



UNITED
NATIONS

EP

UNEP(DEPI)/MED WG.421/20



UNITED NATIONS
ENVIRONMENT PROGRAMME
MEDITERRANEAN ACTION PLAN

13 August 2015
Original: English

Meeting of the MAP Focal Points

Athens, Greece, 13-16 October 2015

Agenda item 5: Specific Matters for Consideration and Action by the Meeting

Draft Decision: Reform of the Mediterranean Commission on Sustainable Development (MCSD) and Updated MCSD Constitutive Documents

For environmental and economic reasons, this document is printed in a limited number. Delegates are kindly requested to bring their copies to meetings and not to request additional copies.

Note by the Secretariat

This draft decision has been proposed by the Steering Committee of the MCSD to respond to Decisions IG.17/5 “Governance Paper” of COP 15 (Almeria, Spain, January 2008); IG.20/13 of COP 17 (Paris, France, February 2012), and Decision IG.21/11 of COP 18 (Istanbul, Turkey, December 2013), which invited the Steering Committee of the MCSD to work on reforming the MCSD taking into account the need to sharpen the mandate of the MCSD, strengthen its role and contribution to integrate the environment in other public policies, and revise the constitutive documents of the MCSD accordingly. The conclusions of the 16th Meeting of the MCSD (Marrakesh, Morocco, June 2015) and of the 17th Meeting of the Steering Committee are taken into account in the formulation of the draft decision.

The draft decision contains measures to reform the MCSD as well as the following two annexes:

1. Updated version of the constitutive documents of the MCSD, including Rules of Procedures, Terms of Reference, and Composition. The text of the original Document UNEP(OCA)/MED WG.140/Inf.4 of 1998 is updated as per Decision IG.17/5 (Almeria Governance Paper). The latter is also updated and revised to reflect the recommendations taken by the MCSD at its 16th Meeting and by the Secretariat. To facilitate the reading, Annex 1 is provided both in track-change and clean modes.
2. Proposal for a simplified Peer Review. The mandate contained in Decision IG.21/12 of COP 18 (Istanbul, Turkey, December 2013), requesting the MCSD to encourage the exchange of good practice and the Secretariat to prepare a proposal on how a simplified peer review process could be put in place. The proposal is presented in Annex II to this draft Decision.

Draft Decision IG.22/17

**Reform of the Mediterranean Commission on Sustainable Development (MCSD)
And Updated MCSD Constitutive Documents**

The 19th Meeting of the Contracting Parties to the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, hereinafter referred to as “the Barcelona Convention”,

Recalling the Extraordinary COP (Montpellier, France, July 1996) adopting the Terms of Reference and Composition of the MCSD, and COP 10 (Tunis, Tunisia, November 1997) adopting the Rules of Procedure of the MCSD, both as contained in Document UNEP(OCA)/MED WG.140/Inf.4 of September 1998;

Recalling also Decision IG.17/5 “Governance Paper” of COP 15 (Almeria, Spain, January 2008); the Decision IG.20/13 of COP 17 (Paris, France, February 2012), and Decision IG.21/11 of COP 18 (Istanbul, Turkey, December 2013), which invited the Steering Committee of the MCSD to work on reforming the MCSD taking into account the need to sharpen the mandate of the MCSD, strengthen the role and contribution to integrate the environment in other public policies, and revise the constitutive documents of the MCSD accordingly;

Having considered the report of the 16th Meeting of the MCSD (Marrakesh, Morocco, June 2015) in particular with respect to the reform of the MCSD as well as the need for increased staff resources from the MAP system to support effectively the work of the MCSD;

Adopts the amended Rules of Procedure, Terms of Reference and Composition of the MCSD, as provided in Annex I to this Decision;

Requests the Secretariat to improve MCSD visibility notably at the United Nations High Level Political Forum and other relevant fora at global and regional level, relying on UNEP institutional capacities;

Agrees that funds are allocated in the UNEP/MAP Programme of Work and Budget to ensure that one of the MCSD Steering Committee regular meetings during the biennium is face-to-face;

Encourages the members of the MCSD to support this process by hosting the meetings of the Steering Committee, to enable at least one face to face meeting in a biennium;

Decides on the new non-Contracting Party membership of the MCSD, as proposed by the MCSD and its Steering Committee, which brings the total number of MCSD Members to 40:

- **The Local Authorities Group**: Association of Italian Local Agenda 21, MEDCITIES, the Mediterranean Commission of the United Cities and Local Governments (UCLG);
- **The Socio-economic Stakeholders Group**: Arab Network for Environment and Development (RAED), Union of Mediterranean Confederations of Enterprises (UMCE), ANIMA Investment Network (Cooperation platform for economic development in the Mediterranean);
- **The Non-Governmental Organizations Group**: World Wide Fund for Nature – Mediterranean Programme Office (WWF MedPO), Environnement et Développement au Maghreb (ENDA-Maghreb), Mediterranean Information Office for Environment Culture and Sustainable Development (MIO ECSDE);
- **The Scientific Community Group**: Forum Euroméditerranée des Instituts de Sciences Economiques (FEMISE), Mediterranean Programme for International Environmental Law and Negotiation (MEPIELAN) and Mediterranean Sustainable Development Solutions Network (Med-SDSN);
- **The Intergovernmental Organizations Group**: International Union for the Conservation of Nature (IUCN), Union for the Mediterranean (UfM) Secretariat, Centre for Environment and Development for the Arab Region and Europe (CEDARE).

- Parliamentarians: Parliamentary Assembly of the Union for the Mediterranean (PA-UfM), Circle of Mediterranean Parliamentarians on Sustainable Development (COMPSUD), Parliamentary Assembly of the Mediterranean (PAM).

Requests the Secretariat, in accordance with Rule 5 paragraphs 1 and 3 to invite and involve as observers other UN bodies active in the Mediterranean, *inter alia* UNDP (RBAS and RBEC), UN- HABITAT, UNIDO, GFCM, FAO, UN ESCWA, UN WTO, UNECE, UNECA, UNESCO and the World Bank. Additionally, it should be considered to involve representatives of youth organizations to MCSD as observers;

Requests the Secretariat to invite the State of Palestine to attend future MCSD meetings as an observer;

Agrees on the proposal for the simplified peer review process on sustainable development in the Mediterranean countries, as submitted by the Secretariat, as provided in Annex II to this Decision and **asks** the Secretariat to provide full support and mobilize resources as appropriate;

Encourages MCSD Members to be more involved between meetings, participating in projects and actions to follow-up on the MSSD implementation, sharing good practices, knowledge transfer, and peer review, and enhance the visibility of the MCSD.

Annex I

**CONSTITUTIVE DOCUMENTS OF THE MEDITERRANEAN COMMISSION ON SUSTAINABLE
DEVELOPMENT**

RULES OF PROCEDURE, TERMS OF REFERENCE AND COMPOSITION

AMENDMENTS PROPOSED BY THE MCSD STEERING COMMITTEE

At its 16th Meeting (Marrakesh, Morocco, 9-11 June 2015) the MCSD recommended to update the constitutive documents of the MCSD, i.e. its 'rules of procedure, terms of reference and composition in order to reflect the Decision IG 17/5: Governance Paper taken at COP-15 (Almeria, Spain, 15-18 January 2008) and the MCSD recommendations at its 16th Meeting. This document is submitted to the 19th Ordinary Meeting of the Contracting Parties of the Barcelona Convention and its Protocols (Athens, Greece, 9-12 February 2016) for approval.

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

[Note by the Secretariat: the original Rules of Procedure as contained in UNEP(OCA)/MED WG.140/Inf.4 of 1998 are updated to reflect recommendations by the MCSD at its 16th Meeting and by the Secretariat]

PURPOSE

Rule 1

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

DEFINITIONS

Rule 2

For the purpose of these rules:

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

PLACE OF THE MEETINGS OF THE COMMISSION

Rule 3

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

During the time between the Parties' meeting the approval maybe given by the Bureau of the Parties to the Convention.

For reasons of optimal use of available resources, the meetings within the MCSD context may be coordinated as appropriate with other relevant MAP meetings.

DATES OF THE MEETINGS OF THE COMMISSION

Rule 4

The Commission will hold an ordinary meeting on a biannual basis and extraordinary sessions on a need-be basis. [*Note by the Secretariat: As per Almeria Decision IG.17/5*]

The Coordinator shall convene the meetings of the Commission.

The Commission shall, at its ordinary meetings, fix the opening date and the duration of the next meeting.

At the commencement of the first sitting of each meeting, the Commission shall elect the Steering Committee, which is composed of a President, five Vice-presidents and a Rapporteur, on the basis of an equitable geographical distribution, and among the various groups in accordance with the distribution indicated in Rule 17.

INVITATIONS

Rule 5

The Coordinator shall invite to send representatives to participate in the Commission's meetings as observers, the United Nations and its competent subsidiary bodies, and the Specialized Agencies if they participate in the activities of the Mediterranean Action Plan, or have direct concern with environment and sustainable development issues in the Mediterranean.

The Coordinator shall, in agreement with the Steering Committee, invite to send representatives to participate in the Commission's meetings as an observer, any state which is a member of the United Nations which so requests and has direct concern with environmental and sustainable development issues in the Mediterranean.

The Coordinator shall, in agreement with the Steering Committee, invite to send representatives to participate in the Commission's meetings as an observer, any other inter-governmental organization, including financial institutions, which would interest itself directly in issues of environmental protection and sustainable development in the Mediterranean, the activities of which are related to the functions of the Commission.

Such observers may, as provided in Article 20(2) of the Barcelona Convention as amended, participate in the Commission's meetings and may present any information or report relevant to the work of the Commission and in matters of direct concern to the organizations they represent.

PUBLICITY

Rule 6

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

AGENDA

Rule 7

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

Rule 8

The provisional agenda of each meeting shall include:

1. all items mentioned under the “MANDATE” section of the Terms of Reference of the Commission;
2. all items the inclusion of which has been requested at a previous meeting of the Commission;
3. any item proposed by a member of the Commission;
4. an analytical report of the Coordinator containing information on relevant sustainable development activities, the progress achieved in the implementation of the MSSD and other relevant activities undertaken, and emerging issues to be addressed;
5. the reports of the Task Managers and the Thematic Working Groups as per Rule 20;
6. all items pertaining to the financial arrangements relevant to the Commission.

Rule 9

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

Rule 10

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

Rule 11

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

Rule 12

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

REPRESENTATION

Rule 13

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

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

Rule 14

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

Rule 15

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

Rule 16

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

STEERING COMMITTEE OF THE COMMISSION

Rule 17

The Steering Committee shall include four members representing the Contracting Parties, including *ex officio* the President of the Bureau of the Contracting Parties, and three representatives from the six categories foreseen by the Terms of Reference of the MCS D.

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

Rule 18

The MCS D Steering Committee oversees the work of the MCS D between sessions. The Steering Committee meets regularly on annual basis during the biennium - at least one of these meetings is to be face-to-face.

The work of the Steering Committee is supported by the Secretariat. In order to secure the necessary financial means, the Secretariat shall include adequate provisions in its biennial Programme of Work and Budget to be discussed and agreed by the Contracting Parties.

Members of the Commission are encouraged to hosting the meetings of the Steering Committee.

Rule 19

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

of the Steering Committee.

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

ORGANIZATION OF THE MEETINGS OF THE COMMISSION

Rule 20

During the course of a meeting, the Commission shall establish thematic working groups and other working groups as it deems necessary, and to refer to them the themes identified by the Commission as of great importance for the sustainable development of the Mediterranean region for study, and proposal. Such working groups could sit while the Commission is not in session, ensuring thus, together with the Steering Committee, the continuity of the Commission between its sessions.

Unless otherwise decided, the Commission shall select task managers for each thematic working group and a chairman for other working groups.

The Commission shall define the mandate and composition of the working groups and Task Managers.

Rule 21

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

Rule 22

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

Rule 23

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

LANGUAGES OF THE COMMISSION

Rule 24

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

CONDUCT OF BUSINESS

Rule 25

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

PROPOSALS OF THE COMMISSION

Rule 26

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

RECORDS OF THE MEETINGS OF THE COMMISSION

Rule 27

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

AMENDMENTS OF PROCEDURE

Rule 28

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

MEDITERRANEAN COMMISSION ON SUSTAINABLE DEVELOPMENT TERMS OF REFERENCE

[Note by the Secretariat: The text of the original terms of reference as per Document UNEP(OCA)/MED WG.140/INF.4 of 1998 is replaced by the “New Terms of Reference for the MCSD” as per Decision IG.17/5. The latter is also updated and revised to reflect the recommendations taken by the MCSD at its 16th Meeting and by the Secretariat.]

[Note by the Secretariat: As indicated in the previous note by the Secretariat, the following text is the “New Terms of Reference for the MCSD” as per Decision IG.17/5, updated and revised to reflect the recommendations taken by the MCSD at its 16th Meeting and by the Secretariat.]

Introduction

1. The Mediterranean Commission for Sustainable Development (MCSD) was established in 1995 in the framework of the Mediterranean Action Plan (MAP) as an advisory body to the Contracting Parties to assist them in their efforts to integrate environmental issues in their socioeconomic programmes and, in so doing, promote sustainable development policies in the Mediterranean region. The Commission is unique in its composition, in as much as government representatives, local communities, socioeconomic actors, IGOs and NGOs participate on an equal footing. The MCSD has so far carried out high-quality undertakings, mobilising work on priority themes for the Mediterranean, notably, water resources, integrated coastal zone management, tourism, industry etc., and developing the Mediterranean Strategy for Sustainable Development.

A. PURPOSE

2. The purpose of the MCSD is to assist the Contracting Parties to the Barcelona Convention to implement the objectives of sustainable development and other regional or local actors in their efforts to promote sustainable development in the Mediterranean region and to integrate environmental issues in their socio-economic programmes.

B. MANDATE

3. The MCSD is an advisory body to the Contracting Parties of the Barcelona Convention and represents a forum for debate with essentially the following mission:

- To assist Mediterranean countries and other stakeholders active in the region in the adoption and implementation of sustainable development policies, particularly the integration of environmental considerations into other policies;
- To ensure the follow-up of MSSD implementation through appropriate tools, mechanisms and criteria that would better enhance an efficient follow-up function;
- To promote the exchange of experience and good practices regarding the integration of environmental and socioeconomic policies, as well as examples which show the application of international sustainable development commitments at suitable scales in different countries;
- To identify the obstacles encountered and support regional and subregional cooperation for the effective implementation of the sustainable development principle;
- To coordinate the periodical drafting of the report on the state of implementation of the MCSD recommendations;
- To produce opinions of the overall MAP Work Programme, with the aim of integrating sustainability considerations into the MAP / Barcelona Convention system as a whole.

- To produce opinions and recommendations for integration and coordination of the work of the MCSD with the other existing international and regional sustainable development and environmental programmes, policy frameworks and initiatives.

C. FUNCTIONING

4. Each session of the Commission will focus on sectoral issues relevant to the MSSD, as well as other emerging sustainability issues.

5. MCSD recommendations will be presented for consideration to the Meeting of the Contracting Parties, following discussion at the meeting of the MAP Focal Points. The conclusions of the meetings should influence the Programme of Work of the MAP system, and the implementation of the Barcelona Convention by the Contracting Parties.

D. REPORTS

6. Before each session, each member should provide a concise report focusing on the implementation of MSSD and MCSD recommendations, following a template prepared by the Secretariat. The Secretariat will then prepare a summary report to be presented at the beginning of each session.

7. The analytical report of the Coordinator as per Rule 8 paragraph 4 of the Rules of Procedure will also include reports by the Regional Activity Centres (RACs) on the implementation of MSSD and MCSD recommendations relevant to their line of work.

MEDITERRANEAN COMMISSION ON SUSTAINABLE DEVELOPMENT COMPOSITION

[Note by the Secretariat: The following chapter is based on UNEP(OCA)/MED WG.140/Inf.4, and reflects the definition of MCSD composition as per Almeria Decision IG.17/5, and recommendations by the MCSD at their 16th Meeting and by the Secretariat]

Introduction

1. The MCSD is an advisory body to the Contracting Parties to the Barcelona Convention and a forum for debate and exchange of experiences on sustainable development issues that concern all interested parties in the Mediterranean region. It is appropriate to involve the greatest possible variety of actors in the work of the Commission, so as to ensure the greatest possible dissemination of the concepts promoted by the MCSD.

A. NUMBER OF REPRESENTATIVES

2. The Commission shall be composed of 40 members, consisting of:

- 22 representatives designated by the competent bodies of the Contracting Parties
- 3 representatives of local authorities
- 3 representatives of NGOs
- 3 representatives of socio- economic stakeholders
- 3 representatives of the scientific community
- 3 representatives of intergovernmental organizations working in the field of sustainable development
- 3 representatives of regional parliamentary associations

3. Efforts should be made to ensure participation of representatives from both the environmental and development fields related to the topics of the agenda of each meeting of the MCSD. Appropriate geographical representation and media participation should be ensured.

4. Each Contracting Party to the Barcelona Convention shall be represented by one high-level representative (total 22), who may be accompanied by such alternates and advisers as may be required, in order to ensure interdisciplinary participation of relevant ministerial bodies of the Contracting Parties (e.g. ministries of environment, tourism, economy, development, industry, finance, energy, etc.).

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

B. METHOD OF NOMINATION OF CANDIDATES OTHER THAN THOSE REPRESENTING THE CONTRACTING PARTIES

6. The Contracting Parties, MCSD members and the Secretariat (in consultation with UNEP/MAP Components, as appropriate) may nominate members of the Commission, other than those representing the Contracting Parties, based on written expressions of interest, and criteria and modalities provided for in Decision IG.19/6 on "MAP/Civil society cooperation and partnership".

Each biennium, the Steering Committee of the Commission, with the assistance of the Secretariat, shall review the list of the MCSD members, particularly in the light of those members whose mandate may be drawing to a close, and decide on any changes required.

The list of candidates shall be submitted for adoption by the next Ordinary Meeting of the Contracting

Parties.

7. The following general selection criteria will apply:

- I. The criteria established in Decision 19/6 on “MAP/ Civil society cooperation and partnership” shall be used as a reference text for selection of members representing NGOs.
- II. Priority for selection shall be given to Mediterranean local authorities, NGOs, socio-economic stakeholders, the scientific community, and intergovernmental organizations that are concerned with environmental and sustainable development issues in the Mediterranean.
- III. The principle of equitable geographical distribution should be respected (north/south and east/west).
- IV. Fragile and island ecosystems will be given due consideration;
- V. With reference to the six specific categories, the following are the selection criteria, giving priority to the groups or networks concerned:

(i) Local Authorities

Local authorities to be selected should be concerned with environmental and sustainable development issues.

(ii) Socio-economic Actors

Selection within this group should take into consideration the major problems and decisive factors in the Mediterranean as well as the following factors:

- north/south representation
- developed/developing countries
- rural/urban
- past and current activities at the Mediterranean level.

Priority of selection shall be given to socio-economic networks active in the Mediterranean.

(iii) NGOs

The members representing NGOs should be selected from the list of MAP/NGO partners.

The members should be selected from among three NGO categories, with priority being afforded in the following order:

- NGOs with regional or sub-regional Mediterranean scope
- NGOs with global scope
- NGOs with national or local scope

The NGOs to be selected should have a concrete and action-oriented approach towards the Mediterranean

(iv) IGOs

The members representing IGOs should be selected from organizations with global and/or regional scope, with mandates and activities of direct relevance to the work of the MCSD and the implementation of the MSSD.

(v) Scientific Community

The members representing the scientific community should be selected from among academic/research institutions and individuals with a proven track of relevant work and interest in fields of environment and sustainable development in the Mediterranean.

(vi) Parliamentarians

The members representing Parliamentary Associations should have a Mediterranean regional or sub-regional scope and include individuals with experience in the field of sustainable development.

8. The Secretariat shall develop with inputs from Contracting Parties, MCSD members and UNEP/MAP Components a roster of organizations and individuals from the above categories to be used for future nominations as members of the MCSD.

C. DURATION OF THE MANDATE

9. The duration of the membership of the Commission shall be as follows:

- I. All Contracting Parties to the Barcelona Convention shall be permanent members of the Commission;
- II. Three representatives from each of the six categories, shall be selected for a duration of two biennia by the meeting of the Contracting Parties. Their mandate is renewable for one additional term
- III. When members do not attend the Commission meetings, enquiries shall be forwarded by through the Steering Committee through the Secretariat to identify and address the reasons for the non-attendance. Non-Contracting Party organizations who have not attended two successive meetings of the MCSD should be considered for replacement.

ANNEX I
IN “TRACK CHANGES”MODE

**CONSTITUTIVE DOCUMENTS OF THE MEDITERRANEAN COMMISSION ON
SUSTAINABLE DEVELOPMENT**

RULES OF PROCEDURE, TERMS OF REFERENCE AND COMPOSITION

AMENDMENTS PROPOSED BY THE MCSD STEERING COMMITTEE

At its 16th Meeting (~~#~~Marrakesh, ~~M~~Morocco, 9-11 June 2015); the MCSD recommended to update the constitutive documents of the MCSD, i.e. its 'rules of procedure', 'terms of reference' and 'composition in order to reflect the Decision IG 17/5: Governance Paper taken at COP-15 (Almeria, Spain, 15-18 January 2008) and the MCSD recommendations at its 16th Meeting. This document is submitted to the 19th Ordinary Meeting of the Contracting Parties of the Barcelona Convention and its Protocols (Athens, Greece, 9-12 February 2016) for approval.

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

[Note by the Secretariat: the original Rules of Procedure as contained in UNEP(OCA)/MED WG.140/Inf.4 of 1998 are updated to reflect recommendations by the MCSD at its 16th Meeting and by the Secretariat]

PURPOSE

Rule 1

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

DEFINITIONS

Rule 2

For the purpose of these rules:

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

PLACE OF THE MEETINGS OF THE COMMISSION

Rule 3

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

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

~~_____~~ During the time between the Parties' meeting the approval may be given by the Bureau of the Parties to the Convention.

~~_____~~ For reasons of optimal use of available resources, the meetings within the MCSD context may be coordinated as appropriate with other relevant MAP meetings.

DATES OF THE MEETINGS OF THE COMMISSION

Rule 4

~~1. As provided in Section E(7) of the Terms of Reference of the Commission, the Commission shall hold meetings at least once every year, up to the year 2000, then shall meet at least once every two years. The Commission will hold an ordinary meeting on a biannual basis and extraordinary sessions on a need-be basis. [Note by the Secretariat: As per Almeria Decision IG.17/5]~~

2. The Coordinator shall convene the meetings of the Commission.

3. The Commission shall, at its ordinary meetings, fix the opening date and the duration of the next meeting.

At the commencement of the first sitting of each meeting, the Commission shall elect the Steering Committee, which is composed of a President, five Vice-presidents and a Rapporteur, on the basis of an equitable geographical distribution, and among the various groups in accordance with the distribution indicated in Rule 17.

INVITATIONS

Rule 5

1. The Coordinator shall invite to send representatives to participate in the Commission's meetings as observers, the United Nations and its competent subsidiary bodies, and the Specialized Agencies if they participate in the activities of the Mediterranean Action Plan, or have direct concern with environment and sustainable development issues in the Mediterranean.

2. The Coordinator shall, in agreement with the Steering Committee, invite to send representatives to participate in the Commission's meetings as an observer, any state which is a member of the United Nations which so requests and has direct concern with environmental and sustainable development issues in the Mediterranean.

3. The Coordinator shall, in agreement with the Steering Committee, invite to send representatives to participate in the Commission's meetings as an observer, any other inter-governmental organizations, including financial institutions, which would interest ~~itself~~ directly in issues of environmental protection and sustainable development in the Mediterranean, the activities of which are related to the functions of the Commission.

4. Such observers may, as provided in Article 20(2) of the Barcelona Convention as amended, participate in the Commission's meetings and may present any information or report relevant to the work of the Commission and in matters of direct concern to the organizations they represent.

PUBLICITY

Rule 6

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

AGENDA

Rule 7

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

Rule 8

The provisional agenda of each meeting shall include:

1. all items mentioned ~~in~~-under the “MANDATE” section ~~B.3~~ of the Terms of Reference of the Commission;
2. all items the inclusion of which has been requested at a previous meeting of the Commission;
3. any item proposed by a member of the Commission;
4. an analytical ~~the~~ report of the Coordinator containing information on relevant sustainable development activities, the progress achieved in the implementation of the MSSD and other relevant activities undertaken, and emerging issues to be addressed;
5. the reports of the Task Managers and the Thematic Working Groups as per Rule 20;
6. all items pertaining to the financial arrangements relevant to the Commission.

Rule 9

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

Rule 10

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

Rule 11

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

Rule 12

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

REPRESENTATION

Rule 13

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

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

Rule 14

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

Rule 15

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

Rule 16

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

STEERING COMMITTEE OF THE COMMISSION

Rule 17

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

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

Rule 18

The MCSD Steering Committee oversees the work of the MCSD between sessions. The Steering Committee meets regularly on annual basis during the biennium - at least one of these meetings is to be face-to-face.

The work of the Steering Committee is supported by the Secretariat.

In order to secure the necessary financial means, the Secretariat shall include adequate provisions in its biennial Programme of Work and Budget to be discussed and agreed by the Contracting Parties.

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

Rule 19

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

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

ORGANIZATION OF THE MEETINGS OF THE COMMISSION

Rule 20

1.——During the course of a meeting, the Commission shall establish thematic working groups and other working groups as it deems necessary, and to refer to them the themes identified by the Commission as of great importance for the sustainable development of the Mediterranean region for study, and proposal. Such working groups could sit while the Commission is not in session, ensuring thus, together with the Steering Committee, the continuity of the Commission between its sessions.

2.——Unless otherwise decided, the Commission shall select task managers for each thematic working group and a chairman for other working groups.

3.——The Commission shall define the mandate and composition of the working groups and Task Managers.

Rule 21

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

Rule 22

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

Rule 23

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

LANGUAGES OF THE COMMISSION

Rule 24

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

CONDUCT OF BUSINESS

Rule 25

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

PROPOSALS OF THE COMMISSION

Rule 26

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

RECORDS OF THE MEETINGS OF THE COMMISSION

Rule 27

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

AMENDMENTS OF PROCEDURE

Rule 28

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

MEDITERRANEAN COMMISSION ON SUSTAINABLE DEVELOPMENT TERMS OF REFERENCE

[Note by the Secretariat: The text of the original terms of reference as per Document UNEP(OCA)/MED WG.140/INF.4 of 1998 is replaced by the "New Terms of Reference for the MCSD" as per Decision IG.17/5. The latter is also updated and revised to reflect the recommendations taken by the MCSD at its 16th Meeting and by the Secretariat.]

Introduction

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

~~A. — Purpose of the Commission~~

~~2. — The purpose of the Commission is:~~

~~(a) — to identify, evaluate and assess major economic, ecological and social problems set out in Agenda MED 21, make appropriate proposals thereon to the meetings of the Contracting Parties, evaluate the effectiveness of the follow up to the decisions of the Contracting Parties and facilitate the exchange of information among the institutions implementing activities related to sustainable development in the Mediterranean;~~

~~(b) — to enhance regional cooperation and rationalize the inter-governmental decision-making capacity in the Mediterranean basin for the integration of environment and development issues.~~

~~B. — Functions~~

~~3. — The functions of the Commission shall be:~~

~~....(a) — to assist the Contracting Parties by making proposals on the formulation and implementation of a regional strategy of Sustainable Development in the Mediterranean, taking into consideration the resolutions of the Tunis and Barcelona Conferences and the context of Agenda MED 21 and MAP Phase II;~~

~~(b) — to consider and review information provided by the Contracting Parties, in accordance with Article 20 of the Barcelona Convention, including periodic communications or reports regarding the activities they undertake to implement Agenda MED 21, and the problems they encounter, such as problems related to the integration of environment into national policies, capacity building, financial resources, technology transfer, and other relevant environment and development issues;~~

~~(c) — to review at regular intervals the cooperation of MAP with the World Bank and other international financial institutions, as well as the European Union, and to explore ways and means for the strengthening of such cooperation, and particularly to achieve the objectives of Chapter 33 of Agenda MED 21;~~

~~(d) — to consider information regarding the progress made in the implementation of relevant~~

~~environmental conventions, which could be made available by the relevant conferences or by the parties;~~

~~(e) to identify technologies and knowledge of an innovative nature for sustainable development in the Mediterranean region and to provide advice on the various means for their most effective use, in order to facilitate exchanges among the Contracting Parties and to enhance capacities for national development;~~

~~(f) to provide reports and appropriate recommendations to the meetings of the Contracting Parties, through the MAP Secretariat, on the basis of a comprehensive analysis of reports and issues related to the implementation of a regional strategy related to MAP Phase II and Agenda MED 21;~~

~~(g) to undertake a four year strategic assessment and evaluation of the implementation by the Contracting Parties of Agenda MED 21 and decisions of the meetings of the Contracting Parties and of actions by the Contracting Parties relevant to sustainable development in the Mediterranean region and propose relevant recommendations thereon;~~

~~the first strategic review should be undertaken for the year 2000 (with ministerial participation), with the objective of achieving an integrated overview of the implementation of Agenda MED 21, examining emerging policy issues and providing the necessary political impetus.~~

~~The Commission shall make the best use of the main results of MAP activity centres in the field of sustainable development, and those of the MAP Mediterranean Environment and Development Observatory, as well as those of national environmental observatories;~~

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

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

~~C. Composition~~

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

~~D. Observers~~

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

~~E. Meetings of the Commission and responsibilities of the Secretariat~~

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

[Note by the Secretariat: As indicated in the previous note by the Secretariat, the following text is the "New Terms of Reference for the MCSD" as per Decision IG.17/5, updated and revised to reflect the recommendations taken by the MCSD at its 16th Meeting and by the Secretariat.]

INTRODUCTIONIntroduction

1. The Mediterranean Commission for Sustainable Development (MCSD) was established in 1995 in the framework of the Mediterranean Action Plan (MAP) as an advisory body to the Contracting Parties to assist them in their efforts to integrate environmental issues in their socioeconomic programmes and, in so doing, promote sustainable development policies in the Mediterranean region. The Commission is unique in its composition, in as much as government representatives, local communities, socioeconomic actors, IGOs and NGOs participate on an equal footing. ~~During the first decade of its existence,~~†The MCSD has so far carried out high-quality undertakings, mobilising work on priority themes for the Mediterranean, notably, water resources, integrated coastal zone management, tourism, industry etc., and developing the Mediterranean Strategy for Sustainable Development.

A. PURPOSE

2. The purpose of the MCSD is to assist the Contracting Parties to the Barcelona Convention to implement the objectives of sustainable development and other regional or local actors in their efforts to promote sustainable development in the Mediterranean region and to integrate environmental issues in their socio-economic programmes.

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

~~B.—~~

B. 1—MANDATE

3. The MCSD is an advisory body to the Contracting Parties of the Barcelona Convention –and represents a forum for debate with essentially the following missions:

- ~~—~~ To Assist Mediterranean countries and other stakeholders active in the region in the adoption and implementation of sustainable development policies, ~~including particularly~~ the integration of environmental considerations into other policies;
- ~~—~~ To ensure the follow-up of MSSD implementation through appropriate tools, mechanisms and criteria that would better enhance an efficient follow-up function;
- ~~—~~ To Promote the exchange of experience and good practices regarding the integration of environmental and socioeconomic policies, as well as examples which show the application of international sustainable development commitments at suitable scales in different countries;
- ~~—~~ To Identify the obstacles encountered and support regional and subregional cooperation for the effective implementation of the sustainable development principle;
- ~~—~~ To Coordinate the periodical drafting of the report on the state of implementation of the MCSD recommendations;
- ~~—~~ To Produce opinions of the overall MAP Work Programme ~~and the functioning of the~~

~~Coordinating Unit and the RACs~~, with the aim of integrating sustainability considerations into the MAP / Barcelona Convention system as a whole.

- ~~▲ To produce opinions and recommendations for integration and coordination of the work of the MCSD with the other existing international and regional sustainable development and environmental programmes, policy frameworks and initiatives.~~

~~2~~ COMPOSITION

~~The MCSD is a forum for debate and exchange of experiences on sustainable development issues that concern all interested parties in the Mediterranean region. It would therefore be appropriate to involve the greatest possible variety of national actors in the work of the Commission, so as to ensure the greatest possible dissemination of the concepts promoted by the MCSD. For this to be achieved the composition of the Commission should be expanded as follows:~~

- ~~▲ 22 representatives designated by the competent bodies of the Contracting Parties~~
- ~~▲ 3 representatives of local authorities~~
- ~~▲ 3 representatives of NGOs~~
- ~~▲ 3 representatives of socio-economic stakeholders~~
- ~~▲ 3 representatives of the scientific community~~
- ~~▲ 3 representatives of intergovernmental organizations working in the field of sustainable development~~
- ~~▲ 3 eminent experts in the field of the topics of the MCSD meeting agenda~~

~~Efforts should be made to ensure participation of representatives from both environmental and development sector related to the topics of the agenda of each meeting of the MCSD.~~

~~C. Appropriate geographical representation, and media participation, should be ensured.~~

PERIODICITY OF MEETINGS

~~D. The Commission will hold an ordinary meeting on a biannual basis and extraordinary sessions on a need-be basis.~~

~~E. —~~

~~F. — 4 — Steering Committee~~

~~G. — A Steering Committee, meeting annually, will oversee the work of the MCSD between~~

~~H. — sessions.~~

~~I. —~~

~~J. — 5 — Secretariat~~

~~K. — The Secretariat of the Commission will be under the authority of the MAP Coordinating~~

~~L. — Unit.~~

~~M. —~~

~~N.C. — 6 — FUNCTIONING~~

~~4. The Commission will hold an ordinary meeting on a biannual basis with a multi-annual planning programme. Each session of the Commission will focus on sectoral issues relevant to the (MSSD, as well as other emerging sustainability issues and CSD themes) and on cross-sectoral issues (education, public access to information, financing and cooperation, technology transfer etc.).~~

~~5. MCSD recommendations will be presented for consideration to the Meeting of the Contracting Parties, following discussion at the meeting of the MAP Focal Points. The conclusions of the meetings should influence the Programme of Work Programme of the MAP system, and the implementation of the Barcelona Convention in-by the Contracting Parties.~~

D. 7 — REPORTS

6. Before each session, each member should provide a concise report focusing on the implementation of [MSSD and MCSD](#) recommendations, following a ~~basic draft~~ template prepared by the Secretariat. The Secretariat will then prepare a summary report to be presented at the beginning of each session.

7. The [analytical report of the Coordinator as per Rule 8 paragraph 4 of the Rules of Procedure will also include reports by the Regional Activity Centres \(RACs\)](#) ~~should also provide a report~~ on the implementation [of MSSD and](#) ~~of~~ MCSD recommendations relevant to their line of work.

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

COMPOSITION OF THE COMMISSION

[Note by the Secretariat: The following chapter is based on UNEP(OCA)/MED WG.140/Inf.4, and ~~also~~ reflects ~~the~~ the definition of MCSD composition as per Almeria Decision IG.17/5, and recommendations by the MCSD at their 16th Meeting and by the Secretariat]

Introduction

A. COMPOSITION

1. As an advisory body to the Contracting Parties of the Barcelona Convention, ~~It~~The MCSD is an advisory body to the Contracting Parties to the Barcelona Convention and a forum for debate and exchange of experiences on sustainable development issues that concern all interested parties in the Mediterranean region. It ~~would therefore be~~is appropriate to involve the greatest possible variety of ~~national~~actors in the work of the Commission, so as to ensure the greatest possible dissemination of the concepts promoted by the MCSD. For this to be achieved the composition of the Commission should be expanded as follows:

A. ~~(a)~~NUMBER OF REPRESENTATIVES

2. The Commission shall be composed of ~~3740~~ members, consisting of:-

- 22 representatives designated by the competent bodies of the Contracting Parties
- 3 representatives of local authorities
- 3 representatives of NGOs
- 3 representatives of socio- economic stakeholders
- 3 representatives of the scientific community
- 3 representatives of intergovernmental organizations working in the field of sustainable development
- 3 representatives of regional parliamentary associations
- 3 eminent experts in the field of the topics of the MCSD meeting agenda

Efforts should be made to ensure participation of representatives from both the environmental and development ~~sector~~fields related to the topics of the agenda of each meeting of the MCSD. Appropriate geographical representation and media participation should be ensured.

~~2.—~~

~~3.—(a)NUMBER OF REPRESENTATIVES~~

~~4.—~~

- ~~5.—1. The Commission shall be composed of 36 members, consisting of representatives from each Contracting Party to the Barcelona Convention and representatives of local authorities, socio-economic actors and non-governmental organizations working in the fields of environment and sustainable development.~~

~~6.—~~

- ~~7.—2. In particular:~~

~~8.—~~

- ~~9.—3. a.—~~Each Contracting Party to the Barcelona Convention shall be represented by one high-level representative (total ~~22~~4), who may be accompanied by such alternates and advisers as may be required, in order to ensure interdisciplinary participation of relevant ministerial bodies of the Contracting Parties (e.g. ministries of environment, tourism, economy, development, industry, finance, energy, etc.).

- ~~b.—~~each of the three categories mentioned in section C.5 of the text of the

~~Terms of Reference, i.e. local authorities, socio-economic actors and non-governmental organizations, shall be represented by five representatives (total 15) and an equal number of alternates, to be selected by the meeting of the Contracting Parties.~~

~~4. 3.—All 36 members shall participate in the Commission on an equal footing.~~

~~MCS D members shall attend the biennial sessions. When members do not attend, outreach enquiries shall be carried out through forwarded by the Secretariat, through the Steering Committee, and the MAP Bureau as necessary, to identify and address the reason for the non-attendance. Non-Contracting Party organizations who have not attended two successive meetings of the MCS D should be considered for replacement.~~

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

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

7.

a.—Method of nomination of candidates

(i)—local authorities

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

(ii)—Socio-economic actors

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

(iii)—NGO's

1.—The criteria and the list of MAP/NGO partners approved by the Ninth Ordinary Meeting of the Contracting Parties (Barcelona, 5-8 June 1995), shall be used as the reference text for any NGO that wishes to participate in the Commission's work.

2.—Three categories of NGO's shall be represented in the Commission:

—NGOs with international scope and multidisciplinary interest recognized in their status, especially those contributing to Mediterranean cooperation and concerned with matters covering a substantial portion of MAP's field of activity;

~~— NGOs with regional scope covering more than one country in the whole Mediterranean area and covering a portion of MAP's field of activity;~~

~~— NGOs with national or local scope covering a portion of MAP's field of activity.~~

~~3. The selection of five NGOs from this category will be done through NGO networks in the region and through direct applications to be submitted to the MAP Secretariat.~~

~~ba. Method of nomination of members of the MCSD~~

~~1. The meeting of the Contracting Parties, MCSD members and the Secretariat (in consultation with UNEP/MAP Components, as appropriate) shall may nominate ~~the~~ members of the Commission, ~~;~~ other than those representing the Contracting Parties, based on written expressions of interest, and criteria and modalities provided for in Decision IG.19/6 on "MAP/Civil society cooperation and partnership".~~

~~Each biennium, and the Steering Committee of the Commission, with the assistance of the Secretariat, shall review the list of the MCSD members, particularly in the light of those members whose mandate may be drawing to a close, and decide on any changes required.~~

~~The if necessary, a the list of new candidates ~~is to~~ shall be submitted for the adoption by the next Ordinary Meeting of the Contracting Parties.~~

~~2. For the first meeting of the Commission (Fez, Morocco, December 1996), the Bureau of the Contracting Parties shall make the selection of the members of the Commission, following consultation with the Contracting Parties.~~

~~8.~~

~~(e) SELECTION CRITERIA FOR MEMBERS OTHER THAN THOSE REPRESENTING THE CONTRACTING PARTIES~~

The following general selection criteria will apply:

- I. ~~1. The criteria established in Decision 19/6 on "MAP/ Civil society cooperation and partnership". The criteria and the list of MAP/NGO partners, approved by the Ninth Ordinary Meeting of the Contracting Parties held in Barcelona, 5-8 June 1995 (document: UNEP(OCA)/MED IG.5/16), shall be used as a reference text for selection of members representing NGOs.~~
- II. ~~2. Priority for selection shall be given to Mediterranean local authorities, NGOs, socio-economic stakeholders, the scientific community, and intergovernmental organizations ~~local authorities, socio-economic actors and NGOs~~ that are concerned with environmental and sustainable development issues in the Mediterranean.~~
- III. ~~3. The principle of equitable geographical distribution should be respected (north/south and east/west).~~
- IV. Fragile and island ecosystems will be given due consideration;
- V. ~~5. With reference to the three ~~five~~ six specific categories, the following are the selection criteria, giving priority to the groups or networks concerned:~~

(i) ~~(i)~~ Local Authorities

~~1.~~ Local authorities to be selected should be concerned with environmental and sustainable development issues.

(ii) ~~(ii)~~ Socio-economic actors

~~1.~~ Selection within this group should take into consideration the major problems and decisive factors in the Mediterranean as well as the following factors:

- north/south representation
- developed/developing countries
- rural/urban
- past and current activities at the Mediterranean level.

~~2.~~ Priority of selection shall be given to socio-economic networks active in the Mediterranean.

(iii) ~~(iii)~~ NGOs

~~1.~~ The members representing NGOs should be selected from the list of MAP/NGO partners.

2. The members should be selected from among three NGO categories, with priority being afforded in the following order:

- NGOs with regional or sub-regional Mediterranean scope
NGOs with global scope
- NGOs with national ~~and~~ or local scope

~~3.~~ The NGOs to be selected should have a concrete and action-oriented approach towards the Mediterranean.

(iv) ~~(iv)~~ IGOs

The members representing IGOs should be selected from organizations with global and/or regional scope, with mandates and activities of direct relevance to the work of the MCSD and the implementation of the MSSD.

(v) ~~(v)~~ Scientific Community

The members representing the scientific community should be selected from among academic/research institutions and individuals with a proven track of relevant work and interest in fields of environment and sustainable development in the Mediterranean.

(vi) Parliamentarians

The members representing Parliamentary Associations should have a Mediterranean regional or sub-regional scope and include individuals with experience in the field of sustainable development.

9. The Secretariat shall develop with inputs from Contracting Parties, MCSD members and UNEP/MAP Components a roster of organizations and individuals from the above categories to be used for future nominations as members of the MCSD.

C. ~~(d)~~ DURATION OF THE MANDATE

10. 4.—The duration of the membership of the Commission shall be as follows:

I. ~~a.~~ All Contracting Parties to the Barcelona Convention shall be permanent members of the Commission ~~(21)~~;

II. ~~b.~~ Three representatives from each of the ~~three-six~~ categories ~~(local authorities, socio-economic actors and non-governmental organizations)~~, shall be selected for a duration of two years ~~biennia~~ by the meeting of the Contracting Parties. Their mandate is renewable for one additional term ~~(15)~~.

~~H-III.~~ e.—When members do not attend the Commission meetings, enquiries shall be forwarded by through the Steering Committee through the Secretariat to identify and address the reasons for the non-attendance. Non-Contracting Party organizations who have not attended two successive meetings of the MCSD should be considered for replacement.

ANNEX II
PEER REVIEW

Introduction

The Contracting Parties to the Barcelona Convention have been developing national activities and putting in place structures and processes pertaining to sustainable development, with varying degrees in scope, content, approach and level of implementation. They are also engaged, at the regional level, in the activities developed in the framework of the Mediterranean Action Plan – Barcelona Convention in the fields of environmental governance and sustainable development.

The approaches for the development of sustainable development policies and actions are diverse and consist, generally, of cyclical and interactive approaches for planning, participation and action to foster progress towards sustainability goals. Globally, one of the key noted weaknesses is the feedback mechanisms, including monitoring, learning and adaptationⁱ. Similarly, the Contracting Parties, collectively, or individually, are facing varying challenges in elaborating, implementing, monitoring and reviewing their strategic and operational actions towards sustainable development.

These challenges offer a great potential for exchange of experiences and sharing of good practice, as well as gathering information that could be used for the assessment of progress across the Mediterranean in terms of adoption and implementation of sustainable development in general and more specifically of Mediterranean Strategy for Sustainable Development.

As recommended by the 15th Ordinary Meeting of the Mediterranean Commission on Sustainable Development (MCSD), and endorsed by the 18th Ordinary Meeting of the Contracting Parties to the Barcelona Convention (COP 18), there is clear potential and need for putting in place a simplified and affordable peer review process through which Mediterranean countries will exchange on their respective experiences and share good policies and practices on implementing sustainable development at a national level: a process for learning from other experiences and adaptation of national approaches.

Mandate to put in place a simplified peer review

The mandate to prepare a proposal on putting in place a simplified peer review is given by the Contracting Parties to the Barcelona Convention, through the adoption of the Decision IG. 21/12, at their 18th Ordinary Meeting (COP 18) in Istanbul, December 2013. Key statements of this Decision read as follows (excerpts):

- *Request the MCSD to encourage, through its meetings and operations, the exchange of good practice; and*
- *Request the Secretariat to prepare a proposal for the consideration of the MCSD on how a simplified peer review process could be put in place.*

This decision was based on the recommendations of the 15th Ordinary Meeting of the MCSD (Floriana, Malta, June 2013) on the reform of the MCSD and its mission. Among these recommendations were:

- *In terms of the periodic review of national implementation of the MSSD, a simplified peer-review mechanism was suggested by several participants as a way to upgrade the very useful role of the MCSD as a regional platform for exchanges of experiences on sustainable development which the MCSD had always been useful for; and*
- *Encourage the exchange of good practice, for which a simplified peer review could be a tool.*

Examples of peer review mechanisms

According to the Organisation for Economic Co-operation and Development (OECD), “*peer review is basically an examination of one state’s performance or practices in a particular area by other states. The point of the exercise is to help the state under review improve its policymaking, adopt best practices and comply with established standards and principles*”. It relies heavily on mutual trust among the actors involved, as well as on their shared confidence in the processⁱⁱ.

Although there is no single recipe or a standardized mechanism for the peer review, there are certain structural elements shared by all existing peer reviewsⁱⁱⁱ: (i) a basis for proceeding; (ii) an agreed on set of principles, (iii) standards and criteria against which the performance of the reviewed country will be assessed; (iv) designated players to carry out the review; and (v) a set of procedures leading to the final result.

Among the existing peer reviews, three are relevant to the development of a simplified peer review process as they represent two different approaches: OECD peer review, BRICS+G and African Peer Review Mechanism (APRM).

The OECD peer review process – A tool for cooperation and change^{iv}: Defining the peer review as a combination of the activity of several actors (the body within which the review is undertaken; the reviewed country; the examiner countries; and the Organisation Secretariat), the procedure consists of three major phases:

- The preparatory phase: The first phase of the review often consists of background analysis and of some form of self-evaluation by the country under review. This phase includes work on documentation and data as well as a questionnaire prepared by the Secretariat.
- The consultation phase: The examiner countries and the Secretariat conduct the consultation by maintaining close contact with the competent authorities of the reviewed country, and in some cases, they carry out site visits. At the end of this phase, the Secretariat prepares a draft of the final report.
- The assessment phase: The draft report is discussed in the plenary meeting of the body responsible for the review. The examiners lead the discussion, but the whole body is encouraged to participate extensively. Following discussions, and in some cases negotiations, the final report is adopted, or just noted, by the whole body.

BRICS+G - Dialogue About Sustainability And Growth In Six Countries - Brazil, Russia, India, China, South Africa (the BRICS) and Germany^v: This is a platform for exchange among experts (government, economic actors and civil society) of the countries involved about their experiences with sustainability and growth, with emphasis on: (i) examples from thematic areas such as energy, resource management and the social dimension, and (ii) concrete experiences with designing, managing and implementing national strategies for sustainability or comparable approaches. It consists of national conferences within which discussions are guided by four lead questions (excerpted from^{vi}):

- *What is the current state of the National Strategy for Sustainable Development (Overview/Stocktaking)?*
- *How is the National Strategy for Sustainable Development linked to Sector Policies (evaluating experiences from at least two exemplary sectors: Energy, Natural Resources and /or the Social Dimension)?*
- *What were factors for successes and failures of the national Sustainable Development Strategy and why? What consequences are being drawn?*
- *What are the conclusions regarding the relation of the national Sustainable Development Strategy, sustainability and growth?*

African Peer Review Mechanism (APRM): In the framework of NEPAD^{vii}, the APRM has been put in place with the mandate to ensure that the policies and practices of participating countries conform to the agreed values in the following four focus areas: democracy and political governance, economic governance, corporate governance and socio-economic development. As part of the APRM there are periodic reviews of the participating countries to assess progress being made towards achieving the mutually agreed goals.

Structurally the peer review mechanism is constituted as such:

- The Committee of Participating Heads of State and Government (APR Forum) is the highest decision making authority in the APRM;
- The Panel of Eminent Persons (APR Panel) oversees the review process to ensure integrity, considers reports and makes recommendations to the APR Forum;
- The APRM Secretariat provides secretarial, technical, coordinating and administrative support for the APRM; and
- The Country Review Mission Team (CRM Team) visits member states to review progress and produce an APRM Report on the country.

Based on the above mentioned MCSD recommendations and the requests of the Decision IG. 21/12, it is suggested to consider the BRICS+G approach for dialogue as basis for a simplified peer review, with a suggestion of “designated actors” based on the OECD approach. The reasons for this choice are among others: (i) the approach consist of a dialogue among willing countries and it is not a classical ‘peer review’; (ii) in addition to their voluntary commitment, the countries engaged in the simplified peer review are required to contribute their own resources (human and financial) throughout the process; and (iii) an equal participation of all involved countries without focus on a specific country’s structures and processes.

Proposed simplified peer review on implementing sustainable development for Mediterranean countries

Aim

To undertake a simplified peer review, in form of a dialogue about national sustainable development structures and processes through which two or more Mediterranean countries engage in a mutual improvement and learning process. This peer review mechanism will contribute to Mediterranean Strategy for Sustainable Development (MSSD) implementation.

Scope

The thematic scope of the peer review process will be the reviewed country’s overall structures and processes that have been put in place to implement sustainable development at the national level, with focus placed on concrete experiences in designing, managing, implementing and monitoring national policies and activities for sustainability. One or more proposed MSSD objectives, along with their social dimension, might be the core themes for exchange and dialogue. Proposed MSSD objectives are: 1. Ensuring sustainable development in marine and coastal areas; 2. Promoting resource management, food production and food security through sustainable forms of rural development; 3. Planning and managing sustainable Mediterranean cities; 4. Addressing climate change as a priority issue for the Mediterranean; 5. Transition towards a green and blue economy; 6. Improving governance in support of sustainable development.

Underlining Principles

The following main principles are essential to the peer review process:

Voluntary: The involvement in the simplified peer review process is entirely voluntary and it is the choice of two or more countries to undertake a collaborative meaningful process of mutual improvement and learning.

Learning by doing and sharing: Countries involved engage in constructive and positive joint process based on gathering and sharing information on respective practices and experiences.

Participatory: The participation of relevant national stakeholders (e.g. government departments, economic actors, civil society), at the level of experts and/or practitioners, is crucial to the success and credibility of the process.

Flexibility: There should be sufficient flexibility so that involved countries can agree adapted and adequate thematic scopes as well as procedures leading to final results.

Enabling conditions

Commitment and ownership: The improvement and learning process can function properly only if there is an adequate level of commitment of and ownership by the involved countries. The political back-up is essential to its success.

Resources: Involved countries should secure sufficient resources (financial and human) to undertake this joint cooperative process. If Contracting Parties agree, Mediterranean Trust Fund may contribute to two workshops per biennium as part of the Programme of Work. External funding shall also be sought.

Criteria for success

Value sharing: Participating countries should share the same views on the standards and criteria for a successful improvement and learning process.

Mutual trust: A climate of mutual respect and sharing and large degree of mutual trust are important to the success of the improvement and learning approach.

Credibility: The effectiveness of the improvement and learning process heavily relies on the credibility of the review process and its mechanisms. For this it is key to involve an independent body (namely UNEP/MAP staff supporting the MCSD and staff from Plan Bleu) and, if at all possible, external experts (from another country or organization).

Mechanism

Designated Actors: A proper functioning of the simplified peer review requires the active involvement of the following actors:

- The participating countries: Two or more countries will be involved in the improvement and learning process. The participation of at least three countries would be a more effective option as it will enrich the exchanges and dialogue, provided sufficient funds are secured by the countries themselves or through a third party. The Coordinating Unit of the Mediterranean Action Plan will initiate the process through a call for proposals, for the Contracting Parties, to undertake a bilateral or multi-lateral improvement and learning process.
- Entity in charge: The MCSD, through its supporting staff at UNEP/MAP, will be the overall collective body within which the review is undertaken. This is in line with COP

18 Decision IG. 21/12, requesting the MCSD to encourage, through its meetings and operations, the exchange of good practice.

- Organization Secretariat: The Coordinating Unit of the Mediterranean Action Plan, through its staff supporting the MCSD, along with the support of Plan Bleu, will be the entity responsible for the peer review. It will, among others, support the process by producing documentation and analysis, facilitating interactions with involved countries, organising meetings, stimulating the exchanges and ensuring conformity and continuity.
- External experts: Depending on the scope of the improvement and learning process the participating countries will chose, there might be a need to involve external experts who can bring an independent perspective and enhance the credibility of the process.

Functioning: The proposed approach is not a classical peer review, but rather a cooperative, constructive and positive process of mutual improvement and learning. It should operate on the following basis:

- Guiding principles: (i) concerned countries participate at an equal level (no reviewed country, no examiner country); (ii) in-country multi-stakeholders involvement (government, economic actors, NGOs, civil society, academia, etc.); and (iii) high ranking participation to ensure credibility and commitment.
- Guiding questions: The participating countries, with the assistance of the Organization Secretariat and the guidance of the MCSD Steering Committee, should agree on lead questions that will guide the overall dialogue discussions and related round-tables.
- Implementation process: It should consist of (i) national preparatory round-tables; (ii) international (bilateral) joint meeting, and (iii) joint presentation of the outcomes at the MCSD Meeting.

Sought benefits for involved countries

Enhanced cooperation and partnership: The improvement and learning process can further the cooperation among the involved countries, and lead to enhanced partnerships among various stakeholders, nationally and internationally.

Contribution to capacity-building: The proposed process can be an important capacity building instrument. It will foster sharing information and skills, benefiting concerned countries and involved stakeholders. The national experts and/or practitioners, otherwise focussed on domestic issues, will be engaged in international exchanges and experiences.

Encouragement and enhancement of compliance: As the Mediterranean countries are engaged in environmental governance, under the Barcelona Convention and its Protocols, this improvement and learning process offers a platform for encouraging and enhancing the compliance for the Contracting Parties.

Cost-effectiveness: The participating countries will have access to expertise from other countries, free of charge. This simplified form of peer review will be definitely be more cost-effective than the expensive assessments by consultants and specialised firms.

ⁱ Swanson DA and Pinter L et al. (2004): National Strategies for Sustainable Development: Challenges, Approaches and Innovations in Strategic and Co-ordinated Action International Institute for Sustainable Development (IISD).

ⁱⁱ <http://www.oecd.org/site/peerreview/peerreviewatagance.htm>

ⁱⁱⁱ <http://www.oecd.org/site/peerreview/howdoesitwork.htm>

^{iv} <http://www.oecd.org/site/peerreview/thecedures.htm>

^v PRIME-SD - Peer Review Improvement through Mutual Exchange on Sustainable Development: A guidebook for peer reviews of national sustainable development strategies; 2006.

^{vi} PRIME-SD - Peer Review Improvement through Mutual Exchange on Sustainable Development: A guidebook for peer reviews of national sustainable development strategies; 2006.

^{vii} The New Partnership for Africa's Development (NEPAD), an African Union strategic framework for pan-African socio-economic development, is both a vision and a policy framework for Africa in the twenty-first century. NEPAD is a radically new intervention, spearheaded by African leaders, to address critical challenges facing the continent: poverty, development and Africa's marginalisation internationally.