

TABLE OF CONTENTS

1. Relationship between the Compliance Committee meetings, the Meetings of the MAP Focal Points and the Contracting Parties
2. Implementation of the Governance Paper
3. Organization of the 16th Meeting of the Contracting Parties to the Barcelona Convention, 3-5 November 2009, Marrakesh, Morocco
4. Draft decision on MAP/civil society cooperation and partnership
5. Regional cooperation
6. Implementation of audit recommendations by the Secretariat, including the paper on the 2004 budget freeze for consideration by the Bureau
7. Main directions of the Programme budget 2010-2011
8. Geographical distribution of activities during the current biennium

1. Relationship between the Compliance Committee meetings, the Meetings of the MAP Focal Points and the Contracting Parties

Pursuant to decision IG 17/2 of the Contracting Parties adopted at their 15th Meeting in Almeria in January 2008, the second meeting of the Compliance Committee was convened in Athens on 26-27 March 2009 to adopt the draft rules of procedures and the programme of work of the Committee during the forthcoming biennium for submission to the Meeting of MAP Focal Points, July 2009.

The Compliance Committee meeting also discussed procedural issues in particular the relationship between the Compliance Committee as an independent body of the Contracting Parties and the Meeting of MAP Focal Points.

In accordance with decision IG 17/2 on compliance procedures and mechanisms, the Committee has the obligation to submit a report on its activities to the Meeting of the Contracting Parties. This report should contain a summary of the work of the committee, its activities, decisions and proposals related to different aspects of the implementation of the compliance procedures and mechanisms.

Pursuant to section VII of the compliance procedures and mechanisms, the Committee has the obligation to propose for adoption by the Meeting of the Contracting Parties a number of measures in order to bring about full compliance by individual Contracting Parties that have been found to be in non-compliance situations by the Committee. This task is one of the most difficult and delicate for the Compliance Committee and for the Meeting of the Contracting Parties.

Owing to the sensitivity of the matter and in order to give the Parties the opportunity to make every effort to achieve compliance at any time before the Meeting of the Contracting Parties, the Committee has considered the idea of submitting the report of the Committee in two parts:

1. The report addressing activities and outcomes of the work of the Committee with regard to its operations, rules of procedure, guidelines, measures and decisions on general issues of non-compliance will be submitted to the Meeting of the Contracting Parties through the meeting of MAP Focal Points. The Chairperson of the Committee will chair the work for the preparation of such a report with support from the other Committee members and the Secretariat and present it to the Meeting of MAP Focal Points. To this end the Chairperson of the Compliance Committee should be invited to attend the Meeting of MAP Focal Points. After being analyzed at the MAP Focal Points' meeting, this report will then be submitted to the Meeting of the Contracting Parties for their information and/or action as appropriate.
2. The report on the outcome of the Committee's work that will address the measures proposed by the Committee in accordance with section VII of the compliance procedures and mechanisms (individual cases of non-compliance by the individual Contracting Parties concerned) will be submitted directly to the Meeting of the Contracting Parties by the Committee; in this case it will not be channeled through the MAP Focal Points' meeting.

The Secretariat would like to bring to the attention of the Bureau that, according to practice, all documents for the Contracting Parties meetings are first submitted to the Meeting of MAP Focal Points. That is now imperative in view of the decision taken not to re-open the debate

on matters agreed on by the Meeting of MAP Focal Points but only on issues pending from that meeting.

However, in the Secretariat's view, the situation is not the same with regard to the submission of documents containing the measures provided for under section VII as mentioned above and decided on by the Compliance Committee or proposed to the Meeting of the Contracting Parties to address non-compliance situations in individual Contracting Parties.

Meanwhile, for this biennium, and in order to enable the Committee at its third meeting to address general non-compliance issues, which it had been unable to do to date on account of the few Contracting Party reports submitted, it has requested the Secretariat to prepare a synthesis and/or an assessment report of all Contracting Party reports submitted by the time of the forthcoming Meeting of MAP Focal Points. The Committee would then review that document through electronic means of communication and prepare any draft recommendations thereon for consideration and inclusion in the Committee's report to the 16th Meeting of the Contracting Parties. In order to adopt the full report of the Compliance Committee for submission to the Meeting of the Contracting Parties, a third meeting of the Committee will be held at the end of October 2009 in Athens.

The Committee requested the Secretariat to submit its proposals and considerations to the meeting of the Bureau of the Contracting Parties for its consideration and advice.

In addition to the above, the Committee drew the following conclusions:

1. The Bureau and the MAP Focal Points' meeting would provide a good platform for calling upon Contracting Parties which had not yet done so to comply with their reporting obligations, observing that the more reports received, the more reliable the assessment on measures taken by the Contracting Parties to implement the Convention and its Protocols decisions of Meetings of the Contracting Parties would be.
2. With regard to the question of the renewal of the Committee's membership, the Meeting of MAP Focal Points would provide a good opportunity to bring the matter to their attention for sub-group consultation. The mandates of half of the current members and alternate members will run until the 16th Meeting of the Contracting Parties, where after those of the new members and alternate members elected by the 16th Meeting of the Contracting Parties for a full term would begin.

Draft recommendations

1. **The Bureau is invited to discuss and exchange views on the proposals and made considerations by the second meeting of the Compliance Committee and advise the Secretariat as it may deem appropriate.**
2. **The Bureau is invited to urge the Contracting Parties that have not yet done so, to submit their reports on measures taken during 2006-2007 to implement the Convention and its Protocols and the decisions of the Meetings of the Contracting Parties as soon as possible but not later than the MAP Focal Points' meeting.**
3. **To this end the Bureau requests the Secretariat to proceed with the assessment of the information contained in the above-mentioned reports submitted by the Contracting Parties in order to enable the Compliance Committee to address any general non-compliance situations by the Contracting Parties at its third meeting in October 2009.**

2. Implementation of the Governance Paper

2.1 Host country Agreement template

As reported under the progress report by the Secretariat, the draft template of the Host Country Agreement was finalised by the Secretariat and sent to UNEP for comments and feedback.

The proposed draft template satisfies the rationale and the requirements of the decision on *the Governance Paper* taken by the Contracting Parties in Almeria with a view to harmonizing the HCAs for the RACs:

- *to make the operation of the RACs more effective and totally or substantially devoted to the Mediterranean Action Plan and the Barcelona Convention;*
- *to create a more direct link between the RACs and the Coordinating Unit in terms of personnel recruitment;*
- *to enable the RACs to use the financial resources at their disposal in a more efficient way for the benefit of the implementation of their programme of work as approved by the Meetings of the Contracting Parties;*
- *to enable the RACs to recruit personnel from all Mediterranean countries, as appropriate, a possibility that would be politically very attractive and strengthen the relationship of the RACs with the other countries of the region;*
- *to provide for equal conditions for the RACs' operations by creating a harmonized legal status (on account of their different legal status, some RACs are facing difficulties; some of the RACs are public or public-owned institutions based on different arrangements (NGOs, semi-private companies, part of public companies, etc));*
- *to provide for a number of privileges and exemptions that would enhance the capability of the RACs to mobilize additional external financial and human resources for the implementation of their programme of work adopted by the Meetings of the Contracting Parties.*

The Secretariat has not yet started official negotiations with the host countries. Before beginning discussions and negotiations with the host countries, the Secretariat first needed to consult UNEP on the proposed template content, in particular on issues related to the UNEP and MEDU roles and responsibilities provided for in the template, including the use of the UNEP/MAP logo. The draft HCA template is submitted as document UNEP/BUR/69/Inf.3

2.2 Mandates of the MAP components

As decided by the Bureau meeting, the MAP components' mandates were presented to the meeting of the MAP components' Focal Points and amended accordingly. The draft mandates are presented in document UNEP/BUR/69/Inf.4). The common introduction was revised as per the suggestions made at the Bureau meeting.

2.3 Organization of the components Focal Points' meeting

The Secretariat has been considering the question of the organization of the meetings of the components' Focal Points.

The issue was raised at the joint Focal Points' meeting BP/RAC – PAP/RAC – INFO/RAC. The meeting had various reactions about the current meeting set-up and whether the holding of such joint meetings of RAC Focal Points should be continued or other institutional arrangements might better suit MAP's needs.

Some representatives considered the meetings indispensable and even suggested organizing one large meeting of Focal Points of all the RACs. They also called for a stronger role of the Coordinating Unit with regard to the organization of such meetings. Others proposed maintaining the current set-up, with the three RACs, but requesting that INFO/RAC also attend the meetings of the other components' Focal Points in order to ensure effective dissemination of information throughout the system; the possibility of INFO/RAC Focal Points holding virtual meetings was also suggested.

In the debate about whether it was necessary to have a different Focal Point for each RAC, it was thought that those centres that carry important functions with regard to the implementation of the Protocols should continue holding separate meetings of their Focal Points. If the national Focal Point for BP/RAC and INFO/RAC appointed by the Parties were the same person and, particularly, if it was the MAP focal point, other institutional arrangements with regard to their meetings could be put in place. Instead of holding a joint meeting of INFO/RAC and BP/RAC Focal Points, another option which might prove more effective would be to transfer the functions of such a meeting to the meeting of MAP Focal Points.

However, the primary concern was the need, in particular in view of the new ICZM Protocol, to avoid assessing and presenting the achievements of the current biennium as well as the planning of the work for the forthcoming biennium by each MAP component in a sectoral manner.

If joint meetings or separate meetings were to continue, however, it was imperative that all RACs produce their meeting documents according to a standard template to ensure homogeneity. Budgetary information should also be included. Furthermore, documents for all Focal Points meetings, be they of the RACs or of MED POL, needed to be available to participants early enough for them to have sufficient time to examine them thoroughly and provide feedback where appropriate.

In view of the above, the Secretariat would like to propose the following options to the Bureau for consideration:

1. To hold separate meetings of the Focal Points of MED POL, SPA/RAC, PAP/RAC and CP/RAC that are entrusted with the Protocols, while Blue Plan and INFO/RAC Focal Points' meeting functions could be transferred to the MAP Focal Points meeting. In addition, a special session on the presentation of the programme of work of the other MAP components by the Secretariat and/or the respective Directors of the components could be also envisaged in order to make sure that the planning of the programme of work is based on synergy and integration among different components as appropriate and to ensure that there is no overlapping.
2. To hold a joint meeting of all components' Focal Points, with joint sessions with regard to report on progress achieved during the current biennium, programme of work and budget for the forthcoming biennium and closure; sessions on technical aspects of the implementation of the Protocols and other specific issues could be

- held separately. Secretariat support for the joint sessions would be provided by the Coordinating Unit in cooperation with the respective MAP components.
3. To hold a joint Focal Points' meeting for all MAP components.

Options 2 and 3 will enhance coordination and integration among MAP components. They will require a stronger role to be played by the Secretariat/Coordinating Unit.

2.4 Preparation of the five-year rolling programme of work

Formulation of a five-year programme of work using an integrated approach has been a priority task for the ECP during the current biennium. In carrying out this task, the Secretariat and the ECP drew extensively on:

- a) The requirements of the Convention and its Protocols;
- b) The main strategic directions/components of MAP (Environment and development with the following sub-components: integrating the environment into development policies; sustainable management of natural resources; pollution prevention and control, information and public participation; 2) Strengthening the legal component of MAP; 3) Financial and institutional governance);
- c) The strategies adopted by the Contracting Parties for the implementation of the Protocols such as SAP/MED, SAP BIO, MED POL Phase VI, Strategy to prevent pollution from ships, medium-term intervention of Blue Plan programme of work;
- d) Implementation of the MSSD;
- e) New trends and priorities for MAP such as the expected entry into force of the new ICZM protocol and the orientation of the CP/RAC mandate towards sustainable consumption and production and sound management of chemicals;
- f) Emerging global issues of particular relevance to the Mediterranean region such as climate change;
- g) Strategic directions of UNEP medium-term strategy.

Fully aware of the difficulties to which a strategic exercise of this kind may give rise, the ECP did its best to deliver and finalise the five-year programme of work in time for the MAP Focal Points meeting. However, on account of some objective difficulties as well as real time constraints, the Secretariat is not in a position to finalise and present them for the consideration of the MAP Focal Points meeting. More time is still needed for further reflection and work so that the ECP can present the programme of work to the Meeting of the Contracting Parties.

Under these circumstances, the Secretariat would like to propose to the Bureau that it consider its proposal to submit to the MAP Focal Points' meeting only the programme of work on climate change and submit the full programme of work to the Meeting of the Contracting Parties in November. Consultation sessions could be envisaged by electronic means with the MAP Focal Points' meeting in September-October 2009.

Draft recommendation

The Bureau is invited to examine the above considerations submitted by the Secretariat with regard to the institutional aspects of the implementation of the Governance Paper and advise the Secretariat as it may deem it appropriate.

3. Organization of the 16th Meeting of the Contracting Parties to the Barcelona Convention, 3-5 November 2009, Marrakesh, Morocco

At the last Bureau meeting, it was decided that the topic for discussion at the ministerial segment of the 16th Meeting of the Contracting Parties would be "adaptation to climate change in the Mediterranean: challenges and experiences". The choice of this theme would enable the discussions at the MCSD to serve as input for the Meeting of the Contracting Parties.

In that context, a meeting was held at the Ministry of the Environment in Rabat at which the Secretariat discussed with the Moroccan authorities a number of issues related to the preparation of the Meeting of the Contracting Parties.

The authorities signed the Host Country Agreement for the organization of the 16th meeting of the Contracting Parties, which was sent to UNEP for signature by the Executive Director. With regard to the logistics, the host country is establishing an intersectoral committee with representatives from the ministries concerned such as the Ministry of Foreign Affairs, Ministry of Public Order, Ministry of the Environment, etc. that will take care of issues related to security, invitations to Ministers of the Environment of the Mediterranean countries, and facilitate visa issuance for all delegates to the meeting.

The outcome of the discussions is the following:

Ministerial topic:

- a) The ministerial topic is "Adaptation and Mitigation in climate change in the Mediterranean: challenges and experiences":
- b) The rationale for the need to address both aspects of climate change in an integrated manner focusing in particular on adaptation is to enable the Mediterranean countries to jointly voice its common concerns related to the impact of climate change. In addition, Ministers may wish to exchange views on how to make the Mediterranean region a strong example of cooperation as a sustainable model to combat climate change with regard to adaptation, mitigation and transfer of technology; thus furthering Bali action plan in the regional context and the Almeria Declaration on Climate change in the Mediterranean.
- c) To that end, the Secretariat can prepare a discussion paper which, while focusing on climate change adaptation, identifies the direct and indirect links of that subject with the subject areas dealt with by MAP, including mitigation.
- d) .The discussion paper should also include a list of questions/issues to stimulate and guide the Ministers' statements.

Organization of the ministerial session

The preferred option is a classical arrangement with Ministers speaking in turn throughout the day. Top-level experts should be identified and invited to moderate the ministerial session that could be broken down in two or three sessions to be held in plenary.

Marrakesh Draft-Declaration

Concerning the Marrakesh Declaration that will come out of the Meeting, the host country authorities see it as a vehicle for a strong message from the region to the Copenhagen summit. They also suggested that the content and the process of preparation of the draft Declaration should be discussed at the Bureau meeting bearing in mind the need to try to link the Declaration to the Bali Action Plan in the Mediterranean context, further the Almeria Declaration highlighting MAP achievements and challenges including its direct and indirect contribution to the issue of climate change. These could include, inter alia, issues such as the state of the environment in the Mediterranean with a particular focus on the need to halting biodiversity loss and to eliminate hot spots and promote the new ICZM Protocol.

As discussed with the host country, Morocco will take the lead in the preparation of the draft Declaration with participation of the other Contracting Parties and full support by the Secretariat. At the MAP Focal Points' meeting a working group could be established to start the work and continue it through electronic means for further development. Special sessions could be also held in Marrakesh during the Contracting Parties Meeting, if need be, with a view to finalizing the discussions and the text for adoption by the ministers at the end of the ministerial session.

Ensuring High level participation

According to a 30-year tradition, the ministerial session of the Contracting Parties to the Barcelona Convention and its Protocols has generally been attended by a considerable number of Ministers and high officials.

Organization of the work

The Marrakech Contracting Parties' meeting will be held from 3-5 November 2009. The first day will be mainly dedicated to the formal adoption of the draft decisions related to different aspects of MAP, including the outcome of the 13th meeting of the MCSD, as well as further work on the draft Marrakech declaration. The second day will be devoted to the ministerial session and adoption of the Marrakesh Declaration. The adoption of the report will be for the third day.

Draft recommendation

The Bureau is invited to discuss the above considerations and advise the Secretariat accordingly.

4. Draft decision on MAP/civil society cooperation and partnership

As reported at the previous Bureau meeting on this matter, the Secretariat has concluded the assessment and submitted its report to all MAP Focal Points for input and feedback, particularly on a Proposal Note on necessary actions to strengthen such cooperation and make it more effective.

As suggested by the Bureau, the whole assessment process was forward-looking and focused on future actions needed to make the system more effective and productive.

Comments on the Proposal Note sent out after the second Bureau meeting in mid-March 2009 were received from one Contracting Party which requested the Secretariat to present to the next MAP Focal Points Meeting the new criteria for the admission of Civil society organizations as MAP partners, their retention on the list and a draft code of conduct for MAP partners.

The Secretariat would like to inform the Bureau that it is preparing a draft decision entitled "Strengthening MAP/civil society partnership for the implementation of the Convention and its Protocols" that will contain the following elements:

- a) *Introduction/Background*
- b) *The preamble will recall the relevant articles of the Convention and the other decisions of the Meetings of the Contracting Parties on MAP civil society cooperation as well as the need for establishing an effective partnership between MAP and civil society.*
- c) *The body of the draft decision that will adopt the criteria and procedures for admissions of international and national CSO, code of conduct and other issues*
- d) *Specific requests to the Secretariat in particular to undertake an assessment of the current list of MAP partners with a view to implementing the new adopted criteria for consideration by the Bureau meeting during the next biennium; etc.*

The Bureau may recall that the assessment report on MAP/civil society cooperation and the Proposal Note also suggest the need to amend the Rules of Procedure for the meetings and conferences of the Contracting Parties, in order to allow for and to further develop the necessary legal provision for admitting national NGOs related to the work of MAP as MAP partners.

The Secretariat wishes to recall that some other aspects of the Rules of Procedure also require amendment and that the entire amending exercise will therefore be carried out in a prudent and timely manner, including the proper consideration and integration of the abovementioned proposal.

The Secretariat would also like to bring to the attention of the Bureau that the Proposal Note contained some suggestions for the establishment of a MAP partners' Assembly and its Standing Committee. From the responses to the respective questionnaire and also on the basis of some informal consultations with MAP partners located in Greece, it appears that the MAP partners are not yet ready to formalise their internal institutional coordination by setting up such an assembly and standing committee. However, the Secretariat's intention is to suggest and encourage the establishment of an informal internal consultation procedure

as necessary, in order for them to bring to MAP their views and contributions, concerted where appropriate, while safeguarding their independence and individuality.

Draft recommendations

- 1. The Bureau is invited to discuss and exchange views on the approach proposed by the Secretariat for the elaboration of the draft decision on MAP/CSO partnership and to advise accordingly.***
- 2. The Bureau is also invited to give its views on the content of the draft code of conduct of MAP partners, attached as annex I to this document and prepared by the Secretariat with the assistance of a regional legal expert.***

5. Regional Cooperation

5.1 **GEF –UNEP-UNEP/MAP “Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem – Regional Component: Implementation of agreed actions for the protection of the environmental resources of the Mediterranean Sea and its coastal areas” (UNEP GEF Med LME)**

Background

The Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem – Regional Component: Implementation of agreed actions for the protection of the environmental resources of the Mediterranean Sea and its coastal areas, funded by the Global Environment Facility (GEF), implemented by UNEP and executed by UNEP/MAP and partners was developed between 2005 and 2007 and received endorsement from the GEF Chief Executive Officer (CEO) in April 2008. The project officially started upon signature of an agreement between UNEP’s Division of GEF Coordination (DGEF) and UNEP/MAP on 14 October 2008. The recruitment process for the Project Management Unit (PMU) has now been completed. The Mediterranean Marine and Coastal Expert reported for duty in May 2009, and the Administrative Assistant and Project Manager are due to begin within the next month.

The objective of the project is to promote and induce harmonized policy, legal and institutional reforms and fill the knowledge gap aimed at reversing marine and coastal degradation trends and living resources depletion, in accordance with priorities agreed by the countries in the SAP MED and SAP BIO, and to prepare the ground for the future implementation of the ICZM Protocol. Participating countries include Albania, Algeria, Bosnia and Herzegovina, Croatia, Egypt, Lebanon, Libyan Arab Jamahiriya, Morocco, Montenegro, Syrian Arab Republic, Tunisia, Turkey, and the Palestinian Authority. Funding is through GEF with 11,891,000 USD and co-financing of 35,597,700 USD. UNEP/MAP is responsible for the coordination of the project and executing partners include United Nations agencies: UNESCO/IHP, FAO, WB; MAP’s regional activity centers: PAP/RAC, CP/RAC SPA/RAC and NGOs: GWP-Med, WWF-MedPo and MIO-ECSDE. UNIDO will also participate in separately implemented and executed project on the transfer of environmentally sound technology (TEST).

The project consists of 4 components:

- Component 1. Integrated approaches for the implementation of the regional sectorial policies;
- Component 2. Pollution from land-based activities, including POPs: implementation of SAPMED and related NAPs;
- Component 3. Conservation of biological diversity: implementation of SAP-BIO and related NAPs;
- Component 4. Project coordination, replication and communication strategies, and management and M&E.

Draft recommendations

1. ***The Bureau is invited to encourage the Contracting Parties to participate fully in the project activities of the UNEP GEF Med LME in order to ensure national ownership of results and long-term sustainability of actions.***
2. ***The Bureau is invited to encourage the Contracting Parties to review the project documents endorsed by GEF and provide to the Secretariat and the project***

management unit (PMU) with any comments, or to notify if any new national initiatives and projects are commencing with which the project may need to coordinate.

5.2 The new WB GEF Mediterranean Environmental Sustainable Development Program ('Sustainable MED')

The WB has submitted a programme on sustainable development to GEF for inclusion in the June 2009 Council, and GEF is provisionally allocating 50M US\$ from International Waters to fund the initial phase of this project. This Mediterranean Sustainable Development Programme, ("Sustainable MED"), led by the WB, with UNEP as a partner, aims to "enhance and accelerate the implementation of transboundary pollution reduction, improved water resources management, and biodiversity conservation measures in priority hotspots and sensitive areas of selected countries of the Mediterranean basin that would help achieve the Strategic Action Plans' (SAP MED and SAP BIO) targets".

UNEP welcomes this initiative that can further the objectives of UNEP's Mediterranean Action Plan (UNEP/MAP), strengthen the coordination amongst agencies and donors working in the Mediterranean and bring the additional investments needed to assist countries in addressing their priority environmental issues. The basis of this partnership is the past work undertaken by UNEP/MAP and countries with the support of GEF to formulate regional agreements for the reduction of pollution and conservation of biodiversity. Also this programme expands on the GEF, UNEP and WB "Strategic Partnership for the Mediterranean Large Marine Ecosystem" which is now under implementation with the objective of leveraging reforms and catalysing investments that address transboundary pollution reduction and marine and coastal biodiversity conservation priorities for the Mediterranean basin.

The "Sustainable MED Governance and Knowledge Center" project proposes the creation of a Higher Council with high-level representation (at cabinet or ministerial level). On review, the relationship of this Council with the Barcelona Convention and MCSD is as yet unclear, as both include ministries of environment. Also the WB proposes to strengthen the management knowledge center to address sustainable development issues in the Mediterranean (with an initial focus on the marine and coastal zone). UNEP/MAP's Regional Activity Centers (RACs), each specialized in the same issues of pollution reduction, integrated coastal zone management, biodiversity conservation, cleaner production, information management and sustainable development, are already working together with countries to assist in providing technical support and ensuring the dissemination of information and most efficient practices throughout the region.

The Executive Director of UNEP, back in December 2008, in his letter to the CEO of GEF, offered UNEP's assistance in the design and formulation of the programme to utilize the knowledge and experience of UNEP/MAP and its RAC's, thus ensuring that there was no duplication of past and present activities in the region, and ensuring that this programme brings the assistance to Mediterranean countries that has been requested. It was also stressed that the Barcelona Convention provide the legal framework in the region so as to coordinate and ensure a coherent delivery to Member States for the protection of the Mediterranean coastal and marine environment, as well as more recently addressing sustainable development and climate change related issues.

Therefore, in order to ensure greater coordination in the development of this "Sustainable Med" programme and its projects with UNEP, UNEP/MAP and other organizations, UNEP recommends that a coordination mechanism is established with all key organizations in the

region to collaborate together for the implementation of current, and the design of future projects under the “Sustainable MED” programme. It also recommends that UNEP acts in jointly implementing with UNEP/MAP as the executing agency on the “Sustainable MED Governance and Knowledge Center”, to ensure that during the preparation phase, activities do not duplicate those of UNEP/MAP, its RACs, and its role as Secretariat to the Barcelona Convention. UNEP/MAP through its existing partnerships will also ensure coordination with other organizations in the region.

Draft recommendations

- 1. The Bureau is invited to discuss the above considerations made by the Secretariat and provide its guidance.**
- 2. The Bureau is invited to provide its views on the objectives and expected outcome of the proposed project and advise on ways and means through which to build upon and further strengthen the existing sustainable development-related governance structures already established in the framework of the Mediterranean Action Plan, rather than proliferating other similar initiatives in the region.**

6. Implementation of audit recommendations by the Secretariat, including the paper on the 2004 budget freeze for consideration by the Bureau

6.1 Impact of the MAP budget freeze and the lack of an operating reserve in the delivery of the Programme of Work

This paper has been prepared for consideration by the Bureau and the Contracting Parties following recommendations 1), 2) and 4) of the MAP Audit 2008 performed by the Office of Internal Oversight Services (OIOS).

During the last decades, MAP has grown and strengthened its role and impact in the Mediterranean region as an action-oriented cooperation framework towards sustainable development and environmental protection. Expectations are that the MAP system should become even more relevant in the future in view of the renewed high political attention given globally to environmental issues and more specifically to the region, as demonstrated by key decisions undertaken by the Contracting Parties in Almeria and new high level initiatives such as the Union for the Mediterranean.

However, ordinary contributions to the MTF have not increased in the last two bienniums. While understanding the merits of such a decision at the time which was taken due to the significant hike in contributions following the change of the currency of reference for MAP from dollar to Euros represented to the Contracting Parties, the OIOS found some negative effects of the continued contributions freeze in the MAP system, which if further maintained may seriously threaten its ability to comply with its current and future obligations. Three main reasons underlie this opinion.

Firstly, new responsibilities have been entrusted to MAP. Most recent commitments by the Contracting Parties expanding the MAP Programme of Work which increase the responsibilities of the Secretariat include, amongst others: enlarging the cooperation on integrated coastal zone management by adopting a new legal instrument; the entry into force of the amendments to the LBS protocol; adoption of compliance procedures and mechanisms; implementation of the MSSD; improving integration among MAP components and the whole MAP system governance aiming at enhancing actions on the ground. Properly addressing these challenges require new resources.

Secondly, the budget freeze dilutes MAP components cooperation precisely at a time that the Contracting Parties are expecting greater integration and coordination in the implementation of the MAP Work Programme. The lack of resources forces each and all MAP Components to individually look for external sources of funding which weakens the MAP global joint approach sought by the Contracting Parties through the establishment of a "healthy and strong Mediterranean Trust Fund (MTF)" and further emphasized in decision IG 17/5 on the MAP Governance adopted by the Contracting Parties in Almeria.

Thirdly, the erosion in the value of contributions has led to the use and depletion of the operational reserve for implementation of regular activities under the approved Programme of Work. Increases in the cost of living during these seven years have already absorbed the value of the 2003 contributions raise due to the change of currency of reference from Dollars to Euros. This is illustrated, inter-alia, by annual inflation rates which vary every year from 2 to 5% in all countries where MAP structures operate; a 12% increase in personnel cost and an average increase by 45% in the overall cost of meetings since 2004. The decreasing value of contributions has changed the ratio of personnel to activity costs from 70% in 2003

to 82% in 2009. The operational reserve has thus been depleted by USD 4,408,000 in 2003 to USD 1,000,000 in 2008, as observed by the OIOS Audit report.

In conclusion, the improvement of the financial situation of MAP requires an increase in the ordinary contribution of the Contracting Parties and the establishment of a trust fund operational reserve.

Therefore the following actions are proposed for the consideration of the Bureau:

- 1) Increase in the ordinary contribution by 10% as of January 2010**
- 2) Establishment of the operational reserve. This reserve should be calculated at 15 % of the estimated annual expenditure as per UN standards**
- 3) Automatic annual increase of ordinary contributions to reflect the inflation rate as is the practice in different international conventions.**

6.2 Actions taken by the Secretariat to implement the MAP 2008 Audit Report Recommendations

Background

Following the decision of the 15th Meeting of the Contracting Parties and the Governance Paper, the MAP Coordinating Unit had requested the Office of Internal Oversight Services (OIOS) to assess the financial performance of the Mediterranean Action Plan. The audit covered activities for the period from January 2006 to September 2008 and is presented as information document BUR/69/Inf.9. It proposes a number of recommendations for improvement with regard to MAP financial vulnerability, governance and strategic planning, human resources and operations.

UNEP/MAP interest is to maintain and expand the trust given to us by the Contracting Parties to the Barcelona Convention and to do so in accordance with the highest standards of accountability and transparency. In this context, the UNEP/MAP and UNEP are fully committed to expeditiously address the issues raised by the auditors. A process has been set in place through which responsible units and a time-table with deadlines for implementation have been agreed upon so as to allow for close and efficient monitoring. Some measures are already in place and plans are ongoing to fully address complex measures which require some elaboration, as per the summary below.

Actions related to funding arrangements (recommendations 1-4) :

- A paper on the impact and budget freeze and creation of the reserve are submitted to the Bureau for discussion.
- The observed arrears in 2008 contributions have been solved. From the time of the audit to date, 97% of the 2008 yearly contributions had been received.

Actions related to governance and strategic planning (Recommendations 5-8)

- These recommendations are being taken into account in the framework of the implementation of the Governance paper adopted by the 16th Meeting of the Contracting Parties in January 2008. While some mechanisms are already in place aiming at strengthening strategic planning and integration among MAP components, full achievement will take place during the forthcoming biennium under the guidance of the Coordinating Unit and in consultation with the ECP.

- In 2009 priority has been given to preparation of Host Country Agreements. Once the proposed texts are cleared by UNEP Headquarters, UNEP/MAP will launch a process of consultation with host countries and the Bureau.

Actions related to human resources and operational procedures (Recommendations 10-18)

- Strict compliance with UNEP existing rules and procedures has been restored. The staff member referred to in the report as having incurred in operational irregularities has left the Organization.
- A delegation of authority has been issued by UNEP HQ to the Officer-in-Charge for approval of travel and hospitality.
- The expert roster has been updated, including the rate for consultants in line with the UNEP rules and regulations
- UNEP/MAP is in consultation with UNDSS/New York on ways to address UNEP/MAP security concerns other than by using the post of administrative clerk.
- Official written instructions have been issued to staff ensuring that travel arrangements & DSA are in line with existing rules & procedures
- A review of job descriptions to ensure they adequately reflect current tasks is envisioned to take place in the second half of the year.
- A training plan for the staff according to its needs and UNEP training policy will be in place by December 2009.

In conclusion, the Coordinating Unit and the RACs would like to express to the Bureau their full commitment to take all necessary measures required to swiftly implement the Audit recommendations with the view to attain the highest standards of professionalism, efficiency, transparency and accountability, thus enhancing and strengthening the overall MAP governance system as mandated by the 16th Meeting of the Contracting Parties in Almeria on January 2008.

The Coordinating Unit also commits to periodically report to the Bureau on the progress achieved with regard to the implementation of the on-going recommendations in its forthcoming meetings.

7. Main directions of the Programme budget 2010-2011

The programme budget is built on the achievements and lessons learnt of the programme of work implemented during the current biennium, medium term sectorial strategies adopted by the Contracting Parties to implement different protocols, activities related to the mandate of the Secretariat, the implementation of decisions expected to be adopted by the 16th Meeting of the Contracting Parties in November 2009 as well as recent development in the regional and global context relevant to MAP.

In short the proposed programme of work fully reflects the objective to further implement the Convention and its Protocols as well as the MSSD taking into account the need for adaptation to new developments of MAP relevance in the region.

The focus during the next biennium will be put on the following directions:

- Strengthening the overall governance system of MAP in order to make the work of the Coordinating Unit, the ECP and the RACs more effective and integrated, including the preparation of a revised communication information strategy for MAP, and finalization of the MAP information system as well as the application of the ecosystem approach by MAP.
- Moving further from a piecemeal to a more integrated, coherent and strategic approach with regard to regional cooperation policies of MAP, including the RACs by identifying and formalizing cost-effective cooperation and partnership with key and strategic partners, as well as civil society organizations.
- Strengthening the role and impact of the MCSD and MSSD implementation in the region. A special outcome is expected to be the assessment and update/revision of the MSSD and its implementation.
- Further implement the Almeria Declaration by assisting the Contracting Parties to anticipate the effects of climate change in the Mediterranean region and to promote adaptation and mitigation measures.
- Making fully operational and effective the established compliance procedures and mechanisms with a view to assisting, encouraging and facilitating the Contracting Parties to address to the Compliance committee any difficulties arising during the implementation of the Convention and its Protocols.
- Assist Contracting Parties in their efforts to de-pollute the Mediterranean, and halt biodiversity loss by implementing pollution reduction actions and hot spots elimination, as well as measures to protect endangered species and their sensitive ecosystems. Further work will be carried out to identify potential sites on the high seas that may meet the requirement to be proposed as SPAMIs.
- Assist the Contracting Parties to prepare the grounds for the implementation of the new ICZM protocol expected to enter into force in 2010 as well as implementing several CAMP projects.
- Promote the implementation of sustainable production and consumption policies practices and tools in the region in the field of the application of the Convention and its Protocols as well as MSSD.
- Implement activities envisaged in the new GEF Strategic Partnership project that are expected to offer greater opportunities for more integration with the work of the Secretariat and MAP components as well as for sufficient assistance to the Contracting Parties to achieve sustainable and concrete results.

The programme of work 2010-2011 is ambitious and realistic. The Secretariat and the RACs have been successful in mobilizing important external resources from GEF, AZAHAR, FEEM and the EC that will facilitate the implementation of the proposed programme of work.

8. Geographical distribution of activities during the current biennium

**DISTRIBUTION OF ACTIVITIES PER COUNTRY
(at national and regional level during the biennium 2008-2009)
ASSISTANCE PROVIDED BY MEDU/Programme Office, MED POL,
REMPEC , PAP/RAC , SPA/RAC, and CP/RAC**

Contracting Party	Kind of activity/assistance
Albania	3 training courses, 4 MOUs, assistance to 6 laboratories, 9 workshops, 2 meetings
Algeria	5 training courses, 13 workshops, 3 MOUs, 2 meetings, 2 Monitoring activities
Bosnia & Herzegovina	2 training courses, 2 workshops
Croatia	5 training courses, assistance to 9 laboratories, 5 meetings, 9 workshops, 1 monitoring activity
Cyprus	4 training courses, assistance to 2 laboratories, 10 workshops, 3 meetings, 1 MOU (CAMP)
Egypt	16 workshops, 4 training courses, 1 meeting, 1 MOU, 1 MOU (CAMP)
European Community	2 meetings, 6 workshops, 1 monitoring activity
France	4 meetings, 9 workshops, 1 MOU, 1 monitoring activity
Greece	10 workshops, 5 meetings, assistance to 6 laboratories, 3 MOU
Israel	1 training course, 2 meetings, 7 workshops, assistance to 5 laboratories
Italy	5 meetings, 8 workshops, 5 MOUs, assistance to 2 laboratories, 8 (other activities), 1 monitoring activity
Lebanon	3 training courses, 9 workshops, 2 meetings
Libya	3 meetings, 13 workshops, 1 MoA, 1 MOU
Malta	3 meetings, 11 workshops, 2 training courses
Monaco	11 workshops, 3 meetings, 1 monitoring activity
Morocco	4 training courses, 11 workshops, assistance to 11 laboratories, 3 MOUs, 1 GEF project, 4 meetings, 2 monitoring activities, 1 MOU (CAMP)
Montenegro	2 training courses, 9 workshops, 1 MOU, 1 monitoring activity
Slovenia	1 meeting, 11 workshops, assistance to 3 laboratories, 1 MOU
Spain	Assistance to 4 laboratories, 11 workshops, 5 meetings, 1 training course, 1 monitoring activity, 1 MOU (CAMP)
Syria	10 workshops, 3 training courses, 3 meetings, assistance to 3 laboratories, 1 MOU
Tunisia	18 workshops, 5 training courses, 8 MOUs, 2 meetings, assistance to 5 laboratories, 2 monitoring activities
Turkey	7 MOUs, 15 workshops, 3 meetings, 4 training courses, assistance to 8 laboratories

ANNEX

Draft Code of Conduct on the rights and duties of NGOs accredited as observers with MAP

NGOs already accredited as observers with MAP, in conformity with Article 20 of the Barcelona Convention and any NGOs to be accredited in the future, undertake the commitment to respect of their own free will the present Code of Conduct by putting their signature at the bottom of this document next to the signature of the Secretariat of the Barcelona Convention.

This signature is witness to their commitment to respect the basic principles of good conduct which are necessary for the dissemination, promotion and implementation of the policies, strategies and programmes emanating from the Barcelona Convention and its Protocols, as well as the decisions of the Meetings of the Contracting Parties.

The objective of the Code of Conduct is to guarantee a common deontology to guide the partnership between MAP and the NGOs and give greater visibility to the reciprocal commitments of both the NGOs and the Organization.

Duties of accredited NGOs

1. NGOs include in their programmes of activities the objectives pursued by MAP and its components as expressed in the Barcelona Convention and its Protocols, in the resolution of the Mediterranean Commission on Sustainable Development (MCSD) and in the decision of the Meetings of the Contracting Parties;
2. In order to reinforce the spirit of solidarity among the peoples of the Mediterranean, NGOs contribute to the raising of awareness and information of their members and more generally of the public, in order to make better known the objectives of the Barcelona Convention and its Protocols as well as the achievements of MAP;
3. To this effect, NGOs organize meetings or specific events, disseminate data and publish documents concerning MAP activities;
4. NGOs regularly inform the Secretariat and the various MAP programmes and RACs about their activities as well as their contribution to achieving the objectives of MAP, mainly by sending them their information bulletins and other publications and by inviting them to participate in their ordinary meetings and other activities;
4(a) NGO's work to promote and reinforce compliance with the Barcelona Convention and its Protocols and to contribute to their implementation with the support of NGOs at the local, national and international levels.
5. NGOs strive to build a partnership with other involved parties, especially the private sector, other NGOs and public authorities, with a view to undertaking promotion activities relating to the implementation of the Barcelona Convention and its Protocols;
6. NGOs strive to develop environmental learning and training activities in the Mediterranean countries, in connection with MAP's objectives and activities;
7. NGOs strive to develop relationships and joint actions between the NGOs of the North of the Mediterranean and those of the South;
8. According to their expertise and specific experience at local, national or regional levels, NGOs put to the disposal of MAP their know-how and expertise by providing advice or counsel and by participating in MAP surveys, activities or publications;
9. NGOs regularly keeps abreast of MAP's activities, and projects by using available sources, especially the various internet sites;

10. NGOs provide of their own accord or at the request of the various MAP bodies any information, documentation or report relating to subjects under study to both the Secretariat and the various programmes and RACs;
11. NGOs regularly submit to the Secretariat a report on their activities, the decision-making structures, their funding sources and the contribution they make to MAP's activities;
12. NGOs maintain continuous relations with the various MAP Focal Points in the countries where they are present;
13. NGOs contribute and participate regularly in an active manner to the MAP meetings and other activities to which are invited;
14. In general terms, NGOs respect the ideas and opinions expressed by others and refrain from comments, types of behavior or any verbal or written action which might infringe upon the rights of others expressing differing points of view;
15. NGOs must not use the opportunity of MAP meetings to express political or religious views.

Rights of accredited NGOs

1. NGOs may formulate comments, constructively criticize or make proposals on the activities of MAP and the Contracting Parties;
2. NGOs may make written presentations on topics relating to their competence during meetings and conferences. The decision to distribute such documents rests with the Secretariat, if distribution is decided, the document may be included in the MAP website;
3. NGOs may take the floor during meetings and conferences with the agreement of the session chairperson. They do not have the right to vote.
4. The points of view of NGOs as expressed in the meeting must be reflected in the official report of that meeting;
5. NGOs have the right to be informed. To this purpose they are sent by Internet all documents prepared by the various MAP bodies which are likely to be of interest to them;
6. NGOs have the right to participate by being given sufficient time to send in their written contributions. In this connection they may be consulted by the Secretariat and the various MAP bodies on MAP strategies, plans, programmes and projects;
7. NGOs are associated as closely as possible to the various phases of preparation and follow-up of MAP's programmes and actions;
8. NGOs may submit in writing to the MAP Secretariat general or specific comments and suggestions on topics within their competence, concerning the implementation of MAP's objectives. The Secretariat informs the Bureau accordingly;
9. NGOs are invited to participate in seminars, colloquia and conferences organized by the various MAP bodies;
10. NGOs have at their disposal one page of the "MEDWAVES" bulletin for their activities. This bulletin is sent to them free of charge;
11. NGOs are invited to appoint their representatives at the periodic meetings of accredited NGOs, especially prior to the Meeting of the Contracting Parties;
12. Agreements may be concluded between the Secretariat or MAP bodies and the NGOs considered the most directly concerned/competent, in order that the latter may contribute to the execution of tasks within the framework of the MAP programme. However, the MAP/NGO partnership in no way implies the automatic granting of financial assistance;
13. NGOs may at any point renounce the accreditation accorded to them by addressing a written notification to the Secretariat;

14. Non-compliance with the Code of Conduct constitutes a reason for the non-renewal of accreditation;
15. In case of a complaint or dispute regarding the rights and duties of NGOs within the MAP framework between an NGO and the MAP bodies, a written complain may be lodged with the Secretariat by the NGO involved. The Secretariat strives to resolve the conflict and, if necessary, calls in a mediator appointed by the Bureau