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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 compliment 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 maybe 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).