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MEDITERRANEAN ACTION PLAN

Meeting of the Bureau of the Contracting Parties to the
Convention for the Protection of the Marine Environment
and the Coastal Region of the Mediterranean
and its Protocols

Cairo (Egypt), 25-26 November 2004

**PROGRESS REPORT BY THE SECRETARIAT ON ACTIVITIES
CARRIED OUT SINCE THE LAST MEETING OF THE BUREAU**

(June 2004 – October 2004)

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Introduction

1. The present report covers the progress achieved in the implementation of the various activities carried out by the Coordinating Unit, its Regional Activity Centres (RACs) and MED POL since the last meeting of the Bureau of the Contracting Parties held in Genoa (Italy) on 16 June 2004.

A. General review on the progress and outputs of the main activities

2. The Progress Report by the Secretariat for the period 1 June 2004 – 31 October 2004 is composed of two main parts and six annexes.

3. Part A features reports on ongoing activities and outputs carried out in the fulfilment of the Work Plan and budget approved in Catania.

4. Part B consists of the analysis of several activities whose further implementation needs special attention by the Bureau, its guidance and adoption. Four Working Documents attached as Annexes II, IV, V, and VI need careful review and adoption by the Bureau.

1. Legal and Institutional Issues

5. As decided at the last Bureau meeting held in Genoa, the joint letter, signed by the Minister of Environment and Territory of Italy in his capacity as the President of the Bureau, the Minister of Environment of the Depositary Country (Spain) and the MAP Coordinator to encourage countries which had not yet done so, to sign, accept or ratify the new and revised instruments, was sent out to all concerned Contracting Parties.

6. The Contracting Parties are reacting positively to this letter providing relevant information on steps taken in this regard. Letters were received from Albania, Morocco and Slovenia.

7. Upon the request of the Secretariat, the Depositary Country submitted a detailed table of the status of signatures and ratifications which is attached as **Annex I** to this report.

8. The Secretariat has carefully followed the issue of discrepancy between the English and Arabic versions of the text of the revised Convention raised by Algeria. Three versions in English, French and Arabic were carefully checked for conformity.

9. It results that there is no discrepancy at all between the English and French versions. The minor discrepancies exist in the Arabic version which have to be corrected through a procedure to be discussed with the Depositary Country. In his forthcoming meeting in Spain, the MAP Coordinator is expected to raise the issue with the Depositary Country on the basis of discussions held at the last Bureau Meeting in Genoa namely that the procedure to be followed is through a *Proces Verbal* to be circulated to the Parties through diplomatic channels instead of convening a diplomatic conference on the matter.

10. The visit of the MAP Coordinator to Spain to discuss several issues of common interest, including the ratification process and other activities is currently being organised through the Spanish Embassy in Athens. The Bureau will be informed on the results of this visit at its next Meeting in 2005.

11. The Secretariat would like to draw the attention of the Bureau to the interpretation by the European Court of Justice of provisions 6(3) to the LBS Protocol, which is in force,

and 6(1) to the amended LBS Protocol not yet in force, related to the obligation for prior authorisation by the competent authorities for discharges and releases into waters that reach and may affect the Mediterranean sea.

12. The question raised was whether these provisions have direct effect, so that any interested party is entitled to rely on them, before the national courts in an action to halt discharges which are not authorised in accordance with the procedure and criteria which they prescribe, or whether no authorisation system to discharge can legitimately and usefully be applied on the basis of these provisions as long as an EU Member State has not defined the applicable technical criteria.

13. According to this judgment, the European Court ruled that:
- a) Article 6(3) of the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources, signed in Athens on 17 May 1980, approved by Council Decision 83/101/EEC of 28 February 1983 and, following its entry into force, Article 6(1) of the Protocol as amended at the Conference of Plenipotentiaries held in Syracuse on 7 and 8 March 1996, which amendments were approved by Council Decision 1999/801/EC of 22 October 1999, have direct effect, so that any interested party is entitled to rely on these provisions before the national courts.
 - b) These same provisions must be interpreted as prohibiting, without an authorisation issued by the national competent authorities, the discharge into waters communicating with the Mediterranean Sea of substances which, although not toxic, have an adverse effect on the oxygen content of the marine environment.

14. This decision provides for an interested party to rely on the above mentioned provisions before the national courts of an EU Member State in an action to halt discharges in water which are not authorised in accordance with the procedure and criteria prescribed by them.

15. The possibility of developing a legal instrument, within the framework of the Barcelona Convention, addressing prevention of pollution from pleasure craft has been the subject of discussion within MAP for several years. *Institut du Droit Economique de la Mer* (INDEMER) and the Government of Monaco had prepared a draft legal document which was discussed at a Meeting held in Monaco on 20 January 2003. The Contracting Parties subsequently entrusted REMPEC with the leading role in developing the future legal instrument. The Government of Monaco kindly offered to host and cover all expenses of the First Meeting of National Experts on the feasibility of a legal regional instrument on prevention of pollution from pleasure craft activities in the Mediterranean, which will be convened in Monaco between 8 and 10 December 2004.

16. At its Meeting in Genoa, the Bureau requested the Secretariat to prepare a paper on the tasks and role of the MAP National Focal Points with special focus on their communications function.

17. It has to be noted that in the legal text of the revised Convention there is no reference to or mention of MAP National Focal Points, their role and tasks as there is in the text of the Biodiversity and SPA Protocol.

18. MAP National Focal Points are the official representatives of the Contracting Parties who in turn delegate other Focal Points to follow other key MAP issues. MAP Focal Points meet every two years to review the progress of the Action Plan. They prepare the recommendations, programme and budget for the following biennium, which are submitted to the meeting of the Contracting Parties for final approval.

19. At their 9th Ordinary Meeting of the Contracting Parties held in Barcelona from 5 to 8 June 1995, in Annex VIII of the report of the Meeting: "Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP Phase II) under the heading "Institutional and financial arrangements" the role of MAP NFP is described as follows:

- *Each CP, within its national administration, appoints one or more focal points responsible for the follow up and coordination of MAP activities at national level, and for ensuring the dissemination of information. Specific focal points are also appointed by the national focal points to follow up implementation of a Protocol or the activities of a regional activity centre.*

20. The tasks and the roles of MAP NFPs were an important agenda item of the MAP evaluation carried out during the last biennium. The Secretariat is of the opinion that the current external exercise of MAP evaluation should address this issue in depth and in close consultation with the Contracting Parties. The Bureau is invited to recommend any action in this regard.

21. The functions of the MAP NFPs as per the current practice, are to be found in **Annex II** to this report.

2. Financial and Personnel matters

- Financial matters

a) Remittance of Contributions

22. As of the first of January 2004 and in conformity with the decisions of the CP at their Meeting in Monaco, the Mediterranean Trust Fund was converted to the Euro currency and all outstanding pledges were converted at the December UN rate of 0.801. However, since payments for prior years have been received in both Euro and US dollar, the table attached (see **Annex III**) shows payments for prior years in the currency that the payment was received.

23. The status of the Mediterranean Trust Fund as at 30th September 2004 is as follows:

- Total pledges for 2004 : € 6,612,684
- Total collections during 2004 for 2004 : € 5,740,950 (86.82 % of 2004 pledges).
- Total collections during 2004 for prior years in US dollars: \$ 70,502 (20% of prior years' outstanding pledges). The eighty percent still outstanding amounts to only €226,340.

24. Full payments from Croatia, European Union, France, Monaco, Slovenia and Spain as well as the voluntary contributions of the EU, the Greek Government and UNEP have been received. Partial payments for 2004 have been received from Italy and Israel.

b) Additional Funds:

25. Other in-cash voluntary contributions for specific activities, other than those given to the Regional Activity Centres, which have been pledged and/or received are as follows:

26. From Italy:
- € 100,000 for the Mediterranean Strategy for Sustainable Development (received)

- € 50,000 for the 9th Meeting of the Mediterranean Commission on Sustainable Development (received)
- € 60,000 for National Strategies for Sustainable Development (pledged)
- € 49,500 for MEDPOL's Stocktaking Meeting for the Development of the GEF Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem (pledged)

27. From Monaco:

- €10,000 for National Strategies for Sustainable Development (pledged)

28. In addition to the above, the Regional Seas Programme of UNEP is giving US \$ 20,000 in support of MAP activities.

c) *Programme Budget of MAP*

29. All MAP 2002-2003 projects are in the process of being closed. MAP 2004 projects are being implemented and internal revisions are in progress to ensure enough funds for implementation of activities by end 2004. All 2005 budgets have been drawn up, allowing their immediate launching next year, pending only shifting of funds not utilized in 2004.

- Personnel and Security matters

30. Coordinator (Post No: MEL-2322-2664-2198-1101-00). The incumbent, Mr Paul Mifsud (Malta) was appointed with effect from 10 May 2004.

31. MED POL Programme Officer (Post No: MEL-2322-2664-2198-1104-00). Further to the reclassification of the post from P.3 to P.4 level, the post was advertised and the incumbent, Mr Fouad Abousamra (Syria) was reappointed and promoted to P.4 level.

32. Sustainable Development Officer. Following the publication of the Vacancy Announcement, some 250 applications were received and a short list of seven most qualified candidates was prepared. The selection process will be finalized by the end of October 2004. The Sustainable Development Officer will be appointed in December 2004 or January 2005 at the latest, on a short-term assignment (for 11 months renewable once) as Temporary Assistant, until a decision is taken on whether or not to keep this post on a permanent basis.

33. In addition to assisting in the preparation of the MSSD, the SD Officer will contribute to the launching of the new programme of work, re-activating some of the working groups to assess the follow up actions, working out a reporting system and its feasibility for MCSD recommendations and promoting MCSD/MSSD visibility through scientific publications and communications.

34. A temporary post of "Security Assistant" has been established to address security related activities and in order to respond to the reporting requirements of the UN Security Coordinator, UNSECOORD in New York Headquarters. The post is being funded by UNEP for 12 months and will be reviewed in early 2005.

35. Although in accordance with UN criteria Greece is not considered as a risk country in terms of security, at a time when the UN is facing important new threats and UN representative offices world wide are being instructed to improve their level of security to safeguard buildings and staff, it is considered advisable to appoint a Security Assistant on a permanent basis. In this regard, and with the approval of the Bureau, the Secretariat intends

to submit a proposal to the next meeting of the Contracting Parties, to create this post on a permanent basis.

36. Following mandatory instructions from UNSECOORD in New York to ensure that the UNEP/MEDU office in Athens is MOSS (Minimum Operating Security Standards) compliant, a significant number of additional security measures have been put in place in order to ensure the safety of the staff and premises. These measures include, installation and maintenance of additional security cameras and video surveillance, security guard and police presence, strict access control for staff and visitors using ID and proximity cards and the purchase of a satellite phone. As the lead UN agency in Greece and following the appointment of the Coordinator as the Designated Officer, the UNEP/MAP office has also been assisting the other agencies in the country (UNHCR, UNIDO, WHO/MZCC, UNDESSA in Athens and Thessaloniki and IOM to become MOSS compliant. A detailed Security Plan for all these offices has been established and approved by UNSECOORD. Regular reporting to UNSECOORD on the security situation within the country, the offices and staff working in all these offices is a mandatory and ongoing process.

- Other issues

37. Following extensive discussions between the Government of Malta, REMPEC and IMO concerning the relocation of REMPEC to new premises, the Centre and IMO were recently officially informed through a *Note Verbale* (6 August 2004) that the Government of Malta had approved the relocation of REMPEC offices to a new site, presently occupied by the Merchant Shipping Directorate of the Malta Maritime Authority. The relocation to the new offices is expected to significantly improve the working conditions at the Centre.

38. The date of transfer has not yet been established since this will take place once the present occupants of the MMA premises move to a new site which is currently under construction.

39. The Bureau is requested to take note of this development and may wish to request the Coordinator to convey its thanks to the Maltese Government.

3. Cooperation with Partners

REMPEC and the EC

40. As far as the programmes and activities of REMPEC are concerned, the collaboration with EC should definitely increase when one takes into consideration the provisions of:

- the new Prevention and Emergency Protocol;
- the Catania Declaration
- the Regional Strategy for the prevention of and response to marine pollution from ships (sustainable development of the maritime transport in the Mediterranean), and
- the relevant Contracting Parties recommendations.

41. Indeed, apart from the very clear statement of the Catania Declaration on the commitment of the EU (para 18 and 19), there is room for a closer and more effective cooperation with EC not limited solely to the use of financial resources provided by MEDA and LIFE mechanisms. In fact some activities, which may be carried out with some EC components, have already been envisaged (monitoring and surveillance of maritime traffic utilizing earth observation techniques, with JRC – Joint Research Center) while some others are still in a preliminary phase of discussion (preparedness and response to accidental marine pollution, with the European Maritime Safety Agency (EMSA). The former is aimed at

enhancing the Mediterranean capacities in the field of prevention of marine pollution from ships (mainly illicit discharges), while the latter at creating a synergy which would contribute to reduce the significant gap which still exists in the Mediterranean region in the field of preparedness and response.

42. At the moment REMPEC is closely working with the Directorate General for Energy and Transport (EC-TREN) on the preparation of the terms of reference of the SAFEMED (Euro-Mediterranean Partnership Cooperation Project on Maritime Safety and Prevention of Pollution from Ships) three-year project (2005-2007), for which the relevant contract should be signed by EC and IMO (on behalf of REMPEC) in November 2004. The activities to be carried out within the framework of the project are related to prevention of marine pollution from ships and, with reference to the relevant international Conventions, include the following issues:

- Flag State implementation
- Safety of navigation through development of traffic monitoring systems (SAFESEANET – Safe Sea Network, an EU network for collection, dissemination and exchange of maritime data);
- Better protection of the marine environment (MARPOL Annex VI, AFS Convention, monitoring illicit discharges);
- Security of ships in ports (SOLAS – the International Convention for the Safety of Life at Sea (1974) - Security Chapter XI-2).

43. Some activities of SAFEMED may be carried out in collaboration with other components of MAP (i.e. BP/RAC and SPA/RAC).

44. Furthermore, the implementation of the regional strategy on prevention, preparedness and response to marine pollution from ships in the years 2006-2015, will require a very close collaboration between MAP and the European Commission.

EAMS

45. Following the decision of the Contracting Parties in Catania, in November 2003, the MAP Secretariat is working with the Euro-Arab Management School-EAMS (established by the EU, the Arab League and Spain) on a regional training course for professionals from public and private sectors on environment and sustainable development. It would consist of specific one to two weeks specialized courses for decision makers and of the equivalent of a masters' degree over 18 months on various environment and sustainable development issues, based in particular on UNEP/MAP concerns and priorities. A network of renowned Universities in Europe, the Mediterranean and Arab countries are associated with the EAMS and its programmes. This programme will cost some € 400,000, 50% of which will be provided by the Ministry of Foreign Affairs of Spain.

46. As soon as the project document will be finalized, a copy will be forwarded to all Contracting Parties for their information and support.

RAC/SPA and CITES

47. In view of promoting the implementation of the SPA and Biodiversity Protocol and of the Action Plan for the Protection of Cartilaginous Fish in the Mediterranean Sea through better synergy with relevant global conventions, RAC/SPA has sent a position note to the Secretariat of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) in favour of reducing the exportation quota of the Great White Shark by nominating this Species to the Annex II of the above Convention. This proposal was submitted by Australia and Madagascar to the Conference of the Parties to CITES

Convention, which met in Bangkok in October 2004. Several CPs to the SPA and Biodiversity Protocol have given support to the aforementioned note.

OTHER ISSUES

48. Last May 2004, the United Nations Office for Project Services in Cyprus invited the Coordinating Unit to take part in a programme called "Partnership for the Future" funded by the European Union in the Turkish-Cypriot part of the island in particular to implement a specific component of the programme on sustainable tourism and coastal zone management in view of the experience gained through CAMPs and other relevant activities.

49. In order to respond to this proposal, the Coordinating Unit contacted and informed the Cypriot authorities who welcomed the initiative; insisting however, that the process had to be channeled through them.

50. UNDP/UNOPS were informed of the outcome of the contacts with the Government of Cyprus and, in September 2004, informed UNEP/MAP of their decision to implement the programme instead through the European Environment Agency (EEA).

4. Information, Public Awareness and Participation

Over the last months, the focus has been mainly on:

a) Rebuilding the MAP website

51. The development of the new MAP website has been entrusted to ERS/RAC instead of to a private firm, as was the case in the past, at great savings to the Secretariat. Work is already in an advanced stage and the first design concept has already been decided.

52. The new website, expected to be fully operational by the end of this year, will be produced also in French and, for the first time ever in the history of the MAP also in Arabic, in conformity with the decision of the CoP13.

b) Integration of the Participatory Approach in MAP programmes and activities

53. Following a decision by the Contracting Parties in Catania in 2003, the MAP Information Office has progressively ensured the integration of the participatory approach in MAP activities. A number of Memoranda of Understanding for related activities, funded by GEF MED Project, have been concluded with a number of MAP countries. Others are in the pipeline.

54. In addition, a workshop on the integration of the participatory approach will be organized as part of the Meeting on the Review of the Preparation of NAPs (National Action Plans) as part of the implementation of the SAP (Strategic Action Programme to combat LBS Pollution), to be held on 14-16 December in Syracuse. This workshop is a follow-up to the exercise carried out in Izmit, Turkey, during the national experts meeting for the preparation of the National Action Plans within the SAP MED.

c) Workshop for Mediterranean Media Professionals

55. The Workshop for Mediterranean Media Professionals on Pollution of the Mediterranean sea from Land-based sources that was planned to take place in Rome, 3-5 June 2004, has been postponed to 3-5 February 2005, in agreement with the Italian Ministry for the Environment and Territory.

d) *MAP publications*

56. In the last six months, a total of 13 MAP Technical Reports (MTS) were published and distributed to interested parties.

5. Pollution Prevention and Control

a) *Combating Pollution from LBS*

57. Negotiations related to the strengthening of the quality and the quantity of the MED POL marine pollution monitoring network continued. One more country (Morocco) finalized its monitoring programme and several training activities were implemented. In particular, two training courses were held in Monaco at the IAEA/MEL (International Atomic Energy Agency/Marine Environment Laboratory) on organic and inorganic pollutant analysis and another one for a Syrian expert on biological effects monitoring.

58. A meeting was held with the MED POL Coordination office of the Ministry of Environment of France to discuss the preparation of the MED POL national monitoring programme. The meeting was also attended by representatives of other ministries involved and of several scientific institutions. As a result of this meeting and of clarifications made on a number of technical and policy issues, the MED POL national Coordinator was informed that France will submit a full programme to the Secretariat before the end of 2004.

59. Work continued on the implementation of the activities of the Mediterranean GEF Project related to MED POL. In particular, two national training courses were organized in Egypt and Turkey on river monitoring and on the quantification of riverine pollution inputs. National Stakeholder Meetings for the preparation of National Action Plans as part of the SAP implementation were convened in Bosnia and Herzegovina, Slovenia and Syria.

60. Contracts for the preparation of pre-investment studies in selected hot spots were signed with Egypt and Syria and are now ready to be implemented.

61. A national training course was held in Turkey on wastewater operation and maintenance.

62. Concerning coastal litter management, a pilot project was launched in Lebanon on the basis of the experience gained by MED POL on the subject and the preparation of specific Guidelines. The project is an initiative of MED POL in cooperation with RAMOGE and MEDCITIES and will be locally implemented by the Union of Northern Associations for Sustainable Development (UNASD) under the supervision of the Ministry of Environment in Lebanon. The project consists of the following activities:

- Institutional setup at the Municipality of Al Mina
- Establishment of an information system
- Public participation and awareness activities
- Identification of quantities and types of litter reaching the marine environment in the areas of Palm islands and the city of Tripoli
- Technological advice.

b) *Combating Sea Based Pollution*

63. The adoption of the new Prevention and Emergency Protocol in January 2002 extended the scope of MAP activities in the field of protection of the marine environment in the Mediterranean from ship generated pollution. While the 1976 Protocol focused primarily

on preparedness for and response to accidental marine pollution, the 2002 Protocol addresses also prevention of pollution from ships. Contracting Parties clearly expressed their political will to decisively address threats that maritime transport poses to the environment in the region by specifically addressing in the Catania Declaration the preparation of a Regional Strategy for prevention of and response to marine pollution from ships.

64. With a view to finalizing this task by the next Meeting of the Contracting Parties, REMPEC consolidated in 2004 the text of the draft Regional Strategy which was also disseminated to the Contracting Parties. The second consolidated draft of the strategy was subsequently discussed at the Meeting of National Experts convened on 8-10 July 2004 in Castelgandolfo (Rome), Italy. On the basis of the amendments made by the Meeting, the third draft Regional Strategy was prepared.

65. In September 2004, the Contracting Parties and other stakeholders were requested to submit their comments on the latest version of the Strategy by early 2005. This will enable REMPEC to prepare the Second Meeting of National Experts, which has been tentatively scheduled for April 2005, back-to-back with the 7th Meeting of REMPEC Focal Points. The Meeting is expected to adopt the final version of the draft Regional Strategy that will be eventually submitted to the Contracting Parties for approval at their 14th Meeting in November 2005.

66. The future Regional Strategy recognizes maritime traffic as a particularly important contributor to the economic growth of the region, while paying attention that it does not adversely affect the region's physical and biological resources. It is based on the assumption that a sustainable growth of the maritime transport sector could only be achieved through integration of prevention and control of, preparedness for and response to ship generated pollution in development plans at all levels, ranging from local to regional. Constant dialogue with stakeholders, including *inter alia* shipping industry and related professional associations, capacity building through education of key players at government and industry level, strict implementation of international rules, regulations and standards, and bridging the gap between various parts of the region taking into consideration the initiatives taken in particular by the European Union, are seen as crucial factors in achieving the sustainability of maritime transport development.

67. The draft Strategy identifies and addresses 21 specific objectives. Future action in this field is expected to focus on reducing and as much as possible eliminating operational pollution from ships through strict implementation and enforcement of relevant international conventions, increased monitoring and control of traffic, as well as on further improving the level of preparedness for responding to marine pollution incidents, taking into consideration higher risks created by intensification of oil and HNS (Hazardous and Noxious substances) traffic in the region and foreseen changes in the traffic patterns.

68. Taking into consideration that the process of preparation of the Regional Strategy for prevention of and response to marine pollution from ships coincides with the preparation of MSSD, and with a view to ensuring the compatibility of the two Strategies, REMPEC closely follows the progress of MSSD providing its inputs as necessary.

c) *Cleaner Production*

69. Following their program of work, the main activities carried out by the CP/RAC are related to:

- a) Dissemination of information and publications
- b) Studies and leaflets on cleaner technologies and pollution prevention
- c) Capacity building.

70. During the period covered by the report, the following documents were published or under finalisation:

- Two issues of the CP Newsletter
- 4 Med Clean case studies
- An updated web page
- Brochure on Good Environmental Practices in logistic services.

71. The following workshops have also been organised:

- Four training courses on the methodology of the Minimisation Opportunities Environmental Diagnosis (in Zaragoza (27-28 May 2004) in Catalonia, for the Catalan Federation of Labor Companies FESALC– 14/15 July 2004- and the Catalan Association of Industrial Engineers -8 September and 14 October 2004, and in Galicia (Vilagarcía de Arousa– 21 September 2004-), intended for consulting firms, companies and experts.
- Advanced seminar on pollution prevention in the tanning industry in Barcelona, 4-8 October 2004, organised with the support of the Azahar programme of cooperation (Spanish Agency for International Cooperation – AECI) and the Catalan Agency on Cooperation for Development (ACCD), intended for representatives of Algeria, Morocco and Tunisia working directly with the tanning industry in their countries.

6. Conservation of biodiversity

- a) Implementation of the Action Plan for the management of the Mediterranean monk seal

72. Contacts were undertaken with the Libyan authorities to continue activities for monk seal conservation along the Libyan coasts. As a result, some amendments were made to the previous MoU and sent to the Environmental General Authority (EGA) and ICRAM for signature.

73. RAC/SPA organised an expedition to Northern Morocco with a local team, from 4 to 15 October, to train them on monk seal populations monitoring, and to assess the status and evaluate the habitats in the area.

74. The Arabic version of the poster on Monk seal was printed.

- b) Implementation of the Action Plan for the conservation of Mediterranean marine turtles

75. As requested by the Contracting Parties, RAC/SPA is translating and publishing the Fishermen's Guide in different national languages in a number of countries. At present the Maltese and Spanish versions are being prepared.

76. In collaboration with the Berne and Bonn Convention's Secretariats and the Turkish Government, RAC/SPA is making the necessary preparations to organise the Second Mediterranean Conference on Marine Turtles which will be held in Turkey in May 2005. The first announcement will be made at the end of October 2004.

77. As recommended by the Contracting Parties, RAC/SPA is organising a workshop on the standardization of tagging and centralisation of information. A consultant was

appointed to prepare and animate the workshop which will be held in Turkey in collaboration with the Turkish Ministry of Environment in mid-December 2004.

c) Implementation of the Action Plan for the conservation of cetaceans in the Mediterranean Sea

78. An international meeting on cetacean conservation was organised in Tajura, Libya (29th May – 1st June 2004) in collaboration with the ACCOBAMS Secretariat and the EGA of Libya, aimed to :

- activate conservation activities in the country
- set up in ACCOBAMS area tissue banks
- provide training on tissue collection.

79. A CD-Rom on marine mammal tissue banks was edited by RAC/SPA and ACCOBAMS Secretariat. The CD-Rom is an educational and training tool with many images and printable documents.

80. A scientific workshop on harassing acoustic devices was held in Rome on 28 June 2004, with RAC/SPA's contribution.

81. RAC/SPA attended the Subcommittee on Marine Environment and Ecosystems (SCMEE) Scientific Advisory Committee Meeting, intended to coordinate activities and projects to mitigate by-catch in the Mediterranean region (29th May 2004).

82. RAC/SPA supported, as in previous editions, the Fourth and Fifth European Seminars on "Marine Mammals Biology and Conservation", organised by the International University Menendez Pelayo and the University of Valencia, from 9 to 13 September 2002 and from 13 to 17 September 2004 respectively. Three participants were fully supported by RAC/SPA for each seminar.

83. Layout of the documents "Whale watching" and "Guidelines for the Development of National Networks of Cetacean Stranding Monitoring" were prepared.

84. As the Sub-regional Coordinating Unit (Med SRCU), RAC/SPA prepared a report on the implementation of actions for the conservation of cetaceans in the Mediterranean sub-region since the COP1 and submitted it to ACCOBAMS Permanent Secretariat.

85. An educational kit on cetaceans is being prepared by ACCOBAMS Secretariat. The translation in Arabic will be done by RAC/SPA.

d) Implementation of the Action Plan for the conservation of marine vegetation in the Mediterranean Sea

86. A consultant has been appointed for the drafting of Guidelines for the elaboration of projects for seagrass meadow mapping. This activity is aimed at assisting countries to meet the objectives of the Action Plan on Marine Vegetation.

87. RAC/SPA together with IFREMER (France) has submitted a proposal for a Project on *Posidonia* conservation in the Western Mediterranean region (INTERREG). RAC/SPA's main contribution would be the organisation of the final workshop of the Project.

e) Implementation of the Action Plan for the conservation of cartilaginous fishes (chondrichthyans) in the Mediterranean Sea

88. Partner institutions for the implementation of the Action Plan for the conservation of cartilaginous fishes (chondrichthyans) in the Mediterranean Sea have been appointed to support RAC/SPA in implementing the activities identified in the plan.

- f) Implementation of the Action Plan for the conservation of bird species listed in Annex II to the Protocol concerning specially protected areas and biological diversity in the Mediterranean

89. RAC/SPA is undertaking the necessary steps to carry out two activities in Libya and Albania to identify important sites for birds and apply the SDF (Standards Data Form) to those sites. The two activities will be carried out in collaboration with African-Eurasian Waterbird Agreement (AEWA).

- g) Implementation of the Action Plan concerning species introductions and invasive species in the Mediterranean Sea

90. An international consultant was appointed in order to assist RAC/SPA in implementing the recommendations of the Action Plan on species introductions and invasive species in the Mediterranean Sea. As a first step, the consultant will mainly help RAC/SPA in fulfilling its regional obligations on implementing the Action Plan according to the adopted timetable. The consultant started working in September 2004.

- h) Selection, establishment and management of Specially Protected Areas of Mediterranean Importance (SPAMIS)

91. The MedMPA Project being implemented by RAC/SPA and its three Partners: ICRAM (Italy), UBM (Spain) and ATEN (France), with co-financing from the European Commission, will come to an end in December 2004. The Activities of the MedMPA Project are aimed to improve management level in several marine and coastal Mediterranean Protected Areas.

92. The activities of the Regional Project for the Development of Marine and Coastal Protected Areas in the Mediterranean Region (MedMPA Project) are being implemented in accordance with the work plan agreed with the European Commission, the countries and the partners involved in the Project. During the reporting period, these activities included the organisation of several field surveys, the drafting of management plans for marine protected areas and their submission to a consultation process, and the organisation of a regional training seminar on protected areas management planning.

93. RAC/SPA is assisting WWF France in re-launching the Mediterranean Protected Areas Network (MedPAN), a network of Mediterranean marine and coastal protected areas managers. This network is aimed at exchanging experience between managers and fostering the development of management tools.

94. RAC/SPA elaborated, in collaboration with WWF France, a Directory of Managers of Mediterranean Marine Protected Areas.

95. Following a request from the Algerian national focal point for SPAs, an Algerian national consultant was appointed in order to help prepare and draft dossiers for inclusion on the SPAMI List of three Algerian sites.

- i) Training activities concerning specially protected areas and species conservation

96. RAC/SPA sponsored the participation of five national experts (a Tunisian, a Maltese, an Albanian and two from Israel) at the Turtle Conservation Training Course held each year at Lara station in Cyprus in collaboration with the Department of Fisheries and Marine Research and Cyprus Wildlife Society (CWS).

- j) Project for the elaboration of the Strategic Action Programme for the Conservation of Biological Diversity in the Mediterranean region (SAP BIO)

97. RAC/SPA participated in the Fourth World Fisheries Congress (Vancouver, Canada, 2-6 May 2004) in order to promote the existing SAP BIO actions and initiatives related to fisheries, among other projects.

98. RAC/SPA took an active part in the Stocktaking Meeting for the development of the GEF Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem, Trieste, Italy, 11-12 October 2004.

99. Following this meeting a new version of the RAC/SPA proposal was prepared in collaboration with WWF Italy and sent to GEF Nairobi in order to be integrated in the (GEF SAPMED-SAPBIO) Framework Concept Paper for the partnership.

- k) Other issues

100. The study to initiate the implementation of the Mediterranean Clearing-House Mechanism (CHM) on marine biological diversity is under way.

101. RAC/SPA is working on updating its website and integrating in it various databases and in particular a GIS database. An updated version will be on the internet by mid November 2004.

102. RAC/SPA is publishing the newly adopted action plans and guidelines.

103. A Guide on species in need of special care in the Mediterranean and Guidelines on the establishment and management of protected areas were elaborated. The Guidelines will be translated and published in three languages (Arabic, English and French) and the Guide in two languages (English and French).

7. Environment and Development

Implementation of CAMPs

CAMP Algeria

104. The Diagnostic phase of the project was completed for all thematic activities. On October 10 a meeting took place in Algeria, in the presence of the Algerian Minister for the Environment, during which results were presented to stakeholders. Prior to this, a co-ordination meeting of all international consultants and the national team leaders was organised in order to discuss possible solutions for the problems identified. For each of the thematic activities this second phase is now in full swing.

CAMP Cyprus

105. A draft Agreement for the CAMP Cyprus project is being finalised, and is expected to be signed before the end of this year.

CAMP Lebanon

106. All activities in CAMP Lebanon were finalised already in 2003, except for the one on the Marine Protected Areas. The Final Integrated Report was prepared, as well as specific reports for each of the three municipalities involved. MEDU and PAP/RAC have been trying, for almost a year now, to define the date and agenda for a Final Presentation Conference. It is still unclear when and in which form this conference could take place in order to allow for a formal conclusion of this successful project.

CAMP Morocco

107. The final draft of the Feasibility Study for the CAMP Morocco was submitted to PAP/RAC. Prior to starting the preparation of the Agreement, the Ministry of Environment is going to propose a workshop to be held in the CAMP area in order to present the study and inform stakeholders of the activities envisaged.

CAMP Slovenia

108. Among the main reasons for the delay with the start of the implementation phase of the CAMP Slovenia are formal requirements, not fully envisaged before, which had to be respected according to the national legislation, such as the new national regulation on preparation, contents and procedures for the adoption of Regional Concept of Spatial Development. A number of institutions, ministries, sectors, and local authorities were identified and officially nominated as members of the Steering and Project Committees, which met twice in the reporting period. Co-ordination of the financial part of the project was also complicated as eight municipalities had to be consulted, and meetings were held with responsible authorities, as well as with the Ministry of Environment. Terms of Reference for individual activities were finalised, tender documentation prepared and most of the consultants selected. Contracts for individual activities are currently being signed and the project is entering its implementation phase. Work on the Regional Spatial Information System is still pending.

109. RAC/SPA will be in charge of the protected areas activities in Slovenia. The Terms of References are elaborated and the activities will start soon.

CAMP Mar Menor, Spain

110. A draft Agreement between MAP and the Spanish authorities was finalised. Due to internal administrative changes at the regional level and elections at the national level, the signing ceremony of the Agreement was postponed. At the moment PAP/RAC has no information from the Spanish side on when this event could take place.

Other Activities of PAP/RAC

111. PAP/RAC organised a very successful Mediterranean Forum on Integrated Coastal Management in Cagliari (May 28-29, 2004). It was attended by more than 200 participants. Financial support was obtained from the Italian Ministry of Environment, Region of Sardinia, and Province of Cagliari. The participants endorsed the recommendation to prepare the new protocol and discussed the findings of the Feasibility Study. The subsequent activities on ICAM Protocol are presented in a separate report under item 3 of the Agenda.

112. The second phase of the project for the formulation of erosion combating programmes in the pilot watersheds in the Maghreb countries was launched with a workshop organised on the subject in Tunis on June 30 - July 2, 2004 in collaboration with the

Directorate of Soils of the Tunisian Ministry of Agriculture and Water Resources. The main objective of the workshop was to train the national teams on the formulation of "technological packages" (preventive, protective and remedial measures) for erosion management in the watersheds mapped in the previous phase (valley of Bas Isser in Algeria, Oued Beni Boufrah in Morocco, Oued Ermel in Tunisia).

113. In close co-operation with PAP/RAC, FAO AGL Department launched a CD-ROM containing both Guidelines on soil erosion developed in previous years, and the recently published Photo-library on Erosion Processes.

114. Three National Reports on ICAM, namely for Turkey, Tunisia and Malta, were prepared and are currently being formatted. PAP/RAC will publish and distribute them soon.

115. The new draft Guidelines on Integrated Urban Water System Planning and Management in the coastal areas of the Mediterranean were revised and amended where necessary by external experts. Once finalised, they will be published and translated into French. A training course on the aforementioned Guidelines will be developed and organised early in 2005. Also, the Guide to Good Practice in Carrying Capacity Assessment (CCA) for Tourism was revised and will be re-printed.

116. Two draft pilot studies to evaluate the state of beach management in the Mediterranean were prepared in respect of Croatia and Tunisia.

117. In the framework of SAP MED proposals for introducing/adapting economic instruments to address marine pollution from landbased activities for the National Action Plan are under preparation.

118. In co-operation with METAP, PAP/RAC has organised a mission to Southern Albania. The objective of the mission was to assess the development of the region in the period after the preparation and adoption of the Coastal Zone Management Plan, prepared by PAP/RAC in mid nineties. The report will be used as the basis for the forthcoming Albanian-World Bank tender for project proposals to prepare a coastal development study and plan. PAP/RAC has been shortlisted and, currently, the technical proposal is being prepared.

The Programme on Historic Sites

119. Following the decisions of the CPs in Catania on the 100 Historic Sites Programme, two experts have been recruited by the MAP Secretariat to formulate an updated programme that is expected to focus on sustainable development and cultural heritage. A government-designated experts meeting is planned to be organised by France in spring 2005 with a view to discuss the draft of the new programme.

120. Meanwhile the current programme on Historic Sites is implementing several activities in close cooperation with UNESCO and World Bank such as a public policy forum involving municipal and port authorities, NGOs, town planners, architects, historians, and others'; participation in the implementation of local Agenda 21 as it is the case of Morocco and Turkey; and a training course for Mayors in the Mediterranean Region.

ERS/RAC and ICT

121. The Host Country Agreement between UNEP/MAP and the Italian Ministry for the Environment and Territory in respect of ERS/RAC was signed on 15 October 2004. All the legal and administrative aspects for the functioning of ERS/RAC have been defined between the Sicilian Region and the Italian Ministry of Environment and Territory.

122. The Regional Activity Centre in Italy is now a public entity, and a new Director, Mr Sergio Illuminato, was appointed. Over two and a half million Euros have been allocated for the Centre's administration and activities.

123. In agreement with MEDU and the Italian Ministry of Environment and Territory, the Centre will be carrying out the following activities in the field of information and communication technology:

- a) Redevelopment of the UNEP/MAP website;
- b) Campus EcoMed-ia;
- c) Multivisual Event dedicated to the "30 years of UNEP/MAP" for the next CP Meeting.

124. Within the framework of the extension of activities of ERS/RAC in the field of information and communication technology, ERS/RAC submitted its contribution to the work being carried out for the development of the MSSD.

B. Specific issues

a. Legal Issues

1. Entry into force of the amendments to the Barcelona Convention

125. As at 14 September 2004, a total of 16 Contracting Parties had accepted the amendments to the revised Convention, 14 had accepted the amendments to the revised Dumping Protocol and 13 to the revised LBS Protocol. In addition, 14 Contracting Parties had ratified the new Specially Protected Areas (SPA) and Biodiversity Protocol, 4 the new Offshore Protocol, 4 the new Hazardous Wastes Protocol and 7 the new Prevention and Emergency Protocol.

126. Of these new and revised instruments, as at 14 September 2004 the Amendments to the Convention, the new SPA and Biodiversity Protocol and the new Prevention and Emergency Protocol had entered into force. It should be recalled that six ratifications are required for the entry into force of a new Protocol and that 16 Contracting Parties have to accept the amendments (as adopted in 1995) to a revised instrument for it to enter into force.

127. The Amended Convention has come into force on 9 July 2004, 30 days following the deposit of the 16th instrument of acceptance by Algeria.

128. The new Prevention and Emergency Protocol has come into force in March 2004, one month after the deposit of the 6th ratification instrument by Slovenia.

129. It has to be noted that Turkey has ratified the new Hazardous Waste Protocol adopted in Izmir in 1996, thus bringing the total number of ratifications to 5.

130. The entry into force of the amended Convention may require the need for identifying appropriate actions, measures and recommendations with regard to those CPs that have not yet either signed, ratified or accepted the revised or new legal instruments of MAP. The Secretariat will follow carefully all issues that might derive from the above, in close cooperation with the Depository Country. Any related findings, suggestions or recommendations will be reported to the forthcoming meeting of the Bureau in 2005.

Recommendation:

The Bureau may wish to invite all CPs to organise events focusing on the entry into force of the revised Convention and to request the Secretariat to provide any assistance requested by them in this regard, emphasising also the necessity of the entry into force of the other 4 revised and new legal instruments (the Dumping, the LBS, the Offshore and the Hazardous Waste Protocols).

2. New legal instrument on ICAM

131. Following the recommendations of the Regional Forum on ICAM protocol, held in Cagliari in May 2004, a group composed of legal and technical experts was set-up by PAP/RAC to draft the protocol. The group met for the first time in the premises of PAP/RAC, in Split, on 1-2 October 2004, with the objective to discuss the content and structure of the protocol; define a calendar of activities related to the preparation of the protocol; and to decide on the distribution of tasks between the members of the drafting group.

132. On the basis of a general text of the protocol drafted by the group co-ordinator and disseminated to the participants prior the meeting, the members of the group discussed in detail and defined the contents of various chapters and articles of the protocol. The final scheme of the protocol, as adopted during the meeting, is given in **Annex IV** to this report.

133. The members of the group agreed on the distribution of the tasks and on the modalities of work. Also, PAP/RAC proposed a series of meetings to be organised in order to ensure an adequate consultation process before the submission of the draft text of the protocol to the Contracting Parties. It was also agreed that the next meeting of the working group will be held in Athens, on 4-5 January 2005.

3. Compliance Mechanism and Reporting

134. As discussed and decided at the last Meeting of the Bureau, the reporting process under MAP is progressing well. The number of countries to which assistance is being provided for the preparation of the national reports stands at 13. Provisions are being made to provide assistance to Tunisia and probably also to Malta.

135. The Contracting Parties have informed the Secretariat on the progress made on the preparation of their National Reports. Algeria is the first country that has submitted for comments a very comprehensive national report.

136. With regard to the harmonisation of MAP reporting system, the Secretariat has prepared a detailed study for discussion at the first meeting of the Working Group on Implementation and Compliance to be held in Athens on 8 and 9 November 2004. The objectives of the Meeting are the following:

- To analyse the structure and content of the Barcelona Convention and its protocol *vis à vis* a possible compliance mechanism and a non-compliance procedure;
- To examine, compare and analyse compliance mechanisms and non compliance procedures of a certain number of MEAs (Multilateral Environmental Agreements);
- To define a road map and milestones for setting up a compliance mechanism and non-compliance procedure under the Barcelona Convention.

137. The Working Group is expected to provide guidance to the Secretariat on the option(s) of the compliance mechanism that could be developed further.

138. The Bureau Members will be informed on the main findings and recommendations of the First Meeting of the Working Group on Implementation and Compliance through an addendum that will be submitted in time before the meeting of the Bureau.

139. It has to be recalled that with the entry into force of the amended Convention, reporting under Article 26 represents one of the major legal obligations.

Recommendation:

Due to the extensive work required for the preparation of the first national report on the implementation of the Barcelona Convention and its Protocols, the Bureau may deem it useful to urge the Contracting Parties to submit their reports on time in order that the first regional report on the Implementation of the Barcelona Convention for the 2002-2003 biennium will be finalised successfully.

4. Liability and Compensation

140. At their 13th Meeting, the Contracting Parties requested the Secretariat to prepare a feasibility study on Liability and Compensation.

141. During the period covered by this report, steps have been taken for the selection and recruitment of the regional expert and elaboration of a clear methodological approach. The work involved should combine research, information gathering, consultation, data analysis, review and validation of previous work done under MAP. Existing national, international and regional liability and compensation regimes will also be examined.

142. With a view to implementing the aforementioned recommendation the Secretariat has focused its attention on the following points:

- Achieve and ensure synergy to the extent possible with the past and ongoing legal developments in this field;
- Convene a fully participatory consultation process through the involvement of all Contracting Parties and concerned socio-economic actors, at an early stage of the preparation of the feasibility study, due to the sensitivity of the issue.

143. With regards to synergy with existing regimes, one of the following options or proposals is expected to be developed by the Feasibility Study:

- To make use of international legal instruments in force which are of relevance to liability for environmental damage in the Mediterranean sea and its coastal area;
- To evaluate the relevant agreements already in force and consider whether they should be amended to address questions of civil liability for environmental damage in marine and coastal area in the Mediterranean;
- To promote the entry into force of existing international agreements containing provisions, which, *inter-alia* cover civil liability for environmental damage in marine and coastal area and identify the reasons why they have not yet entered into force. In this regard, the possibility of amendments or adjustments to these agreements might be considered;
- To develop a new legal instrument providing for civil liability *inter-alia* for environmental damage in marine and coastal area under the Barcelona Convention, including the main elements for such a legal instrument or regime justifying the needs;
- To develop a code of conduct, guidelines and recommendations concerning liability, *inter-alia* for damage resulting from environmental damage in the marine and coastal environment under the Barcelona Convention.

144. With regards to the consultation process, the Secretariat has disseminated to MAP NFPs and MAP partners, four technical questionnaires, apart from direct consultations which will be held in some countries.

145. The feasibility study will be discussed in a meeting of experts to be organised by not later than May 2005.

146. The Bureau will be informed of its main findings and recommendations at its forthcoming meeting in 2005.

Recommendation:

The Bureau may wish to urge the Contracting Parties to contribute to the preparation of the Feasibility Study and providing on time the requested information by the Secretariat.

b. Institutional matters:

1. Evaluations: MAP, MED POL, ERS/RAC; CP/RAC

MAP

147. Following the decision on MAP evaluation taken at the last Bureau Meeting, the Secretariat has prepared ToRs, including the profile of evaluators, and submitted them in early September for comments to the Members of the Bureau.

148. The Secretariat has recruited a team of evaluators headed by Mr Delmar Blasco, the former Executive Secretary of the Ramsar Convention.

149. An evaluation methodology and questionnaires are being formulated. Preparations are being made for the organisation of a meeting to launch the MAP evaluation to be held on 9 and 10 December 2004 in Athens. An information and invitation letter for this meeting has been sent to all MAP NFPs.

150. The Bureau will be given full information on a detailed methodology on the process on MAP evaluation through an addendum to this report.

151. The Secretariat wishes to share with the Bureau Members the need and the necessity for an active involvement from all MAP NFPs in the process of MAP evaluation.

Recommendation:

The Bureau may wish to invite all MAP NFPs to participate in the launching meeting on MAP evaluation to be convened in Athens on 9-10 December 2004 and to take an active part in this important exercise.

MED POL

152. The evaluation of MED POL is being finalized. Three experts representing the region (France, Greece and Syria) were recruited. They visited a number of countries and interviewed representatives from several institutes and authorities. The report is expected to be finalized by the end of November.

ERS/RAC

153. The process of evaluation is expected to be concluded by the end of October 2004. The report will be submitted to the Coordination Unit and to the Italian Ministry of Environment and Territory for their assessment. The report will also be sent to the NFPs. A presentation of the report including its findings and recommendations will be made by the authors to the NFP at a meeting to be convened for the purpose on 16 December in Catania.

Recommendation:

The Bureau may deem it useful to request the Secretariat to submit to the next Bureau meeting its comments on the ERS/RAC evaluation and especially with regard to the main findings and recommendations in the report.

CP/RAC

154. The Terms of Reference for the CP/RAC evaluation were prepared on the basis of the ToRs of earlier RACs evaluations, namely SPA/RAC, PAP/RAC and BP/RAC. The ToR were sent for revision by the MAP Secretariat and the Ministry of Environment of Spain.

155. The consultancy firm SGS Tecnos was awarded the contract for this project, due to their vast experience in evaluating management activities. It also proposed a multi-disciplinary team of four experts that would carry out the evaluation.

156. The evaluation report is currently in the drafting stage and is expected to be finalised by the end of November 2005.

2. Preparations for the 14th Contracting Parties Meeting

157. A preliminary calendar of the main institutional meetings of MAP, RACs and Programmes has been discussed and agreed to by the Secretariat. Preparations for the 14th CP Meeting to be held in Slovenia are under way.

158. With a view to discuss issues related to the logistics, budget, and other activities related to the CPs meeting, an exploratory mission from the Secretariat headed by the Coordinator, was conducted in July 2004. The mission was received and had preliminary discussions with the Slovenian Minister for the Environment. Following the outcome of the recent general elections in the country, the Secretariat is awaiting the appointment of the new Slovenian Minister for the Environment to proceed with the necessary preparations.

159. According to the preliminary calendar of meetings, it is expected that the meeting of REMPEC NFP will be held in April (25-29/04/2005), joint NFP meeting of BP/PAP/ERS-RACs will be held in early May (18 – 21 May 2005); joint NFP Meeting of MED POL and CP/RAC end of May (24 – 27 May 2005). MCSD and Bureau meetings are scheduled for the third week of June 2005.

160. A change of date for the MAP NFP meeting from 13– 16 September 2005 to 21 – 24 September has been made due to the non-availability of conference facilities in Athens during the days originally chosen due to a major conference in the city.

161. The 14th CP Meeting is going to be held on the 30 year Anniversary of MAP and the entry into force of the Amendments to the Convention, two significant milestones in the

history of MAP. Moreover, the next CP meeting is expected to approve the MSSD and possibly also a new ICAM Protocol.

162. To this aim, several activities are planned to be organised by the Secretariat to commemorate the event, including:

- A special issue of MedWaves
- A multivisual presentation
- A set of commemorative items

163. Moreover, the Secretariat intends to enlist the support of the Division of Communication and Public Information of UNEP to help give the maximum exposure to MAP and the CPs Meeting in the international media.

Recommendation:

The Bureau may wish to discuss this issue as it may deem useful. The Bureau may also wish to invite the Contracting Parties to organize events at the national level to mark the entry into force of the amendments to the Barcelona Convention and the 30th Anniversary of MAP.

c. Cooperation with Partners

1. Accreditation to ECOSOC and CSD

164. Following the decision of the Contracting Parties in Catania requesting the Secretariat "to undertake the necessary steps to request the accreditation of the Barcelona Convention with UN-ECOSOC, so as to improve the visibility of MAP and be able to participate directly to UNCSD as an observer, with a view to increase its involvement in the implementation of UNCSD decisions at the regional level", the Secretariat has contacted UN concerned services to appraise the ways for such accreditation. Being a Regional Seas Programme in the framework of UNEP, the Secretariat was informed that the Barcelona Convention does not fall under any of the Major Groups categories and that this issue should be settled with UNEP.

165. The Coordinator discussed this issue with the Executive Director of UNEP who is of the opinion that the UNEP delegation to the CSD would represent MAP as one of the Regional Seas adding that by joining forces, the Regional Seas would have a stronger unified voice at the UNCSD.

Recommendation:

The Bureau members may wish to consider the advice of UNEPs Executive Director on the issue and agree not to seek the accreditation of the Barcelona Convention with UN-ECOSOC and CSD.

2. Cooperation with the EC

166. Following the decision of the Catania meeting and discussions during the last Bureau meeting held in Genoa on 16 June 2004 and the meeting of the Coordinator with the European Commission (DG Environment) last June, the Secretariat has prepared a draft joint working programme which is attached as **Annex V** to this report. In drafting this joint work programme, the Secretariat has been careful to propose activities that can be implemented

in the short and medium term in order that this cooperation between MAP and the EC can be strengthened further.

Recommendation:

The Bureau is invited to discuss the content of the draft joint working paper as it may deem useful and recommend the next steps forward.

3. *New GEF Strategic Partnership*

167. On the basis of the achievements made in the region in the field of land-based pollution reduction and protection of biodiversity, highlighted by the ongoing implementation of the SAP MED and the adoption of the SAP BIO, and the prospects of a new Protocol on ICAM, a strategic Partnership for the Mediterranean Sea Large Ecosystem is being proposed by UNEP and the World Bank to the Mediterranean countries and to the GEF Council for financing, as a collective effort for the protection of the environmental resources of the Mediterranean. The Partnership, which proposes the UNEP/MAP as the main executing Agency together with FAO, UNESCO, UNIDO, ICS-UNIDO, METAP/WB, has the main objective to assist the countries of the region in implementing reforms and investments in key areas addressing transboundary pollution reduction, biodiversity decline, habitat degradation and living resources protection as identified in the SAP MED and the SAP BIO.

168. The Strategic Partnership consists of two main components, a regional component addressing the implementation of activities directly arising from the requirements of the SAP MED and the SAP BIO (managed by UNEP) and the establishment of an Investment Fund (managed by the World Bank) to assist countries in operating the necessary investments deriving from the implementation of the SAPs' targets and of other priority actions indicated in the recently updated Transboundary Diagnostic Analysis (TDA).

169. At the invitation of the Government of Italy, a Stocktaking Meeting related to the initiative was held in Trieste on 11-12 October. The Meeting, which was attended by all the Partnership's executing Agencies, presented to the countries of the region the content and the objectives of the Partnership and sought consensus before the formal submission of the initiative to the GEF Council. The participants unanimously appreciated the initiative, praised the integrated approach presented and solicited the formal submission of the Partnership for funding. In particular, and in view of the very early stage of implementation of the SAP BIO, the participants stressed that the biodiversity component had to receive special attention to allow a proper launching of the activities both at the regional and national levels.

170. As a result, UNEP will now coordinate the preparation of the PDF-B Project which should be completed before the end of 2004.

d. *Mediterranean Commission on Sustainable Development (MCSD)*

1. *Progress on the Preparation of the MSSD*

171. The ninth meeting of the Mediterranean Commission on Sustainable Development was held from 17 to 19 June 2004 in Genoa, Italy just after the meeting of the Bureau of the Contracting Parties. The main item was the preparatory process for the Mediterranean Strategy for Sustainable Development through which several documents were prepared, in particular the Common Vision and Framework Orientations for sustainable development in the Mediterranean that were submitted to the 13th meeting of the Contracting Parties and later on, together with a proposed set of draft Strategic Thematic Notes, to the

MCSD meeting. All MAP components informed the MCSD on the relation of their respective programmes with sustainable development. In particular BP/RAC presented a summary of the Report on Environment and Development (RED) as it is expected to constitute a major input for the preparation of the MSSD.

172. Following related discussions and proposals from the MCSD meeting, as well as those of a MEDU and MAP Components meeting held in early June 2004, BP/RAC was entrusted with the technical preparation of the draft MSSD under the supervision of the Coordinating Unit. A rather tight timetable was agreed upon and a new consultant was appointed by BP/RAC with the financial support from MEDU.

173. A draft report will be submitted to the Bureau members before the meeting for their consideration, comments and advice. Considering that the Vision and Framework Orientations were reviewed by both the MCSD and the Contracting Parties, the MSSD will build on their guidelines and messages, enriched by the analytical conclusions from the Report on Environment and Development. In conformity with the decisions of the Contracting Parties, in particular the conclusion of the "Strategic Review", and as a follow up of the WSSD and the Johannesburg Plan of Implementation, the MSSD report will give due consideration to an integrated approach, to economic, social and environmental concerns together with governance. It shall also give serious consideration to the institutional, technical and financial means, as well as the follow up mechanisms.

174. Being a Strategy for the whole Mediterranean, the MSSD aims to be "endorsed" by other Mediterranean Regional Partners, in addition to the fact that it will provide major guidelines for the preparation of the next programme of work for MAP for the period 2007-2017 (or 2020). To that end, main Regional Partners should also be consulted about the contents of the draft Strategy document, at an early stage.

175. Soon after the draft is reviewed by the Bureau and then by the Steering Committee of the MCSD, a revised version will be submitted to MAP National Focal Points and MCSD members, as well as concerned Partners for their comments, before a further revised version is presented to a major workshop of experts foreseen to take place by the end of March 2005, in Italy. After this workshop, a new draft for the MSSD will be prepared, circulated for comments and then presented to the 10th MCSD meeting in June 2005.

176. Major challenges pave the way towards a relevant, coherent and realistic MSSD. It is intended to produce a short document (25 pages) that will encompass main stakes, define major risks, identify key strategic actions, draw necessary policy and institutional reforms, and propose realistic implementation means and mechanisms, in addition to the needed endorsement by the Contracting Parties and as far as possible, higher national authorities.

Recommendation:

The Bureau members are invited to review the contents of the draft MSSD report, to advise the Secretariat on the above challenges, and to provide suggestions on the preparatory process for the review and endorsement of the MSSD by the Contracting Parties, Regional Institutions and other Partners.

National Strategies for Sustainable Development (NSSDs)

177. Following the request by several Contracting Parties and MCSD members to assess the status of activities in the Region in relation to sustainable development, a regional assessment is being undertaken and a draft report is expected before the end of the year.

Based on available and accessible information, this assessment already shows that there are few coordinated sustainable development activities in the countries and a limited number of National Commissions for Sustainable Development. However there is evidence that awareness is progressing quickly and that major steps are expected in many countries. Brief "country profiles" are being prepared, that will be reviewed by respective Countries and regularly updated.

178. Meanwhile, technical and financial support is being provided to several Mediterranean Countries for the preparation of National Strategies for Sustainable Development. In this context, Italy and Monaco are providing financial assistance to MEDU, that together with funds from the MTF, will be used for the preparation of NSSDs in Egypt, Montenegro (within the State Union of Serbia and Montenegro), Morocco and Syria. Terms of Reference are being prepared and necessary administrative steps are on going. It is expected to launch related activities during the period of November-December 2004, in order to have substantial results to report to the next meeting of the Parties.

Recommendation:

The Bureau members are invited to encourage other countries to provide technical and financial support so as to enable all Mediterranean Countries to prepare National Strategies for Sustainable Development and establish National Commissions for Sustainable Development; they might also consider thanking Italy and Monaco for their support.

MCSD Programme of work

179. Besides the subject of "Free Trade and Environment" that is an on-going activity, all issues of the MCSD programme of work defined in 1996 have been studied and recommendations proposed to, and adopted by the Contracting Parties. A few new issues were launched such as "Financing for Cooperation" and "Local Governance". However, the MCSD was requested, in the context of its assessment and prospects, to workout a new programme of work starting with the period 2004-2007. At their last meeting, the Contracting Parties agreed that *"At its 2004 session, the Commission should prepare a medium-term Programme of Work for the period 2004-2007 to be endorsed by the Bureau, based on the priorities of relevant global, regional and national initiatives, such as the United Nations Commission on Sustainable Development (UNCSD) and national commissions on sustainable development, as they relate to the Mediterranean specificities; this programme will then be revised in line with the objectives and priorities of the MSSD once approved by the Contracting Parties"* (UNEP(DEC)/MED IG.15/11, Annex III, Appendix I, paragraph 16).

180. Giving due consideration to new developments, in particular the new method of work of the UN-CSD and the Johannesburg recommendations, a MCSD programme of work was prepared and presented to the 9th Meeting of the MCSD. It was considered that *"The work programme as proposed should be seen as a basic blueprint for action in the period ahead, allowing for all due flexibility to enable specific or new concerns to be reflected, pending review and revision in the light of the Strategy. Matters such as working modalities should be decided by the Secretariat, throughout the implementation of the programme and as appropriate depending on respective issue and existing capacities, while applying the approach of a technical session the first year and a policy one the second year. The Secretariat was requested to proceed with the proposed programme of work and method of work, bearing in mind that it would be re-assessed once the MSSD had been adopted"* (UNEP(DEC)/MED WG.294/4)-See **Annex VI**.

Recommendation:

In order to proceed with the new programme of work, the members of the Bureau are invited to review and endorse this programme of work, keeping in mind that it will be revised and extended to the year 2015 once the Mediterranean Strategy for Sustainable Development is approved by the Contracting Parties.

2. Report on Environment and Development (RED)

181. The draft of the Report on Environment and Development was only completed in October. The six major thematic chapters in Part 2 (water, energy, cities, transport, rural areas, coasts and tourism) were substantially improved and updated. Part 1, on the general dynamic in the region, has been revised and updated.

182. Part 3 (synthesis and call for action) required intensive work in September and October. In particular, the data and analyses on financing and cooperation for sustainable development were revised. After the comments of the Steering Committee have been incorporated, this concluding chapter (40 pages) will be translated into English.

183. Parts 1 and 2 will be sent to Blue Plan Focal Points before the end of October and Part 3 will be dispatched in November, requesting any comments before the end of December. It should be recalled that this report, like its predecessor published in 1989, is not intended for approval by the Parties. It is nonetheless important that the Blue Plan Focal Points help to correct any errors that may have slipped in and make any comments, particularly on Part 3, the most important section.

184. The report, totalling almost 600 pages, is based on the mass of data, information and analyses collected by Blue Plan, other MAP components, the many Mediterranean studies available, and the meetings of experts organized by the Centre in recent years. It sounds a new warning on the danger of the impact of current trends up to 2025. It also shows that win/win scenarios (environment and development) are possible and could yield considerable benefits, particularly by decoupling the economy and the environment. Such a division would also curtail the number of structures (power stations, desalination plants) built along the coast.

185. The RED also draws attention to the tools that could be used to respond and improve the integration of the environment and development by providing, where possible, concrete examples of successes achieved. It underlines the importance of strengthening environmental and sustainable development policies at the country level and of regional cooperation.

186. A preliminary synthesis of the Report was presented to the 9th Meeting of the MCSD, the meeting of SMAP correspondents held in Brussels on 21 and 22 June, and the "Mediterranean meeting" organized by France at the end of May.

187. The SMAP meeting underlined the importance of the Report as a key document to assist policy developments in the region and the MCSD urged that it be utilized when drawing up the future Mediterranean Strategy for Sustainable Development.

188. In the coming months, the priority will be to refine the document, particularly its format (layout), and to improve the English text. A qualified reviser will soon be engaged for this purpose.

189. The main objective should be to ensure that the RED is widely distributed and reaches a large number of the public. There have been contacts with publishers and it is hoped that the Report will be published before May 2005. The 1989 Report was translated

into the principal Mediterranean languages and it would be extremely helpful if the Contracting Parties could assume responsibility for translating it into their own languages. In order to ensure widespread distribution, it is planned to produce a short version of some 100-150 pages and the longer version on CD-Rom. The decision will be taken in the light of the financial resources available after negotiations with the publishers. To allow the RED to be distributed widely in various countries, Focal Points will be asked to draw up a list of universities or public libraries that might be particularly interested in receiving it.

190. It will also be important to present the RED at various events. The MAP/MEDU is planning to hold a meeting for journalists. The European Environment Agency, which has supported the Report, has recommended that Blue Plan prepare two "4-page texts" introducing the Report and has proposed to launch it at a meeting in Brussels, to which the President of the Bureau of the Contracting Parties could be invited. BP/RAC also received a message from the Alexandria Library (whose Director took part in the Mediterranean meeting in Marseille) expressing the interest of the Library's President in organizing an event in Alexandria.

191. For those countries that so wish, Blue Plan could attend the events organized by them, depending on availability and resources. It would be particularly beneficial to present the RED at *ad hoc* meetings attended by persons concerned by the various problems addressed in the Report. The budget for the biennium, however, is limited and it is hoped that additional resources will become available to reinforce dissemination and communication. Contacts have been established with the European Commission and the Italian Environment Agency/RMSU (Regional Mediterranean Support Unit) of the SMAP programme. Depending on the finance and the time available, a series of short (4-page) texts and power point presentations could be prepared so as to disseminate the work to a wider target audience (for example, those responsible for transport or energy) and resources found for visits to countries. A communication strategy will be defined once the cost of publication and the resources available become clearer.

Recommendations:

The Bureau is invited to emphasize the value of this Report and invite the Contracting Parties to facilitate its finalization, assume responsibility for its translation where necessary and ensure its broad distribution.

The Bureau may wish to thank the European Commission, which has helped to finance the Report, and may wish to request its continued support especially for the communications strategy.

3. Financing and cooperation for sustainable development

192. This topic, taken up within the context of the MCSD, led BP/RAC to organize a regional workshop of experts in Sophia Antipolis on 3 and 4 June and then to submit a 10-page analytical paper to the 9th Meeting of the MCSD held in Genoa.

193. This activity has been the subject of considerable preparatory work. In addition to utilizing data from the OECD's Development Assistance Committee, BP/RAC commissioned an in-depth regional study and two national studies (Morocco and Croatia). Attention should also be drawn to the valuable participation of experts from the European Commission and a number of countries in the workshop.

194. The studies conducted were innovative both in themselves and for the MAP.

195. The analyses highlighted the ongoing presence of major obstacles, mainly inadequate mobilization of actors and capital for sustainable development and the absence of incentives to integrate sustainability objectives in financing and investment decisions and cooperation. One particular feature is the small amount of public financing actually devoted to sustainable development in the Mediterranean.

196. The workshop put forward a number of proposals addressed to the Euro-Mediterranean Partnership, other donors, and countries.

197. The MCSD expressed its satisfaction at the work accomplished. The discussion that took place following the presentation provided further extremely useful points of view.

198. These analyses are important for the future Mediterranean Strategy for Sustainable Development. They are also covered and developed further in the Report on Environment and Development.

199. As the workshop recommended, it would be helpful if Ministers for the Economy in the Euro-Mediterranean Partnership discussed among themselves the best way of integrating sustainable development objectives in their decisions. Likewise, the commitments on sustainable development in the Mediterranean made by the EIB, other donors and the MEDA should receive stronger support.

200. Large-scale infrastructures are still financed and supported by donors without any environmental precautions. For example, highways are built on the coast itself, with a negative impact on the coastline and on biological diversity.

201. As a follow-up, it was suggested that Blue Plan draw up "financial indicators" in order to monitor progress over time and also collect instances of good practices. For example, it would be useful to ascertain the share of international financing used for public transport or combating pollution over the long term, thereby highlighting the noticeable difference in treatment between EU countries and others.

Recommendations:

The Bureau is invited to underline the importance of pursuing this activity in the Mediterranean and recommend that the issue will be discussed in the Euro-Mediterranean Partnership's economic forums.

The Bureau is also invited to consider requesting the Secretariat to approach the European Commission to ensure that the EIB, which has a growing number of activities in the Mediterranean, incorporates environmental concerns to a greater extent.

Workshop on sustainable development policies and indicators

202. In May, BP/RAC took part in a meeting on sustainable development indicators organized by Tunisia and attended by some twelve countries. The workshop expressed the hope that Blue Plan, together with volunteer countries, consider how a more structured project for monitoring sustainable development and disseminating information could be established. It was suggested that a working group be set up for this purpose.

203. BP/RAC has undertaken to organize a regional workshop on sustainable development policies and indicators in May 2005. It proposes to organize a steering committee in December to prepare the workshop. The workshop will assess the results of the activities on indicators carried out since 1999 and will make proposals on refocusing them so as to provide better support for sustainable development policies. It will also select a series of indicators to be used to monitor the progress of the future Strategy.

204. One priority for MAP/Blue Plan should be to establish a longer-term programme with the European Environment Agency and Mediterranean countries for monitoring progress in sustainable development terms.

205. In order to enhance integration of sustainable development in the Euro-Mediterranean Partnership and in countries, a more structured agreement should be established among MAP/Blue Plan, the EEA and the countries.

Recommendations:

The Bureau is invited to underline the importance of improving the structure of relations with other organizations in the area of information on sustainable development and request the Coordinator and BP/RAC to approach the EC and in particular the EEA for this purpose in order to explore ways of implementing ongoing cooperation.

The Bureau is also invited to encourage the CPs and MAP Secretariat to prepare an assessment of the implementation of recommendations on sustainable development indicators in preparation for the workshop to be held in May 2005.

ANNEX I

STATUS OF SIGNATURES AND RATIFICATIONS

as at 14 September 2004

Contracting Parties	Barcelona Convention 1/			Dumping Protocol 2/			Emergency Protocol 3/		New Emergency Protocol 4/	
	Signature	Ratification	Acceptance of Amendments	Signature	Ratification	Acceptance of Amendments	Signature	Ratification	Signature	Ratification
Albania	-	30.05.90/AC	26.07.01	-	30.05.90/AC	26.07.01	-	30.05.90/AC	-	-
Algeria	-	16.02.81/AC	09.06.04	-	16.03.81/AC	-	-	16.03.81/AC	25.01.02	-
Bosnia & Herzegovina	-	01.03.92/SUC	-	-	01.03.92/SUC	-	-	01.03.92/SUC	-	-
Croatia	-	08.10.91/SUC	03.05.99	-	08.10.91/SUC	03.05.99	-	08.10.91/SUC	25.01.02	01.10.03
Cyprus	16.02.76	19.11.79	15.10.01	16.02.76	19.11.79	18.07.03	16.02.76	19.11.79	25.01.02	-
European Commission	13.09.76	16.03.78/AP	12.11.99	13.09.76	16.03.78/AP	12.11.99	13.09.76	12.08.81/AP	25.01.02	25.06.04
Egypt	16.02.76	24.08.78/AP	11.02.00	16.02.76	24.08.78/AP	11.02.00	16.02.76	24.08.78/AC	-	-
France	16.02.76	11.03.78/AP	16.04.01	16.02.76	11.03.78/AP	16.04.01	16.02.76	11.03.78/AP	25.01.02	02.07.03
Greece	16.02.76	03.01.79	10.03.03	11.02.77	03.01.79	-	16.02.76	03.01.79	25.01.02	-
Israel	16.02.76	03.03.78	-	16.02.76	01.03.84	-	16.02.76	03.03.78	22.01.03	-
Italy	16.02.76	03.02.79	07.09.99	16.02.76	03.02.79	07.09.99	16.02.76	03.02.79	25.01.02	-
Lebanon	16.02.76	08.11.77/AC	-	16.02.76	08.11.77/AC	-	16.02.76	08.11.77/AC	-	-
Libya	31.01.77	31.01.79	-	31.01.77	31.01.79	-	31.01.77	31.01.79	25.01.02	-
Malta	16.02.76	30.12.77	28.10.99	16.02.76	30.12.77	28.10.99	16.02.76	30.12.77	25.01.02	18.02.03
Monaco	16.02.76	20.09.77	11.04.97	16.02.76	20.09.77	11.04.97	16.02.76	20.09.77	25.01.02	03.04.02
Morocco	16.02.76	15.01.80	-	16.02.76	15.01.80	05.12.97	16.02.76	15.01.80	25.01.02	-
Serbia & Montenegro	-	16.07.2002	-	-	16.07.2002	-	-	16.07.2002	-	-
Slovenia	-	15.03.94/AC	08.01.03	-	15.03.94/AC	08.01.03	-	15.03.94/AC	25.01.02	16.02.04
Spain	16.02.76	17.12.76	17.02.99	16.02.76	17.12.76	17.02.99	16.02.76	17.12.76	25.01.02	-
Syria	-	26.12.78/AC	10.10.03	-	26.12.78/AC	-	-	26.12.78/AC	25.01.02	-
Tunisia	25.05.76	30.07.77	01.06.98	25.05.76	30.07.77	01.06.98	25.05.76	30.07.77	25.01.02	-
Turkey	16.02.76	06.04.81	18.09.02	16.02.76	06.04.81	18.09.02	16.02.76	06.04.81	-	04.06.03

Accession = AC

Approval = AP

Succession = SUC

Contracting Parties	Land-Based Sources Protocol 5/			Specially Protected Areas Protocol 6/		SPA & Biodiversity Protocol 7/		Offshore Protocol 8/		Hazardous Wastes Protocol 9/	
	Signature	Ratification	Acceptance of Amendments	Signature	Ratification	Signature	Ratification	Signature	Ratification	Signature	Ratification
Albania	-	30.05.90/AC	26.07.01	-	30.05.90/AC	10.06.95	26.07.01	-	26.07.01	-	26.07.01
Algeria	-	02.05.83/AC	-	-	16.05.85/AC	10.06.95	-	-	-	01.10.96	-
Bosnia & Herzegovina	-	22.10.94/SUC	-	-	22.10.94/SUC	-	-	-	-	-	-
Croatia	-	12.06.92/SUC	-	-	12.06.92/SUC	10.06.95	12.04.02	14.10.94	-	-	-
Cyprus	17.05.80	28.06.88	12.10.01	-	28.06.88/AC	10.06.95	15.10.01	14.10.94	15.10.01	-	-
European Community	17.05.80	07.10.83/AP	12.11.99	30.03.83	30.06.84/AP	10.06.95	12.11.99	-	-	-	-
Egypt	-	18.05.83/AC	-	16.02.83	08.07.83	10.06.95	11.02.00	-	-	01.10.96	-
France	17.05.80	13.07.82/AP	16.04.01	03.04.82	02.09.86/AP	10.06.95	16.04.01	-	-	-	-
Greece	17.05.80	26.01.87	10.03.03	03.04.82	26.01.87	10.06.95	-	14.10.94	-	01.10.96	-
Israel	17.05.80	21.02.91	-	03.04.82	28.10.87	10.06.95	-	14.10.94	-	-	-
Italy	17.05.80	04.07.85	07.09.99	03.04.82	04.07.85	10.06.95	07.09.99	14.10.94	-	01.10.96	-
Lebanon	17.05.80	27.12.94	-	-	27.12.94/AC	-	-	-	-	-	-
Libya	17.05.80	06.06.89/AP	-	-	06.06.89/AC	10.06.95	-	-	-	01.10.96	-
Malta	17.05.80	02.03.89	28.10.99	03.04.82	11.01.88	10.06.95	28.10.99	14.10.94	-	01.10.96	28.10.99
Monaco	17.05.80	12.01.83	26.11.96	03.04.82	29.05.89	10.06.95	03.06.97	14.10.94	-	01.10.96	-
Morocco	17.05.80	09.02.87	02.10.96	02.04.83	22.06.90	10.06.95	-	-	01.07.99	20.03.97	01.07.99
Serbia & Montenegro	-	16.07.2002	-	-	16.07.2002	-	-	-	-	-	-
Slovenia	-	16.09.93/AC	08.01.03	-	16.09.93/AC	-	08.01.03	10.10.95	-	-	-
Spain	17.05.80	06.06.84	17.02.99	03.04.82	22.12.87	10.06.95	23.12.98	14.10.94	-	01.10.96	-
Syria	-	01.12.93/AC	-	-	11.09.92/AC	-	10.10.03	20.09.95	-	-	-
Tunisia	17.05.80	29.10.81	01.06.98	03.04.82	26.05.83	10.06.95	01.06.98	14.10.94	01.06.98	01.10.96	01.06.98
Turkey	-	21.02.83/AC	18.05.02	-	06.11.86/AC	10.06.95	18.09.02	-	-	01.10.96	03.04.04

Accession = AC

Approval = AP

Succession = SUC

1/ Convention for the Protection of the Mediterranean Sea against Pollution

Adopted (Barcelona): 16 February 1976

Entry into force*: 12 February 1978

2/ The Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (Dumping Protocol)

Adopted (Barcelona): 16 February 1976

Entry into force*: 12 February 1978

3/ The Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances in cases of Emergency (Emergency Protocol)

Adopted (Barcelona): 16 February 1976

Entry into force*: 12 February 1978

4/ The Protocol concerning Co-operation in Preventing Pollution from Ships and, in cases of Emergency, Combating Pollution of the Mediterranean Sea

Adopted (Malta): 25 January 2002

Entry into force*: 17 March 2004

5/ The Protocol for the protection of the Mediterranean Sea against Pollution from Land-based Sources (LBS Protocol)

Adopted (Athens): 17 May 1980

Entry into force*: 17 June 1983

6/ The Protocol concerning Mediterranean Specially Protected Areas (SPA Protocol)

Adopted (Geneva): 3 April 1982

Entry into force*: 23 March 1986

7/ The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA & Biodiversity Protocol)

Adopted (Barcelona): 10 June 1995

Entry into force*: 12 December 1999

8/ Protocol for the Protection of the Mediterranean Sea against Pollution resulting from Exploration and Exploitation (Offshore Protocol) of the Continental Shelf and the Seabed and its Subsoil

Adopted (Madrid): 14 October 1994

Entry into force*:

9/ Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal (Hazardous Wastes Protocol)

Adopted (Izmir): 1 October 1996

Entry into force*:

* The amendments to the Barcelona Convention, adopted in 1995, have come into force on 09.07.2004

ANNEX II

DESCRIPTION OF THE PROPOSED TASKS OF THE MAP NFP

- a. Regional functions:
- To ensure an active participation of the Contracting Parties in the regional activities under the Convention and the Protocols.
 - To communicate on the national level decisions and recommendations of the Contracting Parties and relevant information on MAP and the Bureau of the Contracting Parties.
 - To provide the Secretariat the necessary information requested in view of the implementation of the Convention, its Protocols and the Contracting Parties recommendations and decisions.
- b. National functions:
- To coordinate on the national level, where appropriate, activities related to the implementation of the Convention, Protocols and Decisions of the Contracting Parties.
 - To ensure, where appropriate, necessary coherence between national policy priorities and plans with the regional planning under MAP.
 - In addition to the coordinating role within the Ministry of Environment, or other governmental body responsible for environment, the MAP NFP should ensure intersectorial coordination, including a closer communication with other international or regional programs acting on the national level with a view to achieving a better synergy.

ANNEX III

REGIONAL TRUST FUND FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION (ME) Status of contributions as at 30 September 2004 (Expressed in EURO)

COUNTRIES	Unpaid pledges for 2003 & prior yrs	Adjustments	Pledges for 2004	Collections during 2004 for 2004 and fut. yrs	Collections during 2004 for prior yrs	Collections during 2004 for prior yrs - US \$	Unpaid pledges for prior yrs.	Unpaid pledges for 2004 & prior yrs
Albania	2,844	0	3,877	0	0	0	2,844	6,721
Algeria	52,876	0	58,163	0	0	52,876	0	58,163
Bosnia & Herzegovina	0	0	16,619	0	0	0	0	16,619
Croatia	0	0	53,730	53,730	0	0	0	0
Cyprus	0	0	7,755	0	0	0	0	7,755
European Union	(1,783)	0	138,483	136,587	0	0	(1,783)	114
Egypt	19,898	0	27,143	0	0	0	19,898	47,041
France	0	0	2,103,262	2,103,262	0	0	0	0
Greece	(5,61)	0	155,653	0	0	0	(6)	155,647
Israel	0	0	81,427	75,130	0	0	0	6,297
Italy	0	0	1,737,670	1,549,371	0	0	0	188,299
Lebanon	2,843	0	3,877	0	0	0	2,843	6,720
Libyan Arab Jamahiriya	158,138	0	109,124	0	0	0	158,138	267,262
Malta	3,525	0	3,877	0	0	3,525	0	3,877
Monaco	0	0	3,877	3,877	0	0	0	0
Morocco	44,405	0	15,511	0	0	0	44,405	59,916
Serbia and Montenegro	0	0	18,000	0	0	0	0	18,000
Slovenia	0	0	37,113	37,113	0	0	0	0
Spain	0	0	830,337	830,337	0	0	0	0
Syrian Arab Rep.	14,101	1/	15,511	0	0	14,101	0	15,511
Tunisia	0	0	11,632	0	0	0	0	11,632
Turkey	0	0	124,634	0	0	0	0	124,634
T o t a l	282,741	0	5,557,275	4,789,407	0	70,502	226,340	994,208

Additional Contributions (for information only)								
European Commission	0	0	598,569	598,569	0	0	0	0
Host Country *	0	0	440,000	336,134	0	0	0	103,866
UNEP Env. Fund	0	2/	16,840	16,840	0	0	0	0
T o t a l	282,741	0	6,612,684	5,740,950	0	70,502	226,340	1,098,074

N.B. Amounts in brackets mean credit to the Government

1/ Payment made in US Dollars - not included in the totals as the totals are in EUROS

2/ Internal transfer

ANNEX IV

DRAFT PLAN OF THE ICAM PROTOCOL

(3rd version adopted in Split on October 2, 2004)

FOREWORD

- Common natural and cultural heritage
- Urgently stop and reverse the degradation of coastal areas
- Sustainable development through integrated management
- Stimulate local initiatives owing to a regional orientation
- Specific features of islands and the existing areas

- Agenda 21, Chapter 17
- UN Convention on the Law of the Sea
- Ramsar Convention
- Barcelona Convention (art. 4-3-c and e)
- Decision of the Parties (10th meeting)
- Experience gained (PAP/RAC; MCSD)

PART 1: GENERAL DISPOSITIONS

Art. 1 Objectives of the protocol

Art. 2 Definitions

Convention
Parties
Organisation
Centre
Coastal area
Integrated management
Coastal ecosystem
Territorial unit of integrated management
Tools of integrated management
Transboundary impact

Art. 3 Geographic field of application

Marine part
Terrestrial part
Optional extension

Art. 4 General principles of integrated management

1. relevant to sustainable development
 - sustainable development project and global approach
 - harmonisation of actions and tools

- local co-ordination and involvement of all levels of decision making
- integration of the environment
- even and sustainable use
- priority to activities depending on the coast
- reduction of wastes

2. relevant to the protection of natural resources and coastal ecosystems

- preserve ecosystem integrity
- rehabilitate degraded areas
- land-sea interaction
- prevention of damage due to climate change
- management of the hinterland
- role of local communities and traditional practices

Art. 5 Legal restrictions

With regard to the Law of the Sea

With regard to autonomy

National defence

Stricter national legislation

ART 2: ELEMENTS OF INTEGRATED COASTAL AREA MANAGEMENT

Section 1 Coastal area management and implementation of economic activities

Art. 6 Rules of coastal area management (annex ?)

Construction-free zones

Use of the public maritime domain

Free access

Localisation of activities

Road network

Works in the sea

Art. 7 Implementation of economic activities

Agriculture and industry

Tourism and recreational activities

Extraction of mineral resources

Aquaculture and fishing

Art. 8 Special domains

Cultural heritage (submarine)

Coastal erosion

Underground waters

Harbours and infrastructure

Art. 9 Special ecosystems

Coastal landscapes

Humid zone

Islands and islets

Section 2 *Institutional co-ordination*

Art. 10 National inter-institutional co-ordination

Art. 11 Co-ordination among activities at national and local levels

Section 3 *Participation, education, research*

Art. 12 Participation

Territorial communities
Concerned economic actors
General public

Art. 13 Education, sensibilisation, training and research

PART 3: TOOLS OF INTEGRATED COASTAL AREA MANAGEMENT

Section 1 *Inventories, strategy and plans*

Art. 14 Inventories and network

National inventories
Data network on coastal areas
Report of the state of coastal areas (indicators)

Art. 15 Mediterranean regional strategy

Art. 16 National and sub-national plans and programmes

Section 2 *Environmental evaluations*

Art. 17 Strategic environmental evaluations (annex)

Art. 18 Environmental impact assessments (annex)

Art. 19 Contents of the report of the impact assessment (annex), public consultation and participation

Section 3 *Land policy and economic and financial instruments*

Art. 20 Land policy

Art. 21 Incentive measures

PART 4: INTERNATIONAL CO-OPERATION

Art. 22 Research and training

Art. 23 Technical assistance

Art. 24 Exchange of information, experimenting and demonstration projects

Art. 25 Transboundary co-operation

Art. 26 Additional agreements (transboundary impact assessments: field of application, notification, contents of the report, consultation and participation)

PART 5: INSTITUTIONAL DISPOSITIONS

Art. 27 Focal points

Art. 28 Reporting and follow up (compliance mechanisms)

Art. 29 Institutional arrangements

Art. 30 Parties' meeting

PART 6: FINAL DISPOSITIONS

Art. 31 Relations with third parties

Art. 32 Signing

Art. 33 Ratification, adoption or approval

Art. 34 Adherence

Art. 35 Enforcement

ANNEXES

ANNEX V

PROPOSED JOINT WORK PROGRAMME BETWEEN MAP COORDINATION UNIT AND THE EUROPEAN COMMISSION

The MAP Secretariat and the European Commission

- Taking into account the recommendation I.A.4.1.2 of the Thirteenth Meeting of the Contracting Parties to the Barcelona Convention, held in Catania, 11-14 November 2003, requesting the MAP Secretariat to elaborate a work programme for cooperation with the European Commission for adoption by the Bureau.
- Recalling that in the Athens Declaration adopted by the 2nd Euro-Mediterranean Ministerial Conference in July 2002, the EU Foreign Ministers acknowledged the importance of the strengthening of ties between the Euro-Mediterranean Partnership and the Mediterranean Action Plan.
- Realizing that MAP and the European Commission should move from political declarations to concrete collaborative actions in areas of mutual interest in order to drive forward cooperation and improve synergies between the Mediterranean Action Plan (MAP) and the Euro-Mediterranean Partnership.
- Acknowledging also that, at the level of policy planning and policy integration, MAP institutions can contribute regional expertise and existing networks for integrating environmental protection into the sustainable development of the region and be instrumental to the Euro-Mediterranean Partnership process in this regard, and that this requires the establishment of an association with the Euro-Mediterranean Partnership.
- Recognizing that the establishment of such an association will aim at achieving mutual information, consultation with regard to agendas, policies and work programmes, coordination of activities in order to avoid duplication of work, and cooperation in the development of a Mediterranean Strategy for Sustainable Development and a Sustainability Impact Assessment for the purpose of assessing the impact of trade on environment and sustainable development.
- Acknowledging that, at the level of implementation, capacity building is an important means for achieving the environmental and sustainability goals in the region and that the strengthening of institutional and technical capacities in the region requires synergy between MAP and the Euro-Mediterranean Partnership.
- Underlining the importance, in this regard, of their cooperation with MAP Regional Activities Centres on specific priority areas concerning maritime traffic pollution, sustainable coastal zone management, protection of the Mediterranean biodiversity, and water management.
- Stressing, also, the competence of MAP in the field of data, indicators and information related to the state of the environment and trends of development in the marine and coastal environment of the Mediterranean region.

Have agreed on the following work programme

Institutional Cooperation

1. MAP Coordinating Unit and the European Commission will set up a common working group which will meet every six months to discuss policy development, review the progress and results of programmes and projects and promote co-ordination, coherence and complementarity in their activities in the region. The working group will be set up by
2. At their next meeting, the Euro-Mediterranean Environment Ministers will discuss the Barcelona Convention and the role of MAP with a view to increase the co-operation and synergy between the two organizations;
3. MAP Coordinating Unit will be invited to make presentations to the Euro-Mediterranean Committee, in particular following the Conference of the Parties, on the decisions and recommendations of the Contracting Parties to the Barcelona Convention for the progress of the Partnership;
4. MAP Coordinating Unit will invite the E.U. Environment Commissioner to address the next Conference of the Parties in November, 2005 in order to update the Contracting Parties of the Barcelona Convention on progress in the Euro-Mediterranean Partnership;
5. MAP Coordinating Unit and the European Commission will take concrete steps to encourage and induce the Mediterranean Parties signatories to the Barcelona Convention and its Protocols to implement the instruments and recommendations of the Convention.
6. Apart from its continued participation in the development of the Mediterranean Strategy for Sustainable Development, and after its approval by the Contracting Parties, the European Commission together with MAP will endeavor to have the Strategy endorsed at a higher political level, in particular by the Euro-Med Foreign Ministers.
7. The EC will give its political endorsement to the Strategic Action Programme to Address Pollution from Land-based Sources (SAP MED), the Strategic Action Programme for Biodiversity (SAP BIO) and the Mediterranean Strategy for Sustainable Development (MSSD) and will endeavor to assist countries of the region to fulfill the commitments arising from the adoption of the Strategies.
8. MAP and the European Commission will initiate discussions to establish the status of MAP with regard to the call for proposals for MEDA funding for the implementation of EU policies in the Mediterranean countries, which would be in common with the commitments under the Barcelona Convention.
9. MAP Coordinating Unit and the European Commission will initiate a process in the framework of the EC Water Initiative and GWP aimed at developing viable national and regional mechanisms to ensure financial sustainability of marine, coastal and freshwater pollution reduction projects and programmes.

10. MAP and the EC will organize a joint meeting of RACs, the MED POL programme and related Commission Services to discuss future cooperation and identify specific projects, which could be implemented jointly for mutual benefit. This will enable both sides to inform each other on ongoing projects and agree on possible and necessary synergies, in their implementation. The first of such meetings will be held in2005
11. MAP and the EC will work together towards strengthening the reporting system of the Barcelona Convention with a view to the harmonization of the reporting requirements under the Convention with those of other environmental conventions and the EC directives.
12. MAP and the EC will work towards the establishment of cooperation between NGO MAP partners and the Commission services dealing with NGOs with a view to create synergy between the two groups.
13. MAP and the European Commission will organize a joint meeting of the MAP and SMAP Focal Points in order to create better synergy between the two for the exchange of expertise and information on the two processes.
14. The European Commission and MAP will agree on a broad bilateral agreement between MEDU and the European Environment Agency for the implementation of joint programmes, including also specific activities to be carried out jointly by the EEA, the RACs and MED POL Programme.

Cooperation with MAP Regional Activity Centres and Programmes

MEDPOL Programme

15. MAP and the EC will determine specific commitments with regard to the exchange of information and reciprocal participation in activities related to IMPEL/MED POL Network for compliance and enforcement, EPER/PRTR, IPCC, bathing water standards and wastewater treatment.
16. On the basis of the results of the MED POL/GEF pre - investment studies and the work carried out on hot spots, the EC and MAP will prepare jointly specific investment projects to address these problems.
17. MAP and the EC will identify specific initiatives on how the EC could play a major role in the Donors Committee established in the framework of the SAP and in particular for the long term implementation by the countries of the National Action Plans (NAPs) for pollution reduction.
18. The EC and MAP will agree on the formalization of the exchange of monitoring data between EEA and MEDPOL in particular to ensure that the data from monitoring programmes from countries will be transmitted to the EEA through MEDPOL.
19. MEDPOL and the EEA will continue to cooperate towards the preparation of marine pollution indicators.
20. MEDPOL and EEA will hold regular meetings so that more attention will be given and more references made to MEDPOL activities in the region particularly in the preparation of assessments and reports. The first of such meetings will be held in

21. The MAP, through MEDPOL, will continue to provide its technical knowledge and expertise for the preparation of the EU Marine Strategy and to encourage non-EU Contracting Parties to participate directly in the process. On its part, the Commission will encourage EU Member States to contribute more to MEDPOL and to fully participate in its activities.
22. The European Commission will support MEDPOL through SMAP, for capacity building projects for the implementation of the Strategic Action Programmes (SAP MED) in Mediterranean countries.

REMPEC

23. Establish a work programme with the European Maritime Safety Agency (EMSA) aimed at creating synergy between REMPEC and EMSA.
24. A technical cooperation agreement will be established between REMPEC and the EC for the development in particular of two main projects:
 - a. risk assessment related to marine transport in the Mediterranean region, and
 - b. the surveillance of maritime traffic, monitoring of illicit discharges and prosecution of offenders.
25. The European Commission and REMPEC will coordinate their activities regarding prevention of, preparedness for and response to marine pollution from ships. In the field of preparedness for and response to pollution emergencies, REMPEC will coordinate activities with DG ENV (Civil Protection Unit) and with the European Maritime Safety Agency (EMSA) once these become a part of EMSA mandate. Activities related to prevention of pollution from ships will be coordinated with DG TREN. The cooperation with the EC will in particular address implementation of the new 2002 Prevention and Emergency Protocol. REMPEC on its part will co-operate with DG TREN and EMSA towards the implementation of the EU policy in Member States and its harmonization with the global regime established by IMO Conventions and other legal instruments applicable to other Contracting Parties.
26. The European Commission will support REMPEC in the implementation of sub-regional and national contingency plans for emergencies and pollution incidents and for the setting up of port reception facilities throughout the Mediterranean in the interest of the protection of the marine environment in the Mediterranean.

SPA/RAC

27. In the framework of the development of the Mediterranean Clearing House Mechanism, SPA/RAC (MAP) and the EEA will discuss and agree by2005 on the inclusion of the Euro-Mediterranean region as a separate region, in the regional sub-division of the Convention for Biological Diversity.
28. SPA/RAC (MAP) and the EEA will work towards a further harmonization between the habitat classification systems of Natura 2000 and those of RAC/SPA, to improve the effectiveness of these inventories.
29. SPA/RAC (MAP) and the EC will discuss how to include among the priorities of the EC funding mechanisms, the Posidonia meadows mapping and the mitigation of fisheries impact on marine biodiversity.
30. MAP and the EC will agree on a joint programme of action for the implementation by SPA/RAC (MAP) of the SAP-BIO Project with the financial support of the EC and the

technical support of the EEA. The joint programme of action should be finalized by

31. SPA/RAC (MAP) and the EC will work together to identify further projects relative to the conservation of sensitive habitats and species.
32. SPA/RAC (MAP) and the EC will create taxonomy reference collections for priority groups of species for the Mediterranean region.
33. MAP Coordinating Unit will nominate SPA/RAC to participate in the European Commission's group on implementation of the Habitats and Birds Directive in the marine environment.
34. The European Commission will discuss and agree with MAP on the level of involvement of SPA/RAC in the implementation of the ICZM element of protecting Mediterranean biodiversity.

PAP/RAC

35. The European Commission will utilize the operational experience and expertise of PAP/RAC for capacity and partnership building, including the setting up of appropriate institutional and policy frameworks, in the Mediterranean countries for the implementation of the SMAP in the field of ICZM.
36. The EC and MAP through PAP/RAC (MAP) will increase their cooperation and identify initiatives aimed at promoting sustainable urban management and sustainable tourism.
37. PAP/RAC (MAP) and the EEA will work together to identify the most appropriate set of indicators to monitor the implementation of the future ICAM Protocol as well as the preparation and publication of National reports on coastal management, which would then be integrated into a comprehensive environment development report for the Mediterranean.
38. The European Commission will work with PAP/RAC to promote the application of the EU's Integrated Coastal Zone Management's Recommendation throughout the Mediterranean. On its part, the European Commission will contribute towards the drafting of the new ICAM Protocol on the basis of the EC's position as defined by the Council.

BP/RAC

39. MAP and EC will establish a mechanism in order that BP/RAC (MAP) will provide continuous strategic assistance and operational expertise to EC programmes in the follow up of its strategies in the following major areas considered particularly critical in the Mediterranean:
 - a. Urban development
 - b. Rural space management
 - c. Littoral management
 - d. Water
 - e. Energy
 - f. Transport
 - g. Tourism

This will be achieved through the preparation by BP/RAC (MAP) of all the strategic meetings and the organization of regular meetings of Mediterranean partners in order to assess the progress achieved towards sustainable development in these areas. A regional report on these topics will also be published every five years.

40. BP/RAC (MAP) and EEA will agree on how to strengthen their capacities for the compilation of statistics.
41. MAP and the EC, together with BP/RAC and the EEA will initiate discussions on how to structure a medium and long term cooperation in order to develop a regional programme for the period 2006/2009 financed by the EC and MAP to strengthen capacities and elaborate new regional reports for publication by 2009 on specific issues (coasts and tourism in 2006, water in 2007 and sustainable urban development in 2008).
42. BP/RAC (MAP) will continue to follow MEDSTAT 2 and initiate discussions for an eventual MEDSTAT 3. An agreement to clarify the relationship between MAP and Eurostat should be reached between the two organizations by
43. Keeping in mind the respective mandates of the EEA and BP/RAC (MAP) and the necessity to maximize synergies, organize in the short – term, joint workshops to determine the exact contents of a future agreement between MAP/EC-EEA regarding EEA's participation in the activities of BP/RAC.
44. The MAP and the European Commission will discuss the Blue Plan's participation in the process for the carrying out of the Sustainability Impact Assessment with a view to the establishment of the Euro-Mediterranean Free Trade Area.
45. BP/RAC (MAP) will make a presentation of the Mediterranean Environment and Development Report to the Euro-Mediterranean Committee.

CP/RAC

46. The EC and CP/RAC (MAP) will cooperate and take joint initiatives to promote the application of the Best Available Technology (BAT) in the non EU Mediterranean countries in view of the importance of this concept for sustainable development in general and in the future establishment of the Euro Mediterranean Free Trade Area in particular.
47. MAP and the EC will explore how to harmonize the European Pollutant Emission Register (EPER) and the Mediterranean emissions register based on the Baseline Budget in order for both EU members and non EU Mediterranean countries to develop a similar approach and methodology when monitoring pollution emissions from IPPC industries.
48. CP/RAC (MAP) and the EC will cooperate in the promotion and implementation of the Environment Technologies Action Plan (ETAP) by
 - a. Drafting a catalogue of existing directories and databases in the field (2005);
 - b. Raising awareness of the business community and consumers;
 - c. Promoting environmental technologies and responsible investments in developing countries in the Mediterranean.

49. CP/RAC (MAP) will act as a catalyzing agent for the EC to promote Environmental Management Audit Systems (EMAS) and eco - labeling in the non EU Mediterranean countries.
50. CP/RAC (MAP) and the EEA will carry out an exercise to determine the trends of the Mediterranean industries taking advantage of the CP/RAC's experience as an observer of the Mediterranean industrial sectors and companies both in terms of their development, regulatory framework and the main environmental impacts.
51. CP/RAC (MAP) and EEA will exchange information on the state of cleaner production in the Mediterranean countries in particular regarding the legal framework, plans, programmes and activities being carried out for the introduction of eco-efficient practices in the Mediterranean countries.

Basic Principles

The work programme of cooperation shall enter into force upon signature and shall remain in effect indefinitely subject to the right of each signatory to terminate it by notification to the other.

The work programme of cooperation may be amended at any time by consensus of the MAP Secretariat and the European Commission.

The working language for all matters related to the work programme of cooperation shall be English and French, each version being equally authentic.

Done at.....on this.....day.....2004

For the MAP Coordinating Unit

For the European Commission

Paul Mifsud
UNEP/MAP Coordinator

ANNEX VI

PROPOSAL FOR A MEDIUM-TERM PROGRAMME OF WORK OF THE MCSD

INTRODUCTION

A broadly agreed Programme of Work, that is necessary for any body which has a forward-looking perspective, will provide a new vision to the MCSD, and thus allow the Commission to overcome, not only the problem of shifting directions, emphasis and approaches in response to ad-hoc initiatives of some of its members, but also improve its performance and delivery of realistic and practical proposals.

In Cavtat, and on the specific point concerning the proposal that the MCSD should in 2004 adopt a Programme for the period 2005-2015, misgivings were nevertheless expressed that such an important exercise should be undertaken before the finalization of the Mediterranean Strategy on Sustainable Development (MSSD), which would provide the basis for the work of the MCSD for the foreseeable future.

It was therefore suggested that the programme of work should be reduced in length and should only be of a medium-term nature. Moreover, it should be specified that the Programme would be revised when the MSSD was finally adopted.

PRIORITY ISSUES

Any programme of work within the context of limited resources must by necessity be based on choices.

The MCSD's proposed programme of work has been developed within the framework of a more focused agenda than the previous one, but with enough flexibility for the selection of issues in future, taking on board new and emerging ones as they are identified.

The Programme proposed represents a modest development towards promoting sustainable development in the coming five years but deciding on priorities within the MCSD mandate.

Criteria for the selection of issues

The following broader concepts and primary considerations have guided the process for the formulation of the Programme and the organization of work of the MCSD:

- avoid duplicating the work of other forums or specialized bodies;
- topics for consideration that are too broad and conceptual and necessitate the carrying out of costly and lengthy comparative studies or of original research, should be avoided;
- issues should be selected in accordance with their significance;
- issues relating to water, energy, land and agriculture, tourism, etc., are of primary concern to the Mediterranean;

- issues already tackled could be reconsidered, either to complete assessment or to draw up new proposals in the light of new concerns;
- issues should be regional in extent, but also of widespread local concern and should directly or indirectly impact on the six key Mediterranean challenges for sustainable development, which have been identified by the partners as being those of: Development and Environment Protection; Poverty and Inequality; Innovation and Economic Entrepreneurship; Preservation of Cultural Diversity and Governance; and Peace and Security;

The priorities proposed to be tackled over the next 4-5 years, are based on the above criteria as applied to the outcomes of the Athens Euro- Mediterranean Ministers Conference for the Environment (2002), the Johannesburg's Plan of Implementation (2003), the Visions Documents (2003), preliminary directions of the evolving Mediterranean Strategy on Sustainable Development (2004), as well as on other initiatives, as they relate to the Mediterranean situation, and identified in last year's MCSD's Task Force Report.

Issues tackled before

The MCSD decided early on to tackle the following priority issues:

- sustainable management of coastal zones;
- management of water demand;
- sustainable tourism;
- sustainable development indicators;
- information, awareness and public participation;
- free trade and the environment in the Euro-Mediterranean Context;
- industry and sustainable development;
- management of urban development;

MSSD priorities

The priorities provisionally selected for the MSSD, refer to issues arising at the regional and sub- regional levels which are common but the gravity of which varies according to the ecological and socio-economic situation, and which require common action and/or cooperation programmes, as well as national and local strategies.

Few areas for priority actions for a MSSD have been proposed: sustainable management of water, energy, air pollution, management of marine and coastal zones, management of urban development, sustainable agriculture and rural development, sustainable transport, and sustainable tourism.

UN CSD Priorities

As the UN CSD's goals and objectives are very different from those of the MCSD, it is neither necessary nor advisable to follow the former's programme of work when formulating the programme of the latter. The UN CSD has placed a strong focus on monitoring and reporting on implementation of the WSSD targets and goals. The MCSD is a forward- looking advisory think tank. Nevertheless, the model adopted in the UN CSD's programme of work, which is organized around 7 two-year cycles, each focusing on selected thematic clusters of issues, needs to be taken under consideration when developing the MCSD's programme. This would provide more value added to countries in preparing their reporting to the UN CSD.

The UN CSD's multi-year programme of work is as follows:

<i>Cycle</i>	<i>Thematic cluster</i>
2004/2005	Water; Sanitation; Human Settlements
2006/2007	Energy; Industrial Development; Climate change
2008/2009	Agriculture; Rural Development; Desertification
2010/2011	Transport; Waste Management; Consumption and Production
2012/2013	Biodiversity; Biotechnology; Tourism; Mountains
2014/2015	Marine Resources
2016/2017	Overall appraisal of implementation

Apart from the sectoral priority issues, the following overarching ones do impinge on the broader ones tackled: poverty eradication, globalization, gender, enabling environment, sustainable consumption and means of implementation. These cross-cutting issues are, however, the subject of broad policy deliberations in more specialized fora.

ORGANIZATION OF WORK

Main guiding goals for the Programme preparation

The need to narrow the focus of the Programme of the MCSD's work cycles could be addressed in a variety of ways. There is definitely a need to avoid the rigid pre-selection of themes, that would set in advance the agenda, leaving little room for flexibility and postponing vital issues for many years.

The Commission should overcome the inertia that has settled in over the last few years and establish in its 2004 meeting a multi-year work Programme, by deciding on the sectors it would consider over the next 5 years leaving, however, room for emerging issues or challenges that should be addressed, and looking again at issues discussed at earlier cycles.

This would require provisions for changing and modifying the Programme of work after the next couple of years and when the MSSD is finalized. At the same time, there is need to ensure some level of predictability and flexibility in the Programme, to allow a more longer-term preparation.

The MCSD's work programme should not be overloaded, and definitely the policy pursued so far, according to which any new theme should undergo a preparatory stage, which would involve a feasibility study as well as the necessary time to "mature", has to be set aside as it has proven to be rather costly and definitely counter-productive.

The objective of the work Programme is to focus on, and support, the process towards sustainability in the Mediterranean as a whole.

The CSD's approach of a technical session the first year and a policy one the second year for the same issue appears appealing as far as follow-up is concerned, and could be adopted in the case of the MCSD's Programme, appropriately modified, however, to reflect the differences in the goals of the two bodies.

The Programme proposed below is based on the assumption that there will be around 30 active members at any one time, providing the Commission with the possibility to run concurrently 6 Work Groups of 5-6 members each, 3 from governments/the EC (22 members), 2 from the partners (15)- see Annex.

Year	General goal of MCSD meetings (preferably to be held each June)	Comments for WG meetings (preferably to be held in January/February and October/November)
2004	<p>Adoption of the Programme of Work. Establishment of the 6 Work Groups (membership/facilitating RACs):</p> <p><u>1st cluster of issues (2005-2006):</u></p> <ul style="list-style-type: none"> a) Sustainable management of water. Revisit previous recommendations of the MCSD on the issue. b) Energy. Sustainable Transport. c) Sustainable management of urban development. Work carried out so far. Climate change/Air pollution. <p><u>2nd cluster of issues (2006- 2007):</u></p> <ul style="list-style-type: none"> d) Sustainable agricultural and rural development. e) Sustainable Tourism. Revisit previous recommendations of the MCSD on the issue. f) Sustainable management of Marine and Coastal Areas. Revisit previous recommendations of the MCSD on the issue. <p><u>3rd cluster of issues (2007- 2008):</u></p> <p>Issues to be decided in the 2006 MCSD Meeting.</p>	<p>Ad hoc meetings of WGs before or after meeting hours during MCSD meeting: Allocation of tasks. Assignment of WGs coordinator. Detailed WGs work programme. Timetable.</p>
2005	<p>Adoption of MSSD Interim reporting of the 1st cluster of WGs. Problems, directions, guidance, comments. Concentration on policy guidelines in the debate, to provide perspective to the WGs.</p> <p>Activation of the 2nd cluster of WGs.</p>	<p>2 meetings for each 1st cluster WG.</p> <p>1 meeting for each 2nd cluster WG.</p>
2006	<p>Final reports of the 1st cluster of WGs. Debate. Adoption.</p> <p>Interim reporting of the 2nd cluster of WGs. Problems, directions, guidance, comments. Concentration on policy guidelines in the debate, to provide perspective to the WGs.</p>	<p>1 meeting for each 1st cluster WG.</p> <p>2 meetings for each 2nd cluster WG.</p>

	<p>3rd cluster of issues: 2007- 2008</p> <p>Establishment of the 3rd cluster of 3-6 issues to be decided based on the conclusions of the WSSD.</p>	<p>Ad hoc meetings of WGs before or after meeting hours during MCSD meeting: Allocation of tasks. Assignment of WGs coordinator. Detailed WGs work programme. Timetable.</p>
2007	<p>Review of follow- up initiatives by all partners in the MCSD on the recommendations regarding the 1st cluster of issues.</p> <p>Final reports of the 2nd cluster of WGs. Debate. Adoption.</p> <p>Interim reporting of the 3rd cluster of WGs. Problems, directions, guidance, comments. Concentration on policy guidelines in the debate, to provide perspective to the WGs.</p>	<p>1 meeting of the the 2nd cluster of WGs.</p> <p>2 meetings of the 3rd cluster of WGs.</p>
2008	<p>Review of follow- up initiatives by all partners in the MCSD on the recommendations regarding the 2nd cluster of issues.</p> <p>Final reports of the 3rd cluster of WGs. Debate. Adoption.</p> <p>Reconsideration of the process.</p>	<p>1 meeting of the 3rd cluster of WGs.</p>

Follow-up responsibility could mainly be entrusted to the Coordinating Unit, which should be empowered to request short reports from both governments and the other actors on the progress made. It will be the responsibility of both to disseminate information nationally, inform accordingly and act on implementation.

Working modalities

The practice of setting up thematic Work Groups with Task Managers and Support Centres to deal with each selected theme should be maintained, but it does not, by necessity, have to be followed in all cases. Enough flexibility should be maintained for adapting approaches. Each Group will have a task manager/coordinator and be facilitated by one RAC, which would also provide it with the necessary scientific and secretariat support.

The MCSD status is not that of a research institute. The WGs should thus also operate on their 'think- tank' function and not be turned into a report- producing mechanism.

Group meetings should be reduced to a maximum of 4.

Maximum effort should be employed in order for the consideration of any issue not to extend for more than 18 months.

Every effort should be exerted to utilize electronic communication.

No external experts should be involved in the work of the WGs. If it is decided that the MCSD – individual members or organizations that proposed them-, the MAP and its RACs, or other intergovernmental agencies willing to contribute, do not have the requisite expertise, then an issue should not be tackled.

A way should be considered to associate former members of MCSD in information exchange, consultations and voluntary work. The Secretariat should be empowered to call in a former member involved in a previous work Programme.

The MCSD should hold ordinary meetings once every year. Meetings should not last for more than three days. Discussion texts should be distributed 1 month in advance.

In each yearly meeting, all issues would be debated in Plenary.

All members need to understand their function as that of being an impartial expert; they should participate in their personal capacity, and not having strong affiliations with any body, be straightforward, eager to listen to other actors and formulate their contributions accordingly.

Members should decide on their participation to a specific WG, only if they are confident that they will be present in the meetings and debates and that they have the capacity for effective involvement.

The WGs should not aim to reach consensus, but rather to identify the most widely accepted concerns, issues or suggestions.

General guidelines for the Work Groups

The Groups should establish what is to be done on the basis of actual needs and gaps but most certainly they should capitalise on the knowledge and expertise of the supporting RACs.

The Groups should cover their topics both from their policy/measures aspects as well as for their cross-sectoral ones.

Recommendations should focus on policy priorities and strategic issues relating to economic growth, social development and environmental protection, identifying technologies and knowledge of an innovative nature and providing advice on their most effective use.

There needs to be a follow-up to previous themes by revisiting and deepening previous work through intensifying participation of all members, increasing contributions from other actors on the national scene, and operationalizing the recommendations.

Proposals need to be formulated in such a way as to make it clear to whom they are addressed and identify the specific bodies to which recommendations are being addressed.

When approaching the issues a predominantly environmental perspective should be avoided.

With regards to the depth to go when reconsidering an already tackled issue, the decision should be based on a felt need to complete assessment or to draw up new proposals.

Recommendations that are too global and broad in nature and not have the characteristic of implementable conclusions should be put on a 'secondary' perspective'.

Measures need to aim to support directly the framing and development of sustainable development policies including integration into the policy process, e.g. delivering opinions on specific topics and issues, review of efficiency of policies, serving both overall and specific policy needs.

Recommendations should aim to support implementation and evaluation of sustainable development policies, including through assessments of the implementation, impacts and effectiveness of legislation and other policy and implementation measures.

Emerging issues of importance need to be identified in order to help countries in the framing of new policies so that adequate measures can be taken in good time.

Work should be characterized by in-depth analysis on particular sustainable development issues (e.g. water), or sectors (e.g. transport), in a limited geographical area (the Mediterranean), with the aim of providing support to the development and implementation of sustainable development policies.

Recommendations should be primarily driven by policy needs and aim to give an integrated overview of the subject for specific audiences – civil servants, political decision shapers and decision makers, practitioners in local authorities, civil society, etc.

The work should be developed with policy relevance always in view, including analysis of the causes of problems and trends; consideration of the impacts of changes in society and in the economy as well as of policies and measures; new findings and emerging issues should also be taken into account.

Issue-specific concerns to be tackled by the Work Groups¹

Sustainable management of water

More efficient planning of effective management of water demand and available water resources; more water saving irrigation techniques; analysing the potential and limits of the development of non-traditional resources (desalination, reuse of treated waste water); approaches based on watershed areas; specific fiscal instruments.

Energy

Encourage energy savings in industry, construction, electricity production and transport; use of renewable energy sources, such as solar and wind energy; fiscal instruments to encourage R&D and innovation in tapping new sources; more efficient energy consumption patterns; greater efficiency in the intensity of energy use.

Climate change/Air pollution

Address issues relating to the implementation of cooperation and market instruments envisaged by the Kyoto Protocol, including cleaner development mechanisms; partnerships for energy and air pollution issues, particularly in relation to bilateral and multilateral cooperation in support of objectives.

¹ The coverage proposed would be subject to review by the MCSD's Steering Committee immediately after the finalization of the MSSD, in 2005, in order to better reflect the latter's relevant objectives.

Sustainable tourism

Diversification based on a better presentation of the cultural and natural heritage; promotion of tourism carrying capacity assessments and impact studies; voluntary environmental agreements; contribution of tourism enterprises to the management of protected sites.

Sustainable transport

Promotion of more environmentally friendly air transport; encouragement of safe maritime transport and measures for the prevention of accidents; equipping ports with reception facilities; interurban transport of passengers; coastal navigation, including connections to islands and the trans-mediterranean circulation.

Sustainable management of marine and coastal zones

Land use practices to avoid degradation of the physical and cultural heritage; means to induce more respectful and rule abiding behaviour in the use of urban or rural lands; objectives and means of action for the effective protection of coastal areas and natural landscapes in the context of land-use planning.

Sustainable management of urban development

Control increasing sprawling urbanisation; urban regeneration and preventing natural risks; protection and promotion of peri-urban agriculture; promotion of sustainable urban transport; control and management of domestic waste; modernization, through cleaner technologies, of urban industrial plants.

Sustainable agriculture and rural development

Desertification; over-exploitation of resources; risk of forest fires; marginalization of hinterlands and internal disparities; forms of rural development which integrate environmental concerns and promote the synergies between agriculture, tourism, industry and services; implementation of integrated development programmes.

Cross- Sectoral Issues

The policy/measures – driven approach for all priority issues should also be addressed from the cross-sectoral dimensions of:

Integration of the environment in sectoral policies

Approaches to effectively streamline environmental concerns and priorities into all other economic sectors, as an indispensable supplement to good and strong environmental policy; identification of priority areas to be covered and list of issues to be addressed by every area as they relate to the Mediterranean specificities.

Enhancement of public participation in decision- making

In- depth look into the Aarhus Convention and the relevant sections of the JPI as they reflect contemporary concerns on the participation of civil society in decision-making, transparency, and access to justice on the priority sectors tackled and development of guidelines for their possible transposition into national legislation, also taking into account the Barcelona Convention and its Protocols.

Indicators for sustainable development

The development of indicators is crucial to measuring progress in implementing sustainable development strategies. The WGs should take a fresh look into the role of indicators to sustainable development and try and clear the landscape created from the proliferation of (perhaps unnecessary) indicators.

Financing

Policies and measures have increased financing needs that require a combination of public and private investment to bring about public / private partnerships. WGs should look into the issue of how to attract new and additional financial resources as most significant keys to making progress.

Education for sustainable development

Innovative approaches in awareness enhancement and information activities; documentation; capacity building for civil society involvement and public / private co-operation; education and training; transfer of appropriate know-how; encouragement of local / regional initiatives; networking; facilitation of communication.

Biological Diversity

Appropriate institutional and organisational arrangements, to secure the future of the most valuable and threatened natural resources; ingredients for pilot projects and actions for the sustainable use and management of biodiversity; guidelines for facilitating concrete demonstration projects to deal with problems in specific areas.

ANNEX

CURRENT MCSD MEMBERS (37)*

Albania
Algeria
Arab Network for Environment and Development (RAED)
Bosnia and Herzegovina
Croatia
Cyprus
Egypt
Egyptian Business Association
European Commission
FEMISE Institut de la Méditerranée
Friends of the Earth
France
INSULEUR Network of the Insular Chambers of Commerce
(Chambers Group for the Development of Greek Isles (EOAEN))
MIO/ECSDE- Mediterranean Information Office for
Environment, Culture and Sustainable Development
Greece
Israel
Italy
Association des Chambres de Commerce et d'Industrie Méditerranée (ASCAME)
Municipality of Naples (international Institute Stop Disasters (IISD))
Urban Community Al-Fayhaa, Lebanon
Lebanon
Libyan Arab Jamahiriya
Malta
Municipality of Opatija/Croatia
EDC/ICC(Economic Development Chamber), Monaco
Environnement et Développement au Maghreb (ENDA), Maroc
Communauté urbaine de Tétouan, Maroc
Marocco
Serbia & Montenegro
Slovenia
Spain
Medcites, Barcelona
Forum of the Mediterranean for the Environment and Sustainable Development
(MEDFORUM)
Syrian Arab Republic
Tunisia
Turkey

*22 permanent members representing the Contracting Parties and 15 members representing the Major Groups (NGOs, Local Authorities and the Business Sector) with, in general, a mandate of two years.