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Discussion Paper on the Reform of the Mediterranean Commission on Sustainable Development

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Discussion paper on the reform of the Mediterranean Commission on Sustainable Development

1. Introduction

- 1.1 This document puts forward some ideas for the reform of the **Mediterranean Commission on Sustainable Development (MCSD)**, based on the Decision IG.21/12, which was approved in December 2013 at the 18th Conference of the Parties COP to the Barcelona Convention (COP) in Istanbul (Annex 1). Section 2 of this paper provides the rationale for the reform as per the COP 18 Decision IG.21/12. The paper then provides a background about the MCSD and its reform in Section 3. Section 4 discusses the MCSD mandate and composition. Section 5 provides a summary of some of the evaluations of the MCSD that have taken place in recent years, while Section 6 addresses attendance pattern at MCSD meetings, and Section 7 presents a set of fourteen recommendations for the reform of the MCSD.

2. Rationale

- 2.1 The key elements of the rationale for reforming the MCSD focus on mandate and composition, and, as laid out in the relevant COP 18 Decision IG.21/12 at Annex 1, are:
- The need to take on board the implications of the outcomes of Rio+20 regarding the upgrading of the UN Commission on Sustainable Development into a High Level Political Forum;
 - The need to sharpen its role;
 - The need to revise its composition to ensure greater representativeness.

3. Background

- 3.1 The MCSD was launched following the 1992 Rio Conference on Environment and Development, the 1995 revision of the MAP into MAP II, and the related 1995 amendments to the Barcelona Convention. The Commission had its first meeting in 1996. Meetings during the first years were characterised by strong participation from the membership in preparing thematic recommendations. Early on, however, concerns about capacity for follow-up of these recommendations, as well as the need to reach out to other actors, were voiced. In 2000, the 6th MCSD Meeting in Tunis contained a half-day ministerial segment, which approved a decision to prepare a Mediterranean Strategy for Sustainable Development (MSSD), which was adopted in 2005.
- 3.2 The evaluation and reform of the MCSD has become somewhat of a recurrent theme within the MAP system in recent years. The MCSD mandate and composition were reformed in 2008 as part of the Almeria Governance decision taken during COP 15, on the basis of a 2007 Report on 'Options for the Reform of the MCSD' (see below).
- 3.3 Soon after this, at COP 16 in November 2009 in Marrakech, Decision IG.19/8 requested the Secretariat to undertake an assessment of the MCSD modalities. Consequently in 2011 a paper reviewing the modalities of the MCSD was published ('The Roles and Modalities of the Mediterranean Commission on Sustainable Development' – see paragraph 5.3) and discussed during the 14th MCSD meeting in 2011 in Budva, Montenegro (see paragraph 5.5).
- 3.4 At COP 17 in early 2012, another call to reform the MCSD was made, on the basis of the recommendations of the 14th MCSD meeting in Budva, Montenegro in 2011 (see paragraph 5.6). During the 15th MCSD meeting in Malta in June 2013, general principles for the reform were agreed (see paragraphs 5.7-5.9) and during COP 18 in Istanbul, a decision (IG.21/12) on

MCSO reform was taken (Annex 1), once again mandating the Steering Committee during the 2014-2015 biennium to flesh out a reform proposal for final agreement in 2015. During COP 18, it was decided to '[s]trengthen the position of the MCSO in the MAP system and in the wider regional community, in line with the outcome of Rio+20 and COP 17 Decision IG.20/13, by ensuring that, sustainable development matters will be discussed at the Conference of the Parties once every two COP meetings (four years)' (Annex 1 for full text).

4. MCSO mandate and composition

Current mandate of the MCSO

4.1 The current mandate and composition of the MCSO, which serve as a starting point for the strengthening of the MCSO, can be found in Decision IG.17/5 which adopted the Almeria Governance paper at COP 15 in 2008. This current mandate is to:

- I. Assist Mediterranean countries and other stakeholders active in the region in the adoption and implementation of sustainable development policies, including the integration of environmental considerations into other policies;*
- II. Ensure the follow-up of the implementation of the Mediterranean Strategy for Sustainable Development (MSSD) through appropriate tools, mechanisms and criteria that would better enhance an efficient follow-up function;*
- III. Promote the exchange of experience and good practices regarding the integration of environmental and socioeconomic policies, as well as examples which show the application of international sustainable development commitments at suitable scales in different countries;*
- IV. Identify the obstacles encountered and support regional and sub-regional cooperation for the effective implementation of the sustainable development principle;*
- V. Coordinate the periodical drafting of the report on the state of implementation of the MCSO recommendations; and,*
- VI. Produce opinions of the overall MAP Work Programme and the functioning of the Coordinating Unit and the RACs, with the aim of integrating sustainability considerations into the MAP / Barcelona Convention system as a whole.*

4.2 The above Decision IG.17/5 considered that the MCSO should involve the greatest possible variety of national actors in its work, so as to ensure the greatest possible dissemination of the concepts promoted, and that for this to be achieved the composition of the Commission was agreed to be expanded as follows:

- Contracting Parties (22) (21 riparian states and European Union);
- NGOs (3);
- Local authorities (3);
- Socio-economic stakeholders (3);
- Scientific Community (3);
- Intergovernmental organizations working in the field of sustainable development (3);
- Eminent experts in the field of the topics of the MCSO meeting agenda (3).

4.3 Decision IG.17/5 also underlined that all efforts should be made to ensure participation of representatives from both the environment and development sectors and appropriate geographical representation, and media participation.

Original mandate of the MCSD

4.4 The original mandate for the MCSD was as follows, as per the constitutive documents of the MCSD that emerged from the 4th MCSD meeting in Monaco, 1998 (UNEP(OCA)/MED WG. 140/Inf.4) (Annex 2 for full document). The constitutive documents consist of 'rules of procedure', 'terms of reference' and 'composition' documents. The terms of reference establish the MCSD as an advisory body to make proposals to the Contracting Parties (CPs) within the framework of the MAP. The purpose, functions and composition of the MCSD were set out as below:

A. Purpose of the Commission

2. The purpose of the Commission is:

- (a) to identify, evaluate and assess major economic, ecological and social problems set out in Agenda MED 21, make appropriate proposals thereon to the meetings of the Contracting Parties, evaluate the effectiveness of the follow-up to the decisions of the Contracting Parties and facilitate the exchange of information among the institutions implementing activities related to sustainable development in the Mediterranean;*
- (b) to enhance regional cooperation and rationalize the inter-governmental decision-making capacity in the Mediterranean basin for the integration of environment and development issues.*

B. Functions

3. The functions of the Commission shall be:

- (a) to assist the Contracting Parties by making proposals on the formulation and implementation of a regional strategy of sustainable development in the Mediterranean, taking into consideration the resolutions of the Tunis and Barcelona Conferences and the context of Agenda MED 21 and MAP Phase II;*
- (b) to consider and review information provided by the Contracting Parties, in accordance with Article 20 of the Barcelona Convention, including periodic communications or reports regarding the activities they undertake to implement Agenda MED 21, and the problems they encounter, such as problems related to the integration of environment into national policies, capacity-building, financial resources, technology transfer, and other relevant environment and development issues;*
- (c) to review at regular intervals the cooperation of MAP with the World Bank and other international financial institutions, as well as the European Union, and to explore ways and means for the strengthening of such cooperation, and particularly to achieve the objectives of Chapter 33 of Agenda MED 21;*
- (d) to consider information regarding the progress made in the implementation of relevant environmental conventions, which could be made available by the relevant conferences or by the parties;*
- (e) to identify technologies and knowledge of an innovative nature for sustainable development in the Mediterranean region and to provide advice on the various means for their most effective use, in order to facilitate exchanges among the Contracting Parties and to enhance capacities for national development;*
- (f) to provide reports and appropriate recommendations to the meetings of the Contracting Parties, through the MAP Secretariat, on the basis of a comprehensive analysis of reports and issues related to the implementation of a regional strategy related to MAP Phase II and Agenda MED 21;*
- (g) to undertake a four-year strategic assessment and evaluation of the implementation by the Contracting Parties of Agenda MED 21 and decisions*

of the meetings of the Contracting Parties and of actions by the Contracting Parties relevant to sustainable development in the Mediterranean region and propose relevant recommendations thereon; the first strategic review should be undertaken for the year 2000 (with ministerial participation), with the objective of achieving an integrated overview of the implementation of Agenda MED 21, examining emerging policy issues and providing the necessary political impetus. The Commission shall make the best use of the main results of MAP activity centres in the field of sustainable development, and those of the MAP Mediterranean Environment and Development Observatory, as well as those of national environmental observatories;

- (h) *to assume such other functions as are entrusted to it by the meetings of the Contracting Parties, to further the purposes of the Barcelona Convention, MAP Phase II and Agenda MED 21.*

C. Composition

5. *The Commission shall be composed of a maximum of 36 members, consisting of representatives from each Contracting Party to the Barcelona Convention and representatives of local authorities, socio-economic actors and non-governmental organizations working in the fields of environment and of sustainable development. All representatives shall participate in the Commission on an equal footing.*

- 4.5 In addition, the Malta Agreement adopted by the Bureau in 2000 allowed the Palestinian Authority to be admitted as an observer to the MEDPOL meetings in May 2001 (Venice), May 2003 (Sangemini) as well as several others technical meetings in Turkey and Catania (elaboration of National Action Plans) and in Rome (MEDPOL Regional Workshop on Dumping Protocol).

5. Evaluation of the MCSD

The 2007 Report on Options for the reform of the MCSD

- 5.1 The 2007 Report on 'Options for the Reform of the MCSD' (UNEP(DEPI)/MED WG.320/6), prepared for the meeting of MAP Focal Points on 1 August 2007, noted that:

Ten years after its founding, the MCSD needs to be reformed, taking into account the new international and regional developments (the Johannesburg Plan of Implementation, the Millennium Development Goals, the MSSD, etc.). Whatever the option chosen, better interaction should be sought between the MCSD and the Commission on Sustainable Development (CSD), for instance regarding the choice of themes, which should bring a breath of fresh air to the MCSD and allow its fuller integration into the international actions being carried out in favour of sustainable development. Furthermore, the composition of the Commission should be reviewed to ensure it achieves greater representability and fosters a sense of ownership by the entire Mediterranean community. Furthermore, the role of the Commission should be better clarified in relation to the overall MAP system and to the Barcelona Convention and its Protocols.

- 5.2 The 2007 report presented three options for the MCSD reform. The first consisted of minor amendments to the existing system, the second a widening of the MCSD composition and a narrowing of its mandate, while the third consisted of transforming the MCSD into a 'council of sages.' The Almeria decision of 2008 was based on the second option.

The 2009 report on the Roles and Modalities of the MCSD

- 5.3 The 2009 report on *The Roles and Modalities of the Mediterranean Commission on Sustainable Development* (UNEP(DEPI)/MED WG.358/5) noted that in the 17 years since its inception, the MCSD had made important contributions to the sustainable development of the region, including, particularly: the MSSD, which was adopted by the 14th Meeting of Contracting Parties to the Barcelona Convention in Portoroz (Slovenia) in 2005; its innovative modalities of participation and engagement of civil society organizations and other major stakeholders; its contribution in many ways to the MAP and its activities by broadening perspectives and linking environmental protection to development issues, enriching discussions and eventually policies and actions on environmental management around the Mediterranean; enabling dialogue with civil society on environment/development issues; and, the way the MCSD had been an innovation at the global scale as the only sustainable development commission at the Regional Seas level of UNEP.
- 5.4 At the same time there is general recognition that, as with the Global Commission for Sustainable Development, there have been some shortcomings, such as the limited scope of the MCSD, which can be attributed to various factors influencing effectiveness such as the long-term horizon of sustainable development strategies; the broad mandate and very limited means it has been given; the challenges to maintain substantive technical coherence while ensuring cross-sectoral integration; the difficulties in securing involvement of all relevant stakeholders; the insufficient focus on effective monitoring; the complexities of Mediterranean regional governance; and limited political will and commitment.

Recommendations from the 14th MCSD meeting in May 2011

- 5.5 The recommendations from the 14th Meeting of the MCSD in Budva, Montenegro, on the analysis of the role and modalities of the MCSD, contained in document UNEP(DEPI)/MED WG.358/5, are as follows:
- I. *the primary function of the MCSD as an advisory body, focusing on creating synergies for regional integration, and on the need for practical action, drawing on national expertise, in pursuing its work;*
 - II. *Emerging issues such as the ecosystem approach, climate change adaptation and the green economy approach should be taken on board;*
 - III. *There is a need for integration and coordination with the other existing international and regional sustainable development and environmental programmes, policy frameworks and initiatives;*
 - IV. *It is crucial to focus on the MCSD's comparative advantage and the input it could provide in facilitating environmental mainstreaming and integration, and strengthening cross-sectoral and intersectoral environment/development policy coordination at national and regional levels;*
 - V. *The MCSD should serve as a platform of reference and a tool for enhancing regional dialogue on environment and development issues, assisting Contracting Parties in introducing environmental concerns into sectoral policies;*
 - VI. *The work of the MCSD should be expanded to include other stakeholders to give the Barcelona Convention broader appeal;*
 - VII. *There is a need to establish a coherent monitoring system for the MSSD and its periodic review.*

COP 17 Decision (February 2012)

- 5.6 Decision IG.20/13 of COP 17 invited the Steering Committee of the MCSD to "... work, on reforming the MCSD in particular through revising its composition to ensure greater representativeness and sharpening its role", as follows.

Recognizing the role of the Mediterranean Commission on Sustainable Development (MCSD) in providing a useful multi-partner platform to contribute to regional sustainable development and provide a valuable advice to Contracting Parties in this regard, however emphasizing the need for better focusing the MCSD contribution to the MAP system taking into consideration the results of the discussions to be held in Rio+20;

[Decides ...]

To invite the Steering Committee of the Mediterranean Commission on Sustainable Development (MCSD) to work, taking into consideration the availability of funds in consultation with the Bureau of the Contracting Parties and with the assistance of the Secretariat, on reforming the MCSD in particular through (i) revising its composition to ensure greater representativeness and foster a sense of ownership by the entire Mediterranean; and, sharpening its role and further enhancing its contribution to sustainable development in the Mediterranean and the national level as well as the mechanisms of Barcelona Convention and present the results for adoption by the Parties. To this end, the conclusions and recommendations of its 14th meeting (Budva, Montenegro, 2011), as well as the upcoming Results of the Rio+20 Summit (2012) should be considered.

Recommendations from the 15th MCSD meeting in June 2013

- 5.7 During the 15th MCSD meeting held in Malta in June 2013, discussions on MCSD operations and reform were based on a document on the same subject (UNEP(DEPI)/MED WG.383/5), which was prepared as a response to the COP 17 Decision IG.20/13 regarding ways to better focus and reform the MCSD structure, building on progress achieved at global level during the Rio+20 Conference. This document highlighted lessons learned from the United Nations Commission on Sustainable Development regarding the need for firmer institutionalising of the sustainable development agenda within the UN system, as well as a greater emphasis on implementation, when considering the implementation of the Rio+20 outcome on the setting up of a High Level Political Forum.
- 5.8 One of the key recommendations to emerge from the 15th MCSD meeting concerns the mirroring, as much as possible within the context of the MAP, of the High Level Political Forum within the Mediterranean region. In this regard, it was concluded that '[w]ith a view to raising political attention on sustainable development in the MAP, proposals to regularly discuss sustainable development matters at the Conference of the Parties, for example once every four years, were broadly endorsed.'
- 5.9 Recommendations on the core functions of the MCSD were also agreed during the 15th MCSD meeting in Malta, as follows:
- I. *Revising the MSSD, regularly monitor it on biannual basis and evaluate its implementation, using the MSSD indicators and the universal SDGs emerging from the Rio+20 process, expected in 2015, but also possibly other means such as monitoring implementation through actions (legal actions, programmes and projects);*
 - II. *Forging partnerships and coordination between various actors, including other UN actors besides UNEP;*

- III. *Encouraging the exchange of good practice, in sustainable development plans, programmes and projects, and in the formulation of sustainable development policies and strategies for which a simplified peer review could be a tool; and,*
- IV. *Preparing input for COP sessions on Sustainable Development, including priority and emerging issues.*

6. MCSD attendance

- 6.1 This section reviews the MCSD performance in terms of implementing the changes outlined in the 2008 Almeria Governance decision regarding the MCSD composition. As noted above, Almeria indicated that the MCSD should involve:
- 22 Contracting Parties (21 riparian states and European Union);
 - 3 NGOs;
 - 3 Local authorities;
 - 3 Socio-economic stakeholders;
 - 3 Scientific Community;
 - 3 Intergovernmental organizations working in the field of sustainable development;
 - 3 Eminent experts in the field of the topics of the MCSD meeting agenda.
- 6.2 An analysis of attendance at the last three MCSD meetings (2009, 2011 and 2013), on the basis of reports of the meetings, indicate that not all these posts in the Almeria composition may have been appointed, and further, that attendance at the MCSD meetings might have been falling even with respect to posts where organisations had been appointed or country nominations made.
- 6.3 Further analysis of attendance records suggests that while attendance from some parties, including observers may be on the rise, which is a positive sign, the attendance of other groups such as Contracting Parties appears to be in decline. There may be a number of reasons for this, but one possible reason was noted in the Report on the Assessment of the Implementation of the MSSD (UNEP(DEPI)/MED WG.358/4):
- 8. A different organization of the roles and organization framework concerning UNEP/MAP and in particular national focal points would be needed to create figures working exclusively on the MSSD...*
- 6.4 It could be that the persons appointed on the MCSD are not working exclusively on the MCSD within the MAP system and in some cases might be the MAP Focal Point. This may be positive in terms of coordination, given the wide remit of the MCSD, however it may also render the MCSD meetings less attractive given the other fora that the MAP Focal Points have in which to meet. Also the perceived benefits of attendance in terms of the outputs of the MCSD meeting may not be large enough to justify attendance. This should inspire the MCSD Steering Committee meetings to provide more output-oriented programmes for the meetings, as well as to involve MCSD members more in preparing those outcomes.
- 6.5 As noted in paragraph 6.2 above, another reason for low attendance of certain categories of members may be that they have not been nominated/invited. There are other categories where organisations have been appointed, but they are not attending. There are also cases, such as the environmental and sustainability NGOs, where there are more appointees than the three posts required. The current composition of the MCSD, as agreed at COP 15, is provided at Annex 3.

7. Recommendations for the MCSD reform

Scope and function

- 7.1 It is considered that the current mandate of the MCSD as revised at COP 15 in Almeria (section 4.1) from the original mandate (section 4.4) is reasonable, although some small changes may be helpful to strengthen and sharpen the remit of the MCSD. The first element of the mandate ensures that the MCSD has a role in assisting with and promoting national and regional sustainability policies, which is a major avenue for implementing the MSSD, and achieving results on the ground. It is suggested that this role may be strengthened by changing the word 'including' in the second clause to 'particularly'. This would strengthen the MCSD's remit to assist countries and other stakeholders to actively engage within policy processes outside the typical sustainable development arena, which could be very effective in ensuring environmental policy integration into other sectors. The second element concerns the follow-up of the MSSD, another related key success factor for the MCSD. The third element is concerned with the exchange of good practice between key actors and countries, again a key aspect of the role of the MCSD as a network of sustainable development actors, and which could be constructively built upon in line with the 15th MCSD meeting recommendations and the COP 18 Decision IG.21/12. The fourth element allows the MCSD to raise concerns to the COP about obstacles in achieving sustainable development, which is in line with the COP 18 decision (IG.21/12) to '[s]trengthen the position of the MCSD in the MAP system and in the wider regional community ... by ensuring that, sustainable development matters will be discussed at the Conference of the Parties once every two COP meetings (four years)'. The fifth element allows the MCSD to present reports to the COP about the implementation of MSSD and MCSD recommendations, while the final element tasks the MCSD with suggesting ways in which the MAP system could work better in favour of sustainable development. It is considered that given that the implementation of the MSSD is directly connected and should be integrated with the MAP system, this element should be retained, particularly with a view to strengthening the role of the MCSD within the MAP system and in the context of the MAP III debate. However it is proposed to sharpen the MCSD's remit by removing the text mentioning 'the functioning of the Coordinating Unit and the RACs' as this role is carried out by other bodies. It is also proposed to add another element to the mandate, to better cover the policy coherence role of the MCSD, as follows: 'Produce opinions and recommendations for integration and coordination of the work of the MCSD with the other existing international and regional sustainable development and environmental programmes, policy frameworks and initiatives.'
- 7.2 The core functions of the MCSD as discussed in the 15th MCSD meeting in Malta (section 5.7) highlighted the second and third aspects of the mandate as particularly important. Notwithstanding this, it is considered that, other than the changes mentioned above, further reducing the scope of the MCSD from the Almeria decision would undermine its ability to promote sustainability within the MAP system and in the region.

Recommendation 1: The MCSD mandate as agreed at Almeria is reasonable and does not need to be greatly amended. In this regard, it is recommended firstly to strengthen the first element of the Almeria mandate regarding assisting with national and regional sustainability policies, by changing the word 'including' in the second clause to 'particularly'. This would strengthen the MCSD's remit to assist countries and other stakeholders to actively engage within policy processes outside the typical sustainable development arena, which could be very effective in ensuring environmental policy integration into other sectors. In addition, it is proposed to sharpen the MCSD's remit by removing the text mentioning 'the functioning of the Coordinating Unit and the RACs' as this role is carried out by other bodies. It is also proposed to add another element to the mandate, to better cover the policy coherence role of the MCSD, as follows: 'Produce opinions and recommendations for integration and coordination of the work of the MCSD with the other existing international and regional sustainable development and environmental programmes, policy frameworks and initiatives.'

- 7.3 As indicated in the 2009 report on *The Roles and Modalities of the Mediterranean Commission on Sustainable Development* [UNEP(DEPI)/MED WG.358/5] the shortcomings of the MCSD may be attributed *inter alia* to the ‘very limited means it has been given’, and ‘the insufficient focus on effective monitoring’. In addition, the 2011 assessment on the implementation of the MSSD noted that ‘... MAP should create and adapt existing work units to provide a service of monitoring the existing programmes and push forward activities of technical assistance, knowledge sharing, capacity-building, information exchange and monitoring’. The 2011 report proposes the creation of a permanent position within the MAP Secretariat working specifically on MSSD implementation, both through national strategies and international actions. In this regard the approval of a post of Technical Secretary to the MCSD during COP 18 is highly positive. It is important also to mention the key role of the Plan Bleu Regional Activity Centre, which has the mandate to contribute to raising awareness of Mediterranean stakeholders and decision makers concerning environment and sustainable development issues in the region, by providing future scenarios to assist in decision-making. In this respect its mission is to provide the Contracting Parties with a solid basis of environmental and sustainable development data, statistics, and indicators to support their action and decision making process. The main themes and areas covered by Plan Bleu are consistent with the priority fields of action of the MSSD and its activities are designed to facilitate its implementation and follow up.
- 7.4 Given these considerations, particularly after the reduction in scope of the MCSD mandate in 2008, it seems reasonable to hold that for the MCSD to credibly fulfil its functions the allocation of permanent staff within the Secretariat who can focus on implementing its remit is necessary. The issue, therefore may not be one of mandate but one of resources, which, until the present, have been limited. Core staffing within the Secretariat is required to compile research and other reports, follow-up the MSSD and other MCSD recommendations through the many initiatives of the various actors in the Mediterranean sustainable development arena, monitor the implementation of the strategy, and undertake and fundraise for initiatives to implement the MSSD, including through assisting national and regional authorities in preparing, peer reviewing or revising their sustainable development strategies. This suggests that there may be need for not just one but two full-time posts within the Secretariat dedicated to the MCSD, and the implementation and monitoring of the MSSD. In the short-term, given the financial pressures facing the MAP system, the Technical Secretary role can be reinforced by additional personnel through additional project support, for example on projects related to MSSD implementation. This staff allocation must be seen in terms of the importance of engaging and building bridges with actors outside the MAP ‘environmental’ system to take on board the environmental agenda, without which sustainable development cannot be achieved.

Recommendation 2: The MCSD requires increased staff resources from the MAP system, which has already partially been provided through the Technical Secretary post approved during COP 18. However the staff support should entail at least two persons, to be able to cover MSSD implementation and monitoring. In the short-term, given the financial pressures facing the MAP system, the Technical Secretary role can be reinforced by additional personnel through additional project support. This staff allocation must be seen in terms of the importance of engaging and building bridges with actors outside the MAP ‘environmental’ system to take on board the environmental agenda, without which sustainable development cannot be achieved.

- 7.5 The decision taken at COP 18 in Istanbul to sharpen the role of the MCSD through having sustainable development discussed at a high level at the COP every four years in line with the Rio+20 outcome on the High Level Political Forum, provides an opportunity to sharpen the role and profile of the MCSD in line with the COP 17 Decision IG.20/13. In addition to discussions every four years at the Meetings of the Contracting Parties, it is also recommended to improve MCSD visibility at the High Level Political Forum, relying on UNEP institutional capacities.

Recommendation 3: It is recommended to improve MCSD visibility at the High Level Political Forum, relying on UNEP institutional capacities.

Modalities of work

7.6 At the same time there is room for improvement in the modalities of work of the MCSD, mainly because members mostly become involved in the work of the Commission when biannual meetings are being organised, which leads to a feeling of isolation from the Commission and its mandate, as well as representing an underutilisation of the MCSD's potential. This is a serious failing and needs addressing. The MCSD represents key players in the Mediterranean, in a setting where discussion and debate have the opportunity to be very productive and it is therefore a great resource both for the MAP system and for the Mediterranean Region in general. In this respect serious efforts need to be made by the Steering Committee and Secretariat to involve the members more by improved communication and participation in events and actions to address the functions of the MCSD (e.g. follow-up of MSSD implementation, projects to implement the MSSD, sharing of good practice through online systems, etc.).

Recommendation 4: The MCSD modalities of work need to involve the members more between meetings, for example in projects and actions to follow-up on the MSSD implementation, sharing of good practice, knowledge transfer, peer review, etc.

7.7 The proper functioning of the Steering Committee is essential to the success of the MCSD. Regular meetings, including face-to-face meetings, are essential. All necessary support from UNEP/MAP Secretariat, including in terms of translation/interpretation, is necessary and needs to be continued and strengthened.

Recommendation 5: It is essential that the MCSD Steering Committee meets regularly during the biennium - at least one of these meetings needs to be face-to-face - and this process must continue to be fully supported by the Secretariat.

Composition

7.8 In 2008 the Almeria decision widened the MCSD composition, and the call for widening the MCSD composition was reiterated at the COP 17 in 2012 (IG.20/13) and the COP 18 in 2013 (IG.21/12). In addition the fourth operational paragraph of the COP 18 decision (Annex 1) highlighted the need to involve other United Nations actors besides UNEP, as well as parliamentarians. In this regard, and based on the analysis above, the approach towards addressing MCSD composition may need to be four-pronged:

- I. Filling the not-as-yet appointed positions as per the Almeria composition, possibly from current observers since they have demonstrated interest in the MCSD through their attendance;
- II. Ensuring the right nominee attends from the member organisations. This could be achieved through a 'renewable' nomination, for example for a specific period such as 2 biennia/4 years, which would chime with the high level discussions at the COP on sustainable development;
- III. Ensuring that the nominated person attends through greater outreach by the Secretariat and, where necessary, the Steering Committee and the MAP Bureau to identify and

address the reason for the non-attendance. Non-contracting party organisations that have not sent a representative for two successive meetings of the MCSD should be considered for replacement;

IV. Adding two new relevant categories: United Nations bodies and parliamentarians.

7.9 In this regard, the first task is to nominate MCSD members for the unfilled positions. These are:

- 1 local authority organisation
- 1 socio-economic stakeholder
- 3 members from the scientific community
- 3 eminent experts

7.10 Possible candidate organisations for these positions are suggested below:

- **1 local authority organisation: United Cities and Local Governments (UCLG)** represents and defends the interests of local governments on the world stage, regardless of the size of the communities they serve. Headquartered in Barcelona, the organisation's stated mission is: 'To be the united voice and world advocate of democratic local self-government, promoting its values, objectives and interests, through cooperation between local governments, and within the wider international community'.
- **1 socio-economic stakeholder:** It is suggested to invite the organisation **ANIMA** to join the MCSD due to its strong participation in the MSSD Review. Anima Investment Network is a multi-country cooperation platform for economic development in the Mediterranean. The ANIMA network gathers national and regional investment promotion agencies, international organisations, business federations, innovation clusters, financial investors and research institutes from the region. ANIMA's objective is to contribute to the continued improvement of the Mediterranean business climate, as well as encourage a shared and sustainable economic development for the region (<http://www.animaweb.org/en/missions>).
- **3 members from the scientific community:** It is suggested to include scientific networks here - the International Union for the Conservation of Nature (**IUCN**), **FEMISE** and the Regional Network for the Mediterranean Sustainable Solutions Network (**Med-SDSN**).

IUCN Mediterranean has been very active in the MCSD and is a regularly-attending observer at its meetings. The IUCN Centre for Mediterranean Cooperation was established in October 2001. The Centre and its programme receive generous core support from the Junta de Andalucia, the Spanish Ministry of Environment and the Agency for International Cooperation and Development in Spain. The objectives of the IUCN Centre for Mediterranean Cooperation are:

- Making knowledge, information and experience available regarding the conservation and management of Mediterranean biodiversity and natural resources for sustainable-use and rehabilitation efforts.
- Strengthening and supporting IUCN members and Commissions in the region to mainstream social, economic and environmental dimensions in policy-making, management, and the conservation of biodiversity and natural resources.
- Promoting, both globally and regionally, Mediterranean policies on conservation and sustainable development, and supporting mechanisms for their implementation.

The **FEMISE** Association (<http://www.femise.org/en/>) is a Euro-Mediterranean network established in June 2005. The network includes more than 90 members of economic research institutes, representing the 37 partners of the Barcelona Process. Supported by the European Commission within the framework of the MEDA regional programme since

1997, FEMISE is coordinated by the Institut de la Méditerranée (France) and the Economic Research Forum (Egypt). The association was established with 52 Founding members of EU-Med national non-profit institutes that undertake economic and social research and represent the two sides of the Mediterranean and it has the following objectives:

- To conduct policy research and make recommendations with respect to economic relations between Europe and their Mediterranean partners;
- To publish and disseminate this research for the benefit of public and private, national and multilateral institutions,
- To work for the broadest possible dissemination by the most appropriate means

The Mediterranean Regional **SDSN** Center will expand its activities to include *inter alia*: developing regional pathways towards sustainable development and assisting countries/cities in operationalizing them; collaborations between regional institutions to develop and improve teaching materials and courses on sustainable development through the SDSN's education initiatives and in partnership with the Masters of Development Practice; and, Applied Research Activities with a focus on solutions to give rise to ideas and opportunities for applied research in the Mediterranean Region, which could take advantage of the global network of the SDSN (<http://unsdsn.org/what-we-do/national-and-regional-networks/regional-sdsn/regional-sdsn-for-the-mediterranean-med-sdsn/>).

- **3 eminent experts:** these are usually appointed on the basis of the subjects to be discussed during the MCSD meeting.

Recommendation 6: It is recommended to appoint the following organisations to the MCSD through the February 2016 Contracting Party meeting:

- **1 local authority: UCLG**
- **1 socio-economic stakeholder: ANIMA**
- **3 members from the scientific community: IUCN, FEMISE and Med-SDSN.**

Recommendation 7: Ensure that MCSD nominations are for a specific but renewable period, such as 2 biennia/4 years, in line with the high level discussions at the Conferences of the Parties on sustainable development. Where a number of organisations fit the criteria (e.g. environmental and sustainable development NGOs), it is important that a roster is established so that MCSD members are appointed from the roster on a rotational basis.

Recommendation 8: It is important to ensure that MCSD members attend the biennial sessions. When members do not attend, outreach should be carried out through the Secretariat, the Steering Committee, or the MAP Bureau as necessary, to identify and address the reason for the non-attendance. Non-Contracting Party organisations who have not attended two successive meetings of the MCSD should be considered for replacement.

- 7.11 The COP 18 Decision IG.21/12 on MCSD reform highlighted the importance of involving other UN actors besides UNEP in the MCSD, as well as highlighting Parliamentarians as another group for inclusion in the Commission. The appointments here could include observers from UN organizations active in the Mediterranean, in line with the COP 18 decision, *inter alia* UNDP (RBAS and RBEC), UNIDO, FAO/GFCM, UN ESCWA, UNECE, UNECA and UNESCO.

Recommendation 9: It is recommended to add an additional category to the criteria for MCSD membership to take on board the COP 18 decision on the MCSD reform regarding involving other UN actors besides UNEP, and regarding Parliamentarians. The appointments here could include observers from UN organizations active in the Mediterranean, in line with the COP 18 decision, *inter alia* UNDP (RBAS and RBEC), UNIDO, FAO/GFCM, UN ESCWA, UNECE, UNECA and UNESCO.

Recommendation 10. The Parliamentary nominees, possibly three in number, could be from the Parliamentary Assembly of the Mediterranean.

Recommendation 11. It is also recommended, in line with the COP 18 Decision IG.21/12, that the Union for the Mediterranean is invited to join the Mediterranean Commission for Sustainable Development.

7.12 In addition, due to the Malta Agreement adopted by the Bureau in 2000 allowing the Palestinian Authority to be admitted as observer to various MAP meetings, it is suggested to invite the MCSD Steering Committee, to adopt a clear rule by taking an official decision providing the possibility for Palestine to attend future MCSD Meetings, which are mainly technical expert meetings, as an observer.

Recommendation 12: It is recommended that the MCSD Steering Committee adopts a clear rule by taking an official decision providing the possibility for Palestine to attend future MCSD Meetings, which are mainly technical expert meetings, as an observer.

7.13 The Almeria MCSD reform decision did not update the constitutive documents of the MCSD in terms of ‘rules of procedure’, ‘terms of reference’ and ‘composition’ (Annex 2). The present MCSD reform should update these constitutive documents in the light of the Almeria reform and the current reform, as well as the COP 18 decision, which specifically mentions the need to update them.

7.14 In order for the MCSD membership list to be updated during the current biennium, it is recommended that, based on a proposal from the Secretariat, the MCSD Steering Committee proposes an updated list of MCSD members to the Bureau meeting preceding COP 19, with a view to establishing a new list of MCSD members, to be presented and adopted at COP 19.

Recommendation 13: It is recommended that this present reform updates the constitutive documents of the MCSD in terms of ‘rules of procedure’, ‘terms of reference’ and ‘composition’ (UNEP(OCA)/MED WG.140/Inf.4) with the outcome of the Almeria reform and this present reform.

Recommendation 14: It is recommended that the MCSD Steering Committee, based on a proposal from the Secretariat, proposes an updated list of MCSD members to the Bureau meeting preceding the COP 19, with a view to establishing a new list of MCSD members, to be presented and adopted at COP 19.

8. Conclusions

8.1 This paper seeks to raise certain issues and suggest recommendations for the reform of the MCSD as mandated by the 17th and 18th COPs, for debate during the 16th MCSD meeting. It reviews the history of the MCSD, looking at its current and original mandate and composition, as well as the various evaluation processes that have shaped the work of the MCSD since its inception in 1996 following the 1992 Rio Conference on Environment and Development. It highlights the institutional factors that have influenced how well the MCSD has been able to fulfil its mandate, which have been raised by a number of evaluation reports and MCSD meeting conclusions over the years. The paper puts forward 12 recommendations for the consideration of the MCSD. The recommendations are listed below.

Recommendation 1: The MCSD mandate as agreed at Almeria is reasonable and does not need to be greatly amended. In this regard, it is recommended firstly to strengthen the first element of the Almeria mandate regarding assisting with national and regional sustainability policies, by changing the word 'including' in the second clause to 'particularly'. This would strengthen the MCSD's remit to assist countries and other stakeholders to actively engage within policy processes outside the typical sustainable development arena, which could be very effective in ensuring environmental policy integration into other sectors. In addition, it is proposed to sharpen the MCSD's remit by removing the text mentioning 'the functioning of the Coordinating Unit and the RACs' as this role is carried out by other bodies. It is also proposed to add another element to the mandate, to better cover the policy coherence role of the MCSD, as follows: 'Produce opinions and recommendations for integration and coordination of the work of the MCSD with the other existing international and regional sustainable development and environmental programmes, policy frameworks and initiatives.'

Recommendation 2: The MCSD requires increased staff resources from the MAP system, which has already partially been provided through the Technical Secretary post approved during COP 18. However the staff support should entail at least two persons, to be able to cover MSSD implementation and monitoring. In the short-term, given the financial pressures facing the MAP system, the Technical Secretary role can be reinforced by additional personnel through additional project support. This staff allocation must be seen in terms of the importance of engaging and building bridges with actors outside the MAP 'environmental' system to take on board the environmental agenda, without which sustainable development cannot be achieved.

Recommendation 3: It is recommended to improve MCSD visibility at the High Level Political Forum, relying on UNEP institutional capacities.

Recommendation 4: The MCSD modalities of work need to involve the members more between meetings, for example in projects and actions to follow-up on the MSSD implementation, sharing of good practice, knowledge transfer, peer review, etc.

Recommendation 5: It is essential that the MCSD SC meets regularly during the biennium, - at least one of these meetings needs to be face-to-face - and this process must continue to be fully supported by the Secretariat.

Recommendation 6: It is recommended to appoint the following organisations to the MCSD through the February 2016 Contracting Party meeting:

- 1 local authority: UCLG
- 1 socio-economic stakeholder: ANIMA
- 3 members from the scientific community: IUCN, FEMISE and Med-SDSN

Recommendation 7: Ensure that MCSD nominations are for a specific but renewable period, such as 2 biennia/4 years, in line with the high level discussions at the Conferences of the Parties on sustainable development. Where a number of organisations fit the criteria (e.g. environmental and sustainable development NGOs), it is important that a roster is established so that MCSD members are appointed from the roster on a rotational basis.

Recommendation 8: It is important to ensure that MCSD members attend the biennial sessions. When members do not attend, outreach should be carried out through the Secretariat, the Steering Committee,

or the MAP Bureau as necessary, to identify and address the reason for the non-attendance. Non-Contracting Party organisations who have not attended two successive meetings of the MCSD should be considered for replacement.

Recommendation 9: It is recommended to add an additional category to the criteria for MCSD membership to take on board the COP 18 decision on the MCSD reform regarding involving other UN actors besides UNEP, and regarding Parliamentarians. The appointments here could include observers from UN organizations active in the Mediterranean, in line with the COP 18 decision, *inter alia* UNDP (RBAS and RBEC), UNIDO, FAO/GFCM, UN ESCWA, UNECE, UNECA and UNESCO.

Recommendation 10. The Parliamentary nominees, possibly three in number, could be from the Parliamentary Assembly of the Mediterranean.

Recommendation 11. It is also recommended, in line with the COP 18 Decision IG.21/12, that the Union for the Mediterranean is invited to join the Mediterranean Commission for Sustainable Development.

Recommendation 12: It is recommended that the MCSD adopts a clear rule by taking an official decision providing the possibility for Palestine to attend future MCSD Meetings, which are mainly technical expert meetings, as an observer.

Recommendation 13: It is recommended that this present reform updates the constitutive documents of the MCSD in terms of 'rules of procedure', 'terms of reference' and 'composition' (UNEP(OCA)/MED WG.140/Inf.4) with the outcome of the Almeria reform and this present reform.

Recommendation 14: It is recommended that the MCSD Steering Committee, based on a proposal from the Secretariat, proposes an updated list of MCSD members to the Bureau meeting preceding the COP 19, with a view to establish a new list of MCSD members, to be presented and adopted at COP 19.

Annex 1: COP18 Decision IG.21/12 supporting the reforming of the Mediterranean Commission on Sustainable Development (MCSD), proposed by the MCSD Steering Committee

The 18th Meeting of the Contracting Parties,

Acknowledging the implications of the outcomes of Rio+20 on the Mediterranean Commission for Sustainable Development (MCSD) regarding the upgrading of the UN Commission on Sustainable Development into a High Level Political Forum,

Recalling the Decision IG20/13 of COP17, which invited the Steering Committee of the MCSD to "... work, on reforming the MCSD in particular through revising its composition to ensure greater representativeness and sharpening its role,

Recalling the current mandate and composition of the MCSD, which serve as a starting point for the strengthening of the MCSD (Decision IG 17/5 which adopted the Governance paper at the 15th Meeting of Contracting Parties to the Barcelona Convention held in Almeria (Spain),

Recalling also that the above-cited Decision IG 17/5 considered that the MCSD should involve the greatest possible variety of national actors in its work, so as to ensure the greatest possible dissemination of the concepts promoted,

Recalling on the one hand the constitutive documents of the MCSD from the fourth MCSD meeting in Monaco, 1998, as collected in UNEP(DEPI)/MED WG. 327/Inf.3 of June 2008, and on the other the Governance Paper of the Almeria COP in January 2008 (Decision IG 17/5),

Recalling also that the above-cited Decision IG 17/5 also underlined that all efforts should be made to ensure participation of representatives from both environmental and development sector and appropriate geographical representation, and media participation,

Appreciating that in the 17 years since its inception, the MCSD has made important contributions to the sustainable development of the region, including, particularly, the MSSD, and adopted by the 14th Meeting of Contracting Parties to the Barcelona Convention in Portoroz (Slovenia) in 2005, its innovative modalities of participation and engagement of civil society organizations and other major stakeholders, and the way the MCSD has been an innovation at the global scale as the only sustainable development commission at the Regional Seas level of UNEP,

Appreciating also that at the same time there is general recognition that, as with the Global Commission for Sustainable Development (CSD), there have been some shortcomings, such as the limited scope of the MCSD, which can be attributed to various factors influencing effectiveness,

Emphasizing that the objective of a strengthened MCSD should be the further integration of the environment pillar in other public policies, brought about through focusing on the interface between environment and development, and thus building on its successes and potential,

Taking note of the recommendations from the 15th Meeting of the Mediterranean Commission for Sustainable Development in Malta in 2013 in this regard, particularly with respect to the envisaged core functions of the MCSD,

Acknowledging that there is a need to balance ambition and realism, especially since the MCSD has had a relatively limited budget so far,

Considering the need for enhanced cooperation with other international and regional organizations and financial institutions such as the World Bank, the Union for the Mediterranean, the UNDP and the Secretariat of the UNFCCC, in particular in view of on-going negotiations to adopt a legally-binding new global climate change regime at the end of 2015,

Decides to:

Strengthen the position of the MCSD in the MAP system and in the wider regional community, in line with the outcome of Rio+20 and COP17 Decision IG.20/13, by ensuring that, sustainable development matters will be discussed at the Conference of the Parties once every two COP meetings (four years);

Sharpen the mandate of the MCSD so as to strengthen its role and contribution to integrate the environment in other public policies and call for the revision accordingly of the constitutive documents of the MCSD, including its 'Terms of Reference', 'Rules of Procedure' and 'Composition'; and present the revised documents for the consideration and approval of the COP in 2015;

Request the MCSD, with the support of the Secretariat, to review MCSD participation and its composition, while retaining its focus on environmental sustainability (as agreed at COP 17 in Paris) and the interface between environment and development, with a view to ensuring the sufficient membership and participation, as MCSD members, by the key regional sustainable development stakeholders as described below, and presenting a final proposal for adoption by the 19th COP in 2015:

- other UN specialized agencies and programs such as UNDP, UNIDO, FAO/ GFCM and UNESCO;
- partners representing the economic and social pillars of sustainable development;
- parliamentarians;
- the scientific community;
- local governments;
- representatives of wider Mediterranean processes, in particular the Union for the Mediterranean;

Request the Secretariat to support the MCSD to work further on forging partnerships and coordination between various actors, including the World Bank, the Union for the Mediterranean, and other UN actors besides UNEP such as the UNFCCC and the UNDP, to improve the implementation of the new MSSD;

Request the MCSD to encourage, through its meetings and operations, the exchange of good practice and to establish an on-line consultation platform for these purposes;

Request the Secretariat to prepare a proposal for the consideration of the MCSD on how a simplified peer review process could be put in place;

Request the Secretariat to support the MCSD in preparing input for COP discussions on Sustainable Development, including priority and emerging issues;

Invite the MCSD, supported by the Secretariat and Info/RAC, to be more effective and visible in its work and its communications, using technology to support its work, specifying the exact nature of the outcomes it produces in response to each of its core functions;

Request the Secretariat to include participation of the MCSD in the process of preparation of the State of the Mediterranean Marine and Coastal Environment Reports.

Annex 2: Constitutive documents of the MCSD (UNEP(OCA)/MED WG.140/Inf.4)

**CONSTITUTIVE DOCUMENTS OF THE MEDITERRANEAN COMMISSION ON
SUSTAINABLE DEVELOPMENT
RULES OF PROCEDURE, TERMS OF REFERENCE AND COMPOSITION**

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**MEDITERRANEAN COMMISSION ON SUSTAINABLE DEVELOPMENT (MCSD)
RULES OF PROCEDURE**

PURPOSE

Rule 1

The Rules of procedure shall apply to the meetings of the Mediterranean Commission on Sustainable Development (MCSD) as provided in section B.4 of its Terms of Reference.* They complement the framework for operation of MCSD, as described by the "Terms of Reference" and the "Composition of the Commission" in the annexed documents adopted by the Contracting Parties.

DEFINITIONS

Rule 2

For the purpose of these rules:

1. the word "Commission" shall apply to the "Mediterranean Commission on Sustainable Development";
2. the term "Barcelona Convention" shall apply to the 1976 Convention for the Protection of the Mediterranean Sea against Pollution as amended in 1995;
3. the term "Coordinator" shall apply to the Coordinator or the Coordinating Unit of the Mediterranean Action Plan or his designated representative;
4. the term "Secretariat" shall apply to the Coordinating Unit of the Mediterranean Action Plan (MAP) as provided in article 17 of the Barcelona Convention as amended;

PLACE OF THE MEETINGS OF THE COMMISSION

Rule 3

The meetings of the Commission shall be held at the seat of the Coordinating Unit of MAP, unless convened in other Mediterranean venues in pursuance of a recommendation of the Commission approved by the meeting of the Contracting Parties.

* Document UNEP(OCA)/MED IG.8/7, Annex V

- During the time between the Parties' meeting the approval may be given by the Bureau of the Parties to the Convention.
- For reasons of optimal use of available resources, the meetings within the MCSD context may be coordinated as appropriate with other relevant MAP meetings.

DATES OF THE MEETINGS OF THE COMMISSION

Rule 4

1. As provided in Section E(7) of the Terms of Reference of the Commission, the Commission shall hold meetings at least once every year, up to the year 2000, then shall meet at least once every two years.
2. The Coordinator shall convene the meetings of the Commission.
3. The Commission shall, at its meeting, fix the opening date and the duration of the next meeting.

INVITATIONS

Rule 5

1. The Coordinator shall invite to send representatives to participate in the Commission's meetings as observers, the United Nations and its competent subsidiary bodies, and the Specialized Agencies if they participate in the activities of the Mediterranean Action Plan, or have direct concern with environment and sustainable development issues in the Mediterranean.
2. The Coordinator shall, in agreement with the Steering Committee, invite to send representatives to participate in the Commission's meetings as an observer, any state which is a member of the United Nations which so requests and has direct concern with environmental and sustainable development issues in the Mediterranean.
3. The Coordinator shall, in agreement with the Steering Committee invite to send representatives to participate in the Commission's meetings as an observer, any other inter-governmental organizations, including financial institutions, which would interest itself directly in issues of environmental protection and sustainable development in the Mediterranean, the activities of which are related to the functions of the Commission.
4. Such observers may, as provided in Article 20(2) of the Barcelona Convention as amended, participate in the Commission's meetings and may present any information or report relevant to the work of the Commission and in matters of direct concern to the organizations they represent.

PUBLICITY

Rule 6

Plenary sittings of the meetings of the Commission shall be held in public, unless the Commission decides otherwise. Sittings of subsidiary bodies of the meetings of the Commission shall be held in private, unless the meeting of the Commission decides otherwise.

AGENDA

Rule 7

In agreement with the Steering Committee of the Commission, the Coordinator shall prepare the provisional agenda for the meeting of the Commission and shall communicate it to the members of the Commission at least six weeks before the opening of the meeting together with supporting documents.

Rule 8

The provisional agenda of each meeting shall include:

1. all items mentioned in section B.3 of the Terms of Reference of the Commission;
2. all items the inclusion of which has been requested at a previous meeting of the Commission;
3. any item proposed by a member of the Commission;
4. the report of the Coordinator containing information on relevant sustainable development activities, the progress achieved and emerging issues to be addressed;
5. reports of the Task Managers and the Thematic Working Groups;
6. all items pertaining to the financial arrangements relevant to the Commission.

Rule 9

The Coordinator shall, in agreement with the Steering Committee of the Commission, include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening of the meeting in a supplementary provisional agenda which the meeting of the Commission shall examine together with the provisional agenda.

Rule 10

At the opening of an ordinary meeting of the Commission, the members of the Commission, when adopting the agenda for the meeting, may add, delete, defer or amend items. Only items which are considered by the meeting to be urgent and important may be added to the agenda.

Rule 11

At the beginning of each meeting, subject to the provision of Rule 10, the Commission shall adopt its agenda for the meeting on the basis of the provisional agenda and the supplementary provisional agenda referred to in Rule 9.

Rule 12

The Commission shall normally consider for the meeting only agenda items for which adequate documentation has been circulated to members six weeks before the beginning of the meeting of the Commission.

REPRESENTATION

Rule 13

All members of the Commission shall participate in the Commission on an equal footing.

Each member of the Commission shall be represented by representative accredited, who may be accompanied by such advisers as may be required.

Rule 14

The names of representatives and advisers shall be officially submitted by the members of the Commission to the Coordinator, before the opening sitting of a meeting which the representatives are to attend.

Rule 15

At the first sitting of each meeting of the Commission, the President of the previous ordinary meeting, or in his absence a Vice-President designated by him, shall preside until the meeting has elected a President for the meeting.

Rule 16

If the President is temporarily absent from a sitting or any part thereof, he shall appoint one of the Vice-Presidents to assume his duties.

STEERING COMMITTEE OF THE COMMISSION

Rule 17

The Steering Committee shall include four members representing the Contracting Parties, including *ex officio* the President of the Bureau of the Contracting Parties, and one representative from each one of the three categories foreseen by the Terms of Reference of the MCSD.

At the commencement of the first sitting of each meeting, the Commission shall elect the Steering Committee, which is composed of a President, five Vice-presidents and a Rapporteur, on the basis of an equitable geographical distribution, and among the various groups in accordance with the distribution indicated in the paragraph above.

Rule 18

Should the need arise, the Coordinating Unit in agreement with the President of the Steering Committee, could convene one meeting of the Steering Committee between two Commission meetings to ensure the follow-up and smooth running of the work decided by the Commission. The report and working documents are to be circulated to all members of the Commission.

Rule 19

1. The President, or in his absence one of the Vice-Presidents designated by him shall serve as President of the Steering Committee.

2. If a member of the Steering Committee resigns or otherwise becomes unable to continue to perform his functions, a representative of the same member of the Commission shall replace him for the remainder of his mandate.

ORGANIZATION OF THE MEETING OF THE COMMISSION

Rule 20

1. During the course of a meeting, the Commission shall establish thematic working groups and other working groups as it deems necessary, and to refer to them the themes identified by the Commission as of great importance for the sustainable development of the Mediterranean region for study, and proposal. Such working groups could sit while the Commission is not in session, ensuring thus, together with the Steering Committee, the continuity of the Commission between its sessions.
2. Unless otherwise decided, the Commission shall select task managers for each thematic working group and a chairman for other working groups.
3. The Commission shall define the mandate and composition of the working groups and Task Managers.

Rule 21

The Coordinator shall act as Secretary of any meeting of the Commission. He may delegate his functions to a member of the Secretariat.

Rule 22

The Coordinator shall provide the staff required by the Commission and shall be responsible for all the necessary arrangements for meetings of the Commission.

Rule 23

The Secretariat shall arrange for interpretation of speeches, receive, translate and circulate the documents of the meetings of the Commission and its working groups; publish and circulate the decisions, reports and relevant documentation of the meeting of the Commission. It shall have custody of the documents in the archives of the meeting of the Commission and generally perform all other work that the Commission may require.

LANGUAGES OF THE COMMISSION

Rule 24

Arabic, English, French and Spanish shall be the official languages of the Commission. English and French shall be the working languages of the Commission if available financial resources do not allow for the use of the four official languages. English and French shall be the working languages of meetings of the Steering Committee of the Commission and of working groups.

CONDUCT OF BUSINESS

Rule 25

The Rules of procedure for Meetings and Conferences of the Contracting Parties concerning Conduct of Business (Rules 30-41) shall apply *mutatis mutandis* to the Conduct of Business in the meetings of the Commission.

PROPOSALS OF THE COMMISSION

Rule 26

Proposals of the Commission shall be adopted by consensus. These proposals will be presented to the Contracting Parties' meetings.

RECORDS OF THE MEETINGS OF THE COMMISSION

Rule 27

Sound records of the meetings of the Commission shall be kept by the Secretariat in accordance with the practice of the United Nations.

AMENDMENTS OF PROCEDURE

Rule 28

Any amendments of the Rules of Procedure should be approved, after proposal of the Commission, by the meeting of the Contracting Parties to the Barcelona Convention.

MEDITERRANEAN COMMISSION ON SUSTAINABLE DEVELOPMENT TERMS OF REFERENCE

Introduction

1. In accordance with the recommendation of the Tunis Ministerial Conference, held in November 1994, as approved by the Conference of Plenipotentiaries meeting in Barcelona in June 1995, a Mediterranean Commission on Sustainable Development (MCSD) is hereby established as an advisory body to make proposals to the Contracting Parties within the framework of the Mediterranean Action Plan.

A. Purpose of the Commission

2. The purpose of the Commission is:
 - (a) to identify, evaluate and assess major economic, ecological and social problems set out in Agenda MED 21, make appropriate proposals thereon to the meetings of the Contracting Parties, evaluate the effectiveness of the follow-up to the decisions of the Contracting Parties and facilitate the exchange of information among the institutions implementing activities related to sustainable development in the Mediterranean;
 - (b) to enhance regional cooperation and rationalize the inter-governmental decision-making capacity in the Mediterranean basin for the integration of environment and development issues.

B. Functions

3. The functions of the Commission shall be:
 - (a) to assist the Contracting Parties by making proposals on the formulation and implementation of a regional strategy of sustainable development in the Mediterranean, taking into consideration the resolutions of the Tunis and Barcelona Conferences and the context of Agenda MED 21 and MAP Phase II;
 - (b) to consider and review information provided by the Contracting Parties, in accordance with Article 20 of the Barcelona Convention, including periodic communications or reports regarding the activities they undertake to implement Agenda MED 21, and the problems they encounter, such as problems related to the integration of environment into national policies, capacity-building, financial resources, technology transfer, and other relevant environment and development issues;
 - (c) to review at regular intervals the cooperation of MAP with the World Bank and other international financial institutions, as well as the European Union, and to explore ways and means for the strengthening of such cooperation, and particularly to achieve the objectives of Chapter 33 of Agenda MED 21;
 - (d) to consider information regarding the progress made in the implementation of relevant environmental conventions, which could be made available by the relevant conferences

or by the parties;

- (e) to identify technologies and knowledge of an innovative nature for sustainable development in the Mediterranean region and to provide advice on the various means for their most effective use, in order to facilitate exchanges among the Contracting Parties and to enhance capacities for national development;
- (f) to provide reports and appropriate recommendations to the meetings of the Contracting Parties, through the MAP Secretariat, on the basis of a comprehensive analysis of reports and issues related to the implementation of a regional strategy related to MAP Phase II and Agenda MED 21;
- (g) to undertake a four-year strategic assessment and evaluation of the implementation by the Contracting Parties of Agenda MED 21 and decisions of the meetings of the Contracting Parties and of actions by the Contracting Parties relevant to sustainable development in the Mediterranean region and propose relevant recommendations thereon;
the first strategic review should be undertaken for the year 2000 (with ministerial participation), with the objective of achieving an integrated overview of the implementation of Agenda MED 21, examining emerging policy issues and providing the necessary political impetus.
The Commission shall make the best use of the main results of MAP activity centres in the field of sustainable development, and those of the MAP Mediterranean Environment and Development Observatory, as well as those of national environmental observatories;
- (h) to assume such other functions as are entrusted to it by the meetings of the Contracting Parties, to further the purposes of the Barcelona Convention, MAP Phase II and Agenda MED 21.

4. The rules of procedure of the Commission shall be the Rules of Procedure of the meetings and Conferences of the Contracting Parties to the Barcelona Convention, until the rules of procedure of the Commission are proposed by the Commission and adopted by the meeting of the Contracting Parties, considering that the Commission shall not have any voting system.

C. Composition

5. The Commission shall be composed of a maximum of 36 members, consisting of representatives from each Contracting Party to the Barcelona Convention and representatives of local authorities, socio-economic actors and non-governmental organizations working in the fields of environment and of sustainable development. All representatives shall participate in the Commission on an equal footing.

D. Observers

6. In accordance with the Rules of Procedure adopted by the Contracting Parties to the Barcelona Convention, any State which is a member of the United Nations or the specialized agencies, and any other inter-governmental organizations the activities of which are related to the functions of the Commission, may participate in the Commission's work as an observer.

E. Meetings of the Commission and responsibilities of the Secretariat

7. The Mediterranean Commission on Sustainable Development shall hold ordinary meetings at least once every year, up to the year 2000, then shall meet at least once every two years. The meetings shall be convened at the premises of the Coordinating Unit of MAP, without prejudice to the convening of its meetings in other Mediterranean venues upon a recommendation of the Commission approved by the Meeting of the Contracting Parties.
 8. At the opening of each session, the Commission shall elect a Bureau composed of a President, four Vice-Presidents and a Rapporteur, from among its members on the basis of an equitable geographical distribution and among the various groups.
 9. The Coordinating Unit of MAP, serving as the Secretariat of the Commission, shall provide for each session of the Commission an analytical report containing information on relevant activities to implement Agenda MED 21 and other sustainable development activities recommended by the meetings of the Contracting Parties, the progress achieved and emerging issues to be addressed.
- F. Relationship with the United Nations Commission on Sustainable Development and with national and regional commissions on sustainable development
10. The Commission shall maintain relations with the United Nations Commission on Sustainable Development, and shall facilitate the exchange of information and experience among national and regional commissions on sustainable development.
 11. The Commission, in discharging its functions, shall take into account the experience and expertise of the United Nations Commission on Sustainable Development, and shall submit relevant reports to the United Nations Commission through the Contracting Parties' meetings on any issues that may be of interest for sustainable development in the Mediterranean region.
 12. The Commission and the Contracting Parties shall, as far as possible and taking into account the particular needs of the Mediterranean countries, utilize the existing reporting system of the United Nations Commission on Sustainable Development, with a view to streamlining and avoiding duplication of work.
- G. Relations with specialized agencies, intergovernmental organizations and non-governmental organizations
13. The Commission shall, through the Secretariat, strengthen its activities with the relevant United Nations specialized agencies and other inter-governmental bodies within the United Nations System, including international, regional and sub-regional financial and development institutions, in particular regarding projects for the implementation of the regional Mediterranean strategy related to Agenda MED 21 and the decisions of the Contracting Parties.
 14. The Commission shall, through the Secretariat, enhance the dialogue with, and the participation of, relevant non-governmental organizations (NGOs) and the independent sector, and receive and analyse their inputs within the context of the overall implementation of the Mediterranean regional strategy for sustainable development.

**MEDITERRANEAN COMMISSION ON SUSTAINABLE DEVELOPMENT
(MCSD)**

COMPOSITION OF THE COMMISSION *

(a) NUMBER OF REPRESENTATIVES

1. The Commission shall be composed of 36 members, consisting of representatives from each Contracting Party to the Barcelona Convention and representatives of local authorities, socio-economic actors and non-governmental organizations working in the fields of environment and sustainable development.
2. In particular:
 - a. each Contracting Party to the Barcelona Convention shall be represented by one high-level representative (total 21), who may be accompanied by such alternates and advisers as may be required, in order to ensure interdisciplinary participation of relevant ministerial bodies of the Contracting Parties (e.g. ministries of environment, tourism, economy, development, industry, finance, energy, etc.).
 - b. each of the three categories mentioned in section C.5 of the text of the Terms of Reference, i.e. local authorities, socio-economic actors and non-governmental organizations, shall be represented by five representatives (total 15) and an equal number of alternates, to be selected by the meeting of the Contracting Parties.
3. All 36 members shall participate in the Commission on an equal footing.

* This criteria may be modified by the Contracting Parties in the light of experience.

(b) METHOD OF NOMINATION OF CANDIDATES OTHER THAN THOSE REPRESENTING THE CONTRACTING PARTIES

a. Method of nomination of candidates

(i) local authorities

As the legal and administrative status of local authorities differs from one country to another, the representatives of the local authorities, their groups or networks, will be selected through proposals from the governments of the Contracting Parties, which transmit their candidatures to the Secretariat of MAP.

(ii) Socio-economic actors

As the legal and administrative status of the socio-economic actors differs from one country to another, the representatives of the socio-economic actors, their groups or networks, will be selected through proposals from the governments of the Contracting Parties, which transmit their candidatures to the Secretariat of MAP.

(iii) NGO's

1. The criteria and the list of MAP/NGO partners approved by the Ninth Ordinary Meeting of the Contracting Parties (Barcelona, 5-8 June 1995), shall be used as the reference text for any NGO that wishes to participate in the Commission's work.
2. Three categories of NGO's shall be represented in the Commission:
 - NGOs with international scope and multidisciplinary interest recognized in their status, especially those contributing to Mediterranean cooperation and concerned with matters covering a substantial portion of MAP's field of activity;
 - NGOs with regional scope covering more than one country in the whole Mediterranean area and covering a portion of MAP's field of activity;
 - NGOs with national or local scope covering a portion of MAP's field of activity.
3. The selection of five NGOs from this category will be done through NGO networks in the region and through direct applications to be submitted to the MAP Secretariat.

b. Method of nomination of members of the MCSD

1. The meeting of the Contracting Parties shall nominate the members of the Commission, other than those representing the Contracting Parties.
2. For the first meeting of the Commission (Fez, Morocco, December 1996), the Bureau of the Contracting Parties shall make the selection of the members of the Commission, following consultation with the Contracting Parties.

(c) **SELECTION CRITERIA FOR MEMBERS OTHER THAN THOSE REPRESENTING THE CONTRACTING PARTIES**

The following general selection criteria are proposed:

1. The criteria and the list of MAP/NGO partners, approved by the Ninth Ordinary Meeting of the Contracting Parties held in Barcelona, 5-8 June 1995 (document: UNEP(OCA)/MED IG.5/16), shall be used as a reference text for selection of members representing NGOs.
2. Priority for selection shall be given to Mediterranean local authorities, socio-economic actors and NGOs that are concerned with environmental and sustainable development issues in the Mediterranean.
3. The principle of equitable geographical distribution should be respected (north/south and east/west).
4. Fragile and island ecosystems will be given due consideration.
5. With reference to the three specific categories, the following are the selection criteria, giving priority to the groups or networks concerned:
 - (i) local authorities
 1. Local authorities to be selected should be concerned with environmental and sustainable development issues.
 - (ii) Socio-economic actors
 1. Selection within this group should take into consideration the major problems and decisive factors in the Mediterranean as well as the following factors:
 - north/south representation
 - developed/developing countries
 - rural/urban
 - past and current activities at the Mediterranean level.
 2. Priority of selection shall be given to socio-economic networks active in the Mediterranean.
 - (iii) NGOs
 1. The members representing NGOs should be selected from the list of MAP/NGO partners.
 2. The members should be selected from among three NGO categories:
 - NGOs with global scope

- NGOs with regional scope
 - NGOs with national and local scope
3. The NGOs to be selected should have a concrete and action-oriented approach towards the Mediterranean.

(d) **DURATION OF THE MANDATE**

1. The duration of the membership of the Commission shall be as follows:
- a. all Contracting Parties to the Barcelona Convention shall be permanent members of the Commission (21);
 - b. representatives from each of the three categories (local authorities, socio-economic actors and non-governmental organizations), shall be selected for a duration of two years by the meeting of the Contracting Parties (15).

Annex 3: Current composition of the MCSD, as agreed at COP 15

MCSD MEMBERS

COUNTRY REPRESENTATIVES

ALBANIA / ALBANIE
ALGERIA / ALGÉRIE
BOSNIA AND HERZEGOVINA /BOSNIE & HERZEGOVINE
CROATIA / CROATIE
CYPRUS / CHYPRE
EUROPEAN UNION /
UNION EUROPEENNE
EGYPT / EGYPTE
FRANCE
GREECE / GRECE
ISRAEL
ITALY / ITALIE
LEBANON / LIBAN
LIBYA / LIBYE
MALTA / MALTE
MONACO
MONTENEGRO
MOROCCO / MAROC
SLOVENIA / SLOVENIE
SPAIN/ ESPAGNE
SYRIA/SYRIE
TUNISIA / TUNISIE
TURKEY/ TURQUIE

Local Authorities

MEDCITIES (NETWORK)
ASSOCIATION OF ITALIAN LOCAL AGENDA 21

Socio-Economic Actors

APO, ENVIRONMENTAL PROTECTION SERVICES (CROATIA)
UMCE-UNION OF MEDITERRANEAN CONFEDERATIONS OF ENTERPRISES

NON GOVERNMENTAL ORGANISATIONS

ENDA MAGHREB- ENVIRONNEMENT DEVELOPPEMENT ET ACTION AU MAGHREB
FRIENDS OF THE EARTH (EUROPE/MEDITERRANEAN)
MIO-ECSDE-MEDITERRANEAN INFORMATION OFFICE FOR ENVIRONMENT CULTURE
AND SUSTAINABLE DEVELOPMENT
RAED-ARAB NETWORK FOR ENVIRONMENT AND DEVELOPMENT
WWF MEDITERRANEAN PROGRAMME

INTER GOVERNMENTAL ORGANISATIONS

CEDARE- CENTRE FOR ENVIRONMENT AND DEVELOPMENT FOR THE ARAB REGION
AND EUROPE

UN- WORLD TOURISM ORGANIZATION (UN-WTO)

THE WORLD BANK