the Convention. Although some participants expressed doubts concerning observance of the time-limit mentioned above, the meeting agreed that the evaluators could find a considerable amount of information on the situation in countries in those national reports that were made available to them in time. Mr. Blasko proposed that the NFPs themselves inform evaluators of the best way of ensuring that consultations in their respective countries

were as practical and effective as possible. He supported the recommendation by one participant that, when MAP NFPs were consulted, they should represent all the other NFPs of the various RACs, programmes (MED POL coordinators) and REMPEC (correspondents), and should seek from them the information essential for the evaluation in order to pass it on.

25. One representative expressed the view that all the statements made by participants so far – representatives of Parties, evaluators and members of the Secretariat – showed that the time constraints for the evaluation were extremely stringent and that, under such circumstances, it was to be feared that the evaluation team would not be able to establish all the contacts, obtain sufficient information – particularly on implementation in countries -, carry out the analyses and draw the necessary conclusions to ensure that its work was successful. For the MAP, however, it was a unique opportunity to have an independent overall evaluation as previous evaluations had focused on components of the programme and the only overall assessment of the MAP had in fact been a “self-evaluation” carried out under the guidance of the Bureau. It was important not to waste the opportunity. He therefore proposed that the report to be submitted to the 14th meeting of the Contracting Parties (COP 14) in Slovenia in November 2005 be a preliminary draft and that the evaluation continue beyond COP 14 and result in a final report to be submitted to COP 15 two years later.

26. Two other representatives supported that view. One of them proposed that the evaluation not only be extended until COP 15 but also repeated regularly in the long term in order to highlight the gaps and lacunae, not in order to blame countries but to help them to remedy any problems. He also proposed that the adjective “external” be deleted because it had no meaning as it was the MAP that had recruited the evaluators and guided the process and the NFPs had been consulted first of all in order to provide the basis for the information. The other representative expressed the hope that the extended exercise would be based on measurable indicators.

27. In response to a request by a participant for information on the evaluations under way, Mr. Civili, MED POL Coordinator, briefly described the MED POL evaluation currently being concluded: it was independent because it had been undertaken exclusively by external evaluators, who had been able to consult national MED POL coordinators and to question partners in the programme, selecting them freely from a list handed over, without any intervention by MED POL officials or the MAP Secretariat. The evaluation had taken seven months and in his view it could quite easily be transposed to the overall evaluation of the MAP. The Contracting Parties alone would be empowered to judge the results and validity of the evaluators’ recommendations. The MED POL Coordinator added that, in the case of national reports, they would undoubtedly contain useful elements of information but it could not be expected that they would contain detailed assessments of the implementation of any particular Protocol in any particular country in view of the simplified format of the questionnaire sent to the NFPs or consultants responsible for completing it.

28. The Chair noted that there were marked differences of opinion among the participants on the actual nature of the evaluation process being launched. The MAP Coordinator clarified the situation: in Catania, the Contracting Parties had adopted a clear recommendation: they wanted to have an overall external evaluation of the MAP at their meeting in 2005, and they did not specify any other restrictive clauses or conditions. So the meeting had no mandate to change the tenor of that decision. Even the word “external” had been discussed and endorsed and it was neither the time nor the place to question it. It was therefore not appropriate to jump to conclusions by deciding in advance that the evaluation

report would not be sufficiently comprehensive to be approved by the Parties. It was a question of confidence in the evaluators. If the latter, when carrying out their work, considered that they lacked time, information or input for the purpose of their in-depth analysis, they would undoubtedly mention that in their recommendations and it would then be up to the meeting of the Parties to decide on the follow-up, possibly in the form of the extension proposed by participants. That being said, the discussion had permitted substantial progress to be made and it was now time to end the debate on the following points: a revised and simplified questionnaire, making available to evaluators all the previous evaluations and the lists of MAP's official partners, intergovernmental organizations, non-governmental organizations and United Nations agencies, which the team could select freely on the basis of their active involvement in the MAP process.

29. The meeting agreed that the statements made had enabled a sufficient number of constructive indications to be given to the evaluators and approved the Secretariat's proposal.

Context of the evaluation

30. Mr. Blasko introduced paragraphs 4 to 8 of the working document concerning the context of the evaluation, emphasizing that the region and the world in which MAP found itself was changing rapidly and new and decisive factors were emerging, which the programme could utilize to its advantage or to its detriment.

31. In addition to making some amendments of form, several participants requested that the section be expanded by making some elements more detailed and by including other actors and processes: the mention of the Euro-Mediterranean Conference in 2005 should be accompanied by reference to the Euro-Mediterranean Partnership, which would be celebrating its tenth anniversary, as well as to the establishment of the free trade area by 2010; the reference to the FEMIP should be more precise in view of its contribution, together with the nearly completed GEF MED project, to the SAP and to MED POL. It was also proposed that there should be a reference to the Mediterranean Strategy for Sustainable Development (MSSD), which should not only concern the MAP but the region as a whole, as well as to Type II initiatives, ratification of the Kyoto Protocol, and bilateral donors (which were not always from the Mediterranean, for example, Germany). Three representatives queried the inclusion of a reference to the role of the United States in the region. Lastly, in the margins of the discussion and outside the predetermined framework for the present evaluation, two participants spoke in favour of systematizing MAP evaluation and its follow-up in the future.

Aim of the evaluation

32. Mr. Blasko introduced section 9 of the working document with its two subparagraphs: the first dealt mainly with the assessment of Phase II, and the second with the outlook and recommendations regarding the future Phase III on the basis of the assessment. After indicating that an in-depth assessment of Phase II had already been requested by representatives, the consultant reiterated that lack of time led the evaluators to focus on the outlook for Phase III.

33. Nine participants took the floor to express the contrary view that the focus should be on the assessment because it would highlight the gaps and lacunae and the measures

needed to give MAP a new impetus and make it more effective. In the course of the aforementioned statements, it was indicated that, in general, the working document often gave the impression that the Contracting Parties were in some way external to the MAP, whereas the MAP was simply what they had decided to make it and responsibility for its failures and successes was above all attributable to them. The words "diagnostic assessment" should be used instead because that was what was needed in order to define Phase III more clearly and give better guidance. It should not be forgotten either, when identifying prospects, that the MSSD was being prepared and would be used to define the future programme. Lastly, one of the speakers wondered whether the terms of reference given by the Parties for the evaluation had not been misinterpreted because there was constant reference to Phase III, a concept that did not appear in any part of the recommendations adopted in Catania.

Issues to be addressed

34. Mr. Blasko introduced section 10 of the working document, stating that it represented a more functional way of setting out the goals of the evaluation. In relation to the issues and from a more general point of view, one representative pointed out that there was one aspect of the MAP that had not yet been taken into account at all, namely, the political aspect. If one looked in detail at the measures taken to implement the Parties' recommendations and decisions, the results probably appeared to be less than impressive, but that would be an erroneously negative impression. The MAP was about to celebrate its 30th anniversary, all countries were on an equal footing and its performance could not be judged by the yardstick of the EC inasmuch as MAP did not allocate large sums for infrastructure and/or depollution activities, neither could it impose sanctions in cases of non-compliance with legal obligations. Nevertheless, without the MAP, attitudes would undoubtedly have evolved less rapidly. The question should be asked in the following terms: "What would the region be without the MAP?"

35. Another representative expressed the same view, referring to one of the ten commitments undertaken in the 1985 Genoa Declaration, namely, to install wastewater treatment plants in all Mediterranean towns with over 100,000 inhabitants. Twenty years on, that had still not been achieved but pressure had been exerted on the authorities in urban centres to take action to achieve that objective. The MED POL Coordinator explained that the same was true of pollution hot spots. Although it did not have any budget for large-scale projects, the MAP had been able to pave the way for action by enabling pre-investment studies, involving itself in the follow-up to coastal area programmes, and capacity-building activities (support for the training of managers of wastewater treatment plants, for example).

Tasks to be carried out by the consultants

36. In the course of detailed consideration of the text of section 11 of the working document, several editorial amendments and additions were made. Some participants felt that the evaluators should consider the impact of Parties' recommendations, seek the opinion of other organizations active in the region and, during the consultation process, the Parties should not only assess the work carried out by the Secretariat and its components but also all the MAP components, as well as the performance and achievements of countries and their NFPs. One participant warned against the trend constantly to introduce new elements and new acronyms throughout the process and to expand the lists of organizations and actors because such lengthy lists inevitably resulted in omissions and it was preferable to adopt a general schema. Another participant considered that discussing

the division of responsibilities among the three evaluators went beyond the terms of reference of the meeting, which should not involve itself in the work of the evaluation team. The latter should be quite free to organize its work as it wished otherwise the external evaluation would no longer have any meaning as such.

37. Following consideration of that section of the working document and as a conclusion to the discussions during the first day, the head of the evaluation team informed representatives that following the closure of the meeting he and his colleagues would be available to initiate bilateral contacts and if possible prepare missions and consultations in the various countries.

Methodology

38. Following consideration of the methodology section of the document, in response to certain comments, the Coordinator said that, in the Secretariat's view, all MAP's components – RACs, MED POL, REMPEC, MCSD – should be evaluated in the same way and with the same attention, naturally including the MCSD, which was the only component that had not yet been the subject of a separate evaluation but simply of a "self-evaluation" by a task force drawn from among its members.

39. The Coordinator noted that the lack of resources allocated for the evaluation had often been mentioned, together with the short time allowed. That had indeed been one of the constraints accepted at the outset. The Secretariat had full confidence in the evaluation team and he re-emphasized that it would be quite free to mention in its report the constraints on its work if it deemed that necessary. The working document before the meeting, which was the responsibility of the Secretariat, would be revised to take into account the comments made by participants. It would in a certain sense serve as a basis for the evaluators' work and by the end of 2004 three further evaluations, those of MED POL, CP/RAC and ERS/RAC – would be ready and made available to the evaluators.

40. The Chair said that, in her view, when envisaging the work of the evaluators, there should be no question of disregarding the evaluations which in recent years had gradually covered all the RACs, using a valid methodology and yielding conclusive results. Concerning the *Strategic Assessment of the General Framework of the Barcelona Convention*, submitted to COP 13 in 2003, it contained aspects that were extremely useful for the current exercise as far as the main headings considered at the present meeting were concerned. The expert from BP/RAC supported that view and referred to the importance of the evaluation results upstream. The evaluators would simply have to make good some gaps relating to financing issues, the relations among NFPs and their position in each country. From that angle, the additional work and the updating entrusted to the evaluators could reasonably be carried out within the given time-limit.

41. After one representative had requested figures relating to the time and resource constraints mentioned by the evaluators on several occasions, Mr. Blasko, head of the evaluation team, explained that the contracts provided for a total of 30 days' remuneration for each consultant from the time the evaluation began until its conclusion upon submission to the Contracting Parties in November 2005 and no resources were available for any extension. The team had carefully noted participants' comments concerning the disadvantages of telephone interviews, the need to prepare personal interviews and on-the-spot missions carefully by informing interested parties in advance so that they could obtain

all the necessary information, the possibility of using video-conferencing and, in the revised division of responsibilities envisaged, the importance of very close collaboration among the evaluators.

42. One representative considered that the time constraint was extremely limiting because, calculating the time allowed to each consultant, the time already taken, holidays and the timetable planned from the end of October 2004 to the end of November 2005, the actual time remaining was 10 per cent less than that foreseen in the schedule. The Coordinator agreed that that aspect could be discussed further with the team at an appropriate moment and he did not exclude the allocation of additional resources if absolutely necessary. Yet again, however, the time-limit had been decided in Catania and the terms of reference were to conclude the evaluation respecting it.

43. The Secretariat circulated to participants the methodology section of the document revised by the evaluators on the basis of comments made during the preceding discussions. The meeting re-examined the text and made some further comments, which were incorporated.

44. The questionnaire had already been discussed at the beginning of the meeting, and participants agreed that, as planned, it should be revised to make it simpler and more specific and, pursuant to a request from the consultant Mr. Tarek Genena, the evaluators would be free to request from interested parties additional, more focused replies in the course of their comparison and synthesis of the information.

Agenda item 5: **Any other business**

45. One representative proposed that a letter be sent to Contracting Parties requesting them to provide the evaluation team with all the information and assistance it might need to carry out its task.

Agenda item 6: **Conclusions and recommendations**

46. The Secretariat said that, in addition to the methodology section, which had been revised, the document considered at the meeting would be revised as a whole by the evaluators in order to reflect all the recommendations made by participants that had been the subject of consensus. Moreover, it was planned that within the next few days a draft report of the meeting would be sent to participants for comments and then finalized for adoption by correspondence.

Agenda item 7: **Closure of the meeting**

47. Following the customary exchange of courtesies, the MAP Coordinator declared the meeting closed at 1 p.m. on Friday, 10 December 2004.

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AGENDA OF THE MEETING

1. Opening of the meeting
2. Rules of procedure and election of officers
3. Adoption of the Provisional Agenda and organization of work
4. External evaluation of the Mediterranean Action Plan (MAP)
 - 4.1 Aim and scope of the Evaluation
 - 4.2 Context and content of the Evaluation
 - 4.3 Methodology of the Evaluation
 - 4.4 Role of the MAP NFP
5. Any other business
6. Conclusions and recommendations
7. Closure of the meeting

OPENING STATEMENT

by
MR PAUL MIFSUD
MAP COORDINATOR
9 December 2004, Athens

Dear Colleagues,

First of all, I wish to welcome you to Athens and to thank you for having accepted our invitation to attend this meeting which is intended to launch the external overall evaluation of the Mediterranean Action Plan. Among you there are those who have joined the process in recent years and those who have been around for many years if not from the very beginning 30 years ago. Therefore, we have the right mix which will enable us to discuss in a constructive manner in which direction we wish to see MAP heading in the coming years, while drawing on the valuable experiences and the lessons learned over the last three decades.

Allow me to introduce the members of the evaluation team, which is headed by Mr. Delmar Blasco, Mr. Tarik Genena, and Mr. Thymios Papayannis. In the course of this meeting they will explain the methodology they intend to adopt and the approach they propose to take in carrying out this exercise. In the afternoon, provided that you agree, they will moderate the discussion in the working groups on the tasks to be carried out and which are listed in the main document for this meeting. Recommendations coming out of these discussion will be taken on board by the members of the team and will be incorporated in the final report of the meeting which will be circulated in the coming weeks.

We are launching this evaluation on the basis of the decision of the Contracting Parties at their last meeting in Catania. This task will bring to a close the evaluation process which included also the sectorial evaluation of all the Regional Activity Centers. By the end of this year the evaluations of MED POL, CP/RAC and ERS/RAC would have been concluded too.

What we are embarking upon today is not something new. As recently as last year a Strategic Assessment of the General Framework of the Barcelona Convention, meaning the operational bodies and the Coordination Unit, was carried out. This was an internal exercise, undertaken by a Think Tank set up by the Bureau. It was made up of the President of the Bureau of the Contracting Parties, at the time Monaco, a representative of a Mediterranean country member of the European Union which was Greece, a representative of a southern or eastern Mediterranean country and this was Syria and a representative of a Mediterranean country which was then a candidate to join the European Union and this was Slovenia. They were assisted by two advisors and members of the Secretariat. Two members of the Think Tank are also present with us today and thus we have the opportunity of drawing on their experience of that exercise in our discussions. I am referring to Professor Alexander Lacaratos from Greece and Mr Mitja Bricelj for Slovenia.

I am sure you will agree that there have been enough studies and evaluations and that the exercise we are launching today should be the final act and should present the Contracting

Parties at their next meeting in Slovenia, with proposals in order to remain a relevant institution in the region. MAP is at a crisis but definitely at the crossroads. It needs to define its future role within the international environment, which is evolving all the time, taking into account both the regional as well as the national context of the Mediterranean countries. In the same way that in the past MAP had to evolve in the face of new realities on the global level especially following the Rio and Johannesburg Summits and as a result of new environmental legal instruments at the international and European levels, it has to do the same today in view of new emerging issues on both fronts.

I will briefly outline some important issues in the context of which this exercise should be carried out simply to stimulate the discussion.

One of the most important issues, if not the most important, is the present state of implementation of the Convention, and the related Protocols which constitute the legal framework of MAP. As we are all aware, the amended version has now entered into force on 9 July 2004. But it took ten years for this to happen. Still there are six countries which have yet to ratify the new Convention. Fourteen have accepted the amendments to the revised Dumping Protocol and 13 the revised LBS Protocol. In addition, 14 Contracting Parties have ratified the new SPA and Biodiversity Protocol, 4 the Offshore Protocol and 4 the Hazardous Waste Protocol and seven the new Prevention and Emergency Protocol. Of these new and revised instruments, apart from the amended Convention, the new SPA and Biodiversity Protocol and the new Prevention and Emergency Protocol have entered into force. The new LBS Protocol has not. This, apart from the Hazardous Waste and Offshore Protocols which have been pending for years. This issue of the non-ratification of these legal instruments has to be addressed in order to safeguard MAP's credibility. Lack of ratification constitutes also a constraint on MAP when it comes to carry out its activities.

We also have a situation where some Contracting Parties are inconsistent with the provisions of the Barcelona Convention and I will explain why. Article 29.1 of the Convention states that "No one may become a Contracting Party to this Convention unless it becomes at the same time a Contracting Party to at least one of the Protocols" It continues: "No one may become a Contracting Party to a Protocol unless it is, or becomes at the same time, a Contracting Party to this Convention." This is very clear. Still we have a situation where some Contracting Parties have ratified one Protocol but not the Convention and vice versa.. Of course, countries have their own reasons and explanations for this state of affairs. But this does not eliminate the fact that things are not in order. Together with the Depository country, Spain, the Secretariat intends to approach these countries to help them speed up the ratification of the necessary instruments in order not to remain in this state of inconsistency. At the same time, those countries that have not yet ratified any of these legal instruments will be encouraged to do so too. But how are we to proceed if the situation persists?

MAP's credibility also rests on the implementation of its legal instruments. There is no scope in having Protocols which remain dead letters. One way of ensuring implementation is to have in place a compliance mechanism. They go hand-in-hand. Unlike other Conventions there is no compliance mechanism in place under the Barcelona Convention. Now that the new Convention has entered into force the process which has just been initiated to develop an implementation and compliance mechanism needs to be speeded up. Moreover, the reporting exercise, which up to now, has become a legal obligation under Article 2 of the new Convention.

On the institutional level two important components of the MAP structure deserve special attention namely the Regional Activity Centers and the Mediterranean Commission on Sustainable Development.

In respect of the former, by and large, all RACs and MED POL have performed well over the years implementing several action programmes and initiatives in fulfillment of various provisions of the Protocols. Some have performed better than others and some have had their ups and downs. However, one negative aspect, which has been brought up time and time again by several Contracting Parties is the fact that the RACs operate too much independently from the Coordinating Unit in Athens.

This situation has its benefits too because it gives the RACs the flexibility to be proactive and take the initiative in their fields of expertise.

This problem of lack of synergy among the RACs arises mainly from the fact that they do not have the same legal status. MED POL functions entirely under the umbrella of the Coordinating Unit. REMPEC is answerable to both UNEP and IMO. Then there are RACs with UN status, others with national status financed through the MTF and others with national status but not financed through the MTF. In the light of this state of affairs, it is expected that the evaluation will recommend how to bring about better coordination and harmonization among the RACs and the Coordination Unit.

Another crucial issue is the future role of the MCSD. Several discussions have taken place, primarily but not exclusively during the meetings of the Commission, about its nature and mission. Some have questioned the pace in which it has been conducting its business since its first meeting in 1996. The big question mark is what happens after the MSSD is hopefully adopted at the next CPs meeting? What role will the MCSD have? How and who will oversee the implementation of the strategy? Will there still be the need for this structure after the process of the development of the strategy has been finalized? These are some of the answers that we should expect from the evaluation exercise.

The development of relations between MAP with the European Union is also an important part of the evaluation exercise especially in view of the recent enlargement which has increased the number of Contracting Parties members of the European Union from four to seven. Further enlargements are expecting to see more Contracting Parties joining the EU during the implementation of MAP Phase III.

Account has to be taken also of the development of community policies and legislation in areas already covered by MAP. A case in point is the European Marine Strategy which is currently being developed and in which MAP through MED POL is actively involved. REMPEC is currently planning the implementation of Safemed Project on behalf of IMO with the financial assistance of the European Commission. Similar cooperation exists between MAP components and European Commission services in different fields. Apart from being a Contracting Party and currently a member of the Bureau, the European Community is also member of the MCSD.

There is definitely goodwill and willingness on the part of the European Commission to work with MAP towards sustainable development in the Mediterranean region. This has been

evident both during contacts with EC officials in Brussels as well as the EC's declared intention to associate MAP with the implementation of its regional policies in the Mediterranean. This not to mention the specific commitment in the Athens Declaration of July 2002 to establish on a more concrete footing the relationship and cooperation between MAP and the Euro-Mediterranean Partnership.

Taking advantage of these favorable developments in the relationships between MAP and the EC and in fulfillment of the decision of the Contracting Parties in Catania, the MAP Secretariat and the relevant EC services have started the process to elaborate a joint work programme. It is the MAP Secretariat's intention, however, to have the joint work programme ready for endorsement at the next Contracting Parties meeting and implemented during MAP Phase III. These positive developments have to be taken into consideration by the evaluation team in determining the future relationship between these two organizations.

Equally important are MAP's cooperation and synergy with other conventions and programmes. MAP should not work in isolation but should forge alliances with those conventions and UN institutions which have similar objectives like the Basle Convention and the Convention on Biological Diversity, the UNCSD as well as other Regional Seas of UNEP.

The future orientation of MAP and its relations with other regional and international organizations and processes at both the international and European level is another key component of the evaluation exercise. Likewise the exercise should identify how MAP could strengthen its relations with financing institutions like GEF and the EIB in order to develop financing mechanisms, similar to the GEF projects, to assist Mediterranean countries to finance infrastructural projects to address pollution from land-based sources, protect biodiversity, prevent marine pollution and other pollution problems in the region.

Crucial to this whole exercise is the future role of the MAP National Focal Points. Here again we have a situation where some Focal Points are more active than others. Some perhaps do not know exactly what their role is because it has never been explained to them in spite of their importance since they are the ones who have to promote inter-sectoral coordination and a higher MAP visibility on a country level. This issue was raised at the last Bureau meeting and the Secretariat has been asked to define a proper role for the MAP Focal Points. In my view up to now this aspect has not been given the attention it deserves and perhaps this explains the low profile that these Focal Points have at the national level. No wonder that MAP and its components are little known within the Mediterranean countries let alone outside the Mediterranean.

This brings me to the last point I wish to highlight but which is equally important. This is the issue of MAP visibility. It has to be admitted that in this regard there is still a lot to be done. It was only in recent years that MAP has realized how important this is. This aspect of public information has not been given the attention it deserves. Not even the MAP website which today is the most effective tool for the dissemination of information has been functioning properly if at all. MAP publications have been few and far between and the quality needs to be improved.

A start has already been made to address this lack of visibility. A new website is being developed and should be on line by the need of this month. This will make it possible also

to download MAP documents and reports, a facility which has been requested by many. Apart from the English, it will also be available in French and Arabic. Moreover, on the 30th Anniversary of MAP, other initiatives are being taken to increase MAP's visibility. However, there is still room for improvement. This aspect should also be addressed in the evaluation report.

As I said in the beginning this is by no means an exhaustive list of the issues that will be addressed. I have highlighted some of the aspects which in my view should be considered by the evaluators. Of course, this is not an easy task and your full participation at this meeting and your cooperation throughout this important exercise will go a long way to assist the members of the team to carry out their task in the most efficient and expeditious manner.

I thank you on their behalf.