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Explanatory Note on using the Report Format

Explanatory note on how to prepare national reports (or Guidelines for preparing national reports)

Article 26 of the Barcelona Convention requires States Parties to submit reports to the Organization regularly. Upon examining the 2010-2011 Biennium reports, the Compliance Committee noted that many of the reports were difficult for the Secretariat and the Committee to work with due to the way the Contracting Parties had drafted their responses. For this reason, at its seventh session in June 2013 the Compliance Committee decided to prepare an explanatory note with a view to facilitating the drafting of reports based on the objectives of these reports.

1. Report objectives

It is important for those writing the reports to understand the objectives the reports are meant to achieve so that they can adapt their responses to meet these objectives. It follows both from Article 26 of the Convention and from practice that the reports are not simply a formality, nor are they a run-of-the-mill survey. They must cover:

- the measures taken to apply the Convention and its Protocols;
- the measures taken to apply the recommendations adopted by the meetings of the Contracting Parties;
- an evaluation of the efficacy of these measures;
- any problems encountered in the application of the Convention, Protocols and recommendations.

Satisfying these requirements makes it possible to monitor the correct application of the Convention and its Protocols. These requirements are best explained by setting out the legal and technical functions fulfilled by the reports:

- 1.1 To allow the meeting of the Contracting Parties to “consider” the reports (Art. 18-2-(ii) of the Convention), thus enabling the Parties to be informed of the activities undertaken by the Parties.
- 1.2 To allow the meeting of the Contracting Parties to “assess compliance” with the commitments (Art. 27 of the Convention).
- 1.3 To allow the meeting of the Contracting Parties to make recommendations (Art. 27 of the Convention).
- 1.4 To evaluate the compliance of national legal, administrative and other measures with the Convention and its Protocols.
- 1.5 To measure the efficacy of the measures taken and the problems encountered.
- 1.6 To allow the Compliance Committee to fulfill its mandate to “facilitate and promote compliance with obligations” (1. Objectives, Decision IG.17/2).
- 1.7 To allow the Secretariat to transmit the reports to the Parties (Art. 17 (ii)).
- 1.8 To allow the Secretariat to report to the Contracting Parties on the implementation of the Convention (Art. 17 (vi)).

- 1.9 To allow the monitoring of progress in the implementation of the Convention at national and regional level.
- 1.10 To provide regular up-to-date information.
- 1.11 To allow the Secretariat to produce a credible review using all relevant information.
- 1.12 To facilitate the evaluation of the state of the Mediterranean (Art. 18-2-(i) of the Convention).
- 1.13 To facilitate the implementation of the Mediterranean Action Plan (Art. 4-2 of the Convention).
- 1.14 To share with Contracting Parties and MAP partners the information contained in the reports and the best environmental practices (Art. 4-4-(b) of the Convention).

2. Recommendations for drafting reports

Reports must respond to the formal requirements imposed by the “Form”, as adopted by the Contracting Parties. It is however essential that the person or persons responsible for producing the report keep in mind at all times the spirit of the objectives listed in Section 1.

- 2.1 Institutions which have produced a report should not neglect to state the relevant Protocol for each institution mentioned.
- 2.2 Where a box must be ticked, it is important not simply to tick the box. The “Remarks and Observations” section should always be completed - it is through these that the evaluators can obtain a clear idea of the situation.
- 2.3 Where “No” is ticked, it is necessary to give an explanation to indicate whether there are legal (which ones?), technical, political or other difficulties.
- 2.4 Where “Yes” is ticked, it is also necessary to give an explanation, perhaps about any difficulties or good practices.
- 2.5 The “Remarks and Observations” section should be seen as a space to provide both “explanations” and “difficulties encountered”. Legal, technical or other difficulties should be explained.
- 2.6 The section “Title, reference, date of enactment of the legal instrument” should be completed with care and precision, and should always indicate the date of the instrument, its number and the date of publication. A reference should be given to the Official Journal and the exact website of the relevant administration.
- 2.7 It is essential not only to quote exactly the applicable texts, but also to give the number of the relevant article(s), along with a brief overview of their content in relation to the application of the Convention and its Protocols.
- 2.8 The sections on administrative measures should be completed carefully and all the boxes should be filled.

- 2.9 Where no measures have been taken, this should be indicated in order to show that it is not simply an omission, and where possible an explanation should be given.
- 2.10 Where there is an “effectiveness” section, this should include comments as well as figures. For this, it is imperative that the report author has had in advance one or more meetings with the central competent authorities and that they receive information and reports from local services on the ground.
- 2.11 The “allocation of resources” section provides an opportunity to detail the available resources: staff, budget, institutions.
- 2.12 The “coercive measures” section should be completed with a view to giving precise information on inspections, checks and sanctions.
- 2.13 The production of the report should be preceded by a meeting with the relevant local and national services and, as far as possible, involve the participation of the public in order to improve the quality and accuracy of the reports.
- 2.14 Once completed, the report should be made available to the public on the internet.

3. Proposals

- 3.1 The Secretariat is invited to organise a capacity building workshop to explain more clearly to report authors the method which should be used to address the objectives of the reports; to discuss the Questionnaire, its usefulness and operation. This training, carried out with the support of the Compliance Committee, should be aimed at the Focal points, the contact points authoring certain parts of the report, the Mediterranean Action Plan partners and any other relevant actors.
- 3.2 It could be suggested to the Contracting Parties that they adopt a “strategy for national reporting” in order to develop the method used, detailing in particular the planning of the report preparation, the planned consultations with relevant local and national administrative bodies, public information and participation in the preparation of reports and the publicizing of reports.
- 3.3 The Secretariat is invited to prepare a note for the Meeting of the Contracting Parties on the online Questionnaire, its adaptation to needs and on the manner in which the Mediterranean Action Plan components use the information in the questionnaire.
- 3.4 The Compliance Committee has decided to include these matters in the programme for its upcoming meetings.