

UNEP/MAP
Athens, 2010

**Annual Bilateral Meeting between the European Commission and
the Barcelona Convention (UNEP/MAP) Secretariat
29th January, 2010
From 10.30 to 13.00
Brussels, Avenue de Beaulieu 5, room BU5 0/D**

Minutes

Meeting participants:

Maria Luisa Silva Mejias (MAP Officer in Charge and Deputy Coordinator) (MS)
Tatjana Hema, (TH) UNEP/MAP Programme officer and Michael Angelidis (MA), MEDPOL Programme Officer.
Guus Borchardt (Director Water, Chemicals & Biotechnology, DG ENV) (GB)
Claude Rouam (Head of Unit, Marine, DG ENV) (CR)
Andy Murphy (Horizontal coordinator for the Mediterranean regional issues, Unit for International Relations and Enlargement, DG ENV) (AM)
Michail Papadoyannakis (Policy Officer, Marine Unit, EU Focal Point for UNEP/MAP, DG ENV) (MP)
Jesus Lavina (Programme Manager Centralised Operations for Europe, the Mediterranean and the Middle East, EuropeAid Cooperation Office) (JL)
Ana Ruiz (Policy Officer, Mediterranean and Black Sea Issues, DG MARE) (AR)

Opening of the meeting : Both sides agreed that close coordination is necessary given that the two organisations are important partners for each other (7 EU Member States are Parties to the Barcelona Convention (BC)).

EU Priorities within the recently adopted UNEP/MAP work programmes

MS outlined the **UNEP/MAP priorities** : Re-launch work on ecosystem approach and related project, implementation of legally binding measures (adopted in the 16th COP in Marrakesh) related to the LBS (Land Based Sources) Protocol, preparation of new ones, identification of Specially Protected Areas of Mediterranean Interest (SPAMIs), ICZM ratification and implementation, governance (operation of the Compliance Committee, bilateral negotiations with countries hosting the Regional Activity Centres (RACs) aiming at better coordination and increased efficiency of the UNEP/MAP components), regional adaptation to Climate Change.

GB reminded the **EU priorities** among the UNEP/MAP Work Programmes (WP) items, relating to facilitating implementation of the Marine Strategy Framework Directive (MSFD), biodiversity, ICZM and governance.

A discussion followed on the role of the Compliance Committee which in the first stage of its operation (and given the (cultural) specificities of the region and the nature of the obligations for the BC parties (mainly "process obligations")) would be supporting and facilitating rather than enforcing and sanctioning non-compliance.

National reports (of uneven quality and with gaps in technical information but showing steady progress, now possibility for on-line reporting) can be used for identifying implementation difficulties and discussion with countries; if the country in question does not report corrective action to the Compliance Committee within 6 months, the MAP Coordinating Unit/Secretariat is empowered to do so, but this is a delicate exercise.

CR encouraged UNEP/MAP to cooperate with the EEA and exploit the related capacity building support opportunities offered by various EU instruments (Instrument for Pre-Accession (IPA) for Croatia and Turkey, European Neighbourhood Policy Instrument (ENPI) and its national components

for Southern Mediterranean countries); MA pointed out that reporting under UNEP/MAP is mainly of a qualitative nature, containing normally few technical data. Access to national reports is provided to any Contracting Party which asks them and MAP Coordinating Unit assesses them and reports to the Conference of the Parties (COP). JL stressed the need for cooperating with EEA in the context of the starting SEIS ("Shared Environmental Information System") contract, while UNEP/MAP emphasized that regional differences and the institutional role of UNEP/MAP should be respected; civil society (e.g. environmental NGOs) cannot trigger the "compliance mechanism" but could play their "watchdog" role via MAP Coordinating Unit and/or through Contracting Parties.

CR reiterated the full support of the EU for good coordination of the UNEP/MAP components, particularly when it affects participation to EU-funded projects. MS explained that in its first phase the Compliance Committee would benefit from active involvement of EU **and both sides agreed that implementation and monitoring of the national obligations under the BC and its protocols are of paramount importance.**

Concerning *biodiversity*, EU outlined the priorities in 2010 (monitoring of certain shark species, Natura 2000 assessment seminar for the Mediterranean marine waters, study for a Seabird Action Plan) and invited close involvement of and input from the Regional Activity Centre for Special Protected Areas (SPA/RAC); part of the LME Project (Strategic partnership for the Mediterranean Large Marine Ecosystem) dealing with Marine Protected Areas (MPA) is co-funded by the EU (with 2million €); in response to MS, EU undertook to provide more information on ongoing activities and needs for the shark species which were excluded from annex III in COP 16, in Marrakesh.

The Ecosystem Approach and MAP's role in the implementation of the Marine Strategy Framework Directive (MSFD)

CR explained that MSFD is a high priority topic, provided information about important activities (scientific and regulatory committees meetings in the first February 2010 week) and explained how demanding the deadline of July 2010 for the Commission to produce criteria and methodological standards was. He enquired about the state of play concerning the four assessment for the Mediterranean sub-regions.

MS recognised the importance of early and good preparation of the assessment documents, reported that work on pollution and biodiversity has started and that considerable human resources are mobilized for a meeting to be organised in March/April (Commission and Member States are invited to participate actively); however due to the diversity and political difficulties in some of the four Mediterranean sub-regions, problems might arise during the monitoring/implementation phase, necessitating a regional, rather than "sub—regional" approach.

EU referred to the existing contract with UNEP/MAP which aims precisely to facilitate the implementation of the ecosystem approach; it is urgent that this component of the contract also is properly carried out in time to support the preparation of MSFD and assist EU Member States to comply with their MSFD obligations; only then could it be examined whether additional resources (e.g. financial) should be dedicated to this activity.

Coordination of the activities of Regional Seas Conventions

CR explained why closer and more systematic cooperation between all Regional Seas Conventions relevant for European Seas (not only between OSPAR and HELCOM) could promote the achievement of their goals.

A meeting could be organised under the Commission auspices in April 2010; short term cooperation could focus on coordination for MSFD implementation ("mutual benefit") and possibly governance (in particular reporting, compliance and enforcement issues), while medium and long term targets/topics could be identified. In any case, emphasis would be on avoiding duplication and fostering knowledge exchange.

MS welcomed warmly the idea and suggested that a more detailed agenda be prepared for a meeting among the Secretariats; such cooperation would be particularly useful for establishing monitoring

strategies; MA mentioned that a lot of communication on technical issues exists already, for example on assessment methodologies for preparing environmental status reports, where OSPAR has a lot of technical expertise; UNEP/MAP has a broader approach, encompassing aspects of sustainable development etc. MS added that difficulties should also be addressed such as incentives and disincentives from legislation.

Status with respect to ratification of the ICZM Protocol

This is one of the main priorities for both sides.

CR informed that the Commission proposal to the Council for ratification on behalf of the EU should be available early February; European Parliament assent (new process) is needed but no major difficulties expected; TH explained that at least 6 parties must ratify so that the Protocol becomes binding (for those who ratified it); until now France, and Slovenia, have ratified while Spain, Montenegro and Croatia are close to finalising.

If ratified by the EU it becomes binding for all EU Member States, within applicable conditions. Experience from Protocol ratification/implementation is mixed: while this was quick for the Biodiversity Protocol, only 5 parties have ratified the Offshore Protocol to date (associated with offshore platforms for oil extraction/carbon capture plans/renewable energy sources etc).

The Commission reminded other priorities in ICZM (implementation of the PEGASO project, finalisation of Coastal Area Management Programmes (CAMP) and informed about the EU-financed OURCOAST project (highlights 350 case studies from around Europe); Commission also stressed the need for grouping activities of a small scale foreseen in the WP (e.g. meetings, studies) for efficiency reasons.

Collaboration in the context of Horizon 2020

AM referred briefly to the launching of H2020 in 2006 and the overarching policy framework, which is the European Neighbourhood Policy (ENP) and the ENP Action Plans with each partner country in the Southern Mediterranean; these plans commit the country as a whole, not just its environment ministry. This political dimension added new dynamism and clout in the financing activities and know how exchanges existing hitherto; an indication of this is the contribution of the plans to the process of the ratification of BC Protocols in some Southern Mediterranean countries.

H2020 is an umbrella for cooperation in four well identified areas (capacity building, pollution reduction, monitoring&research) and is a partner not a competitor to UNEP/MAP or the International Financing Institutions. Ample demonstration of this is provided by the successful synergies between the National Action Plans, developed under UNEP/MAP (MEDPOL, the pollution control component) and the Mediterranean Hot Spot Investment Preparation (MeHSIP) under H2020, with the involvement of the European Investment Bank (EIB).

Now that the 2nd phase of MeHSIP and two other major EU funded projects covering the other two components are launched (the "MEP" project for capacity building – to be extended in the Western Balkan Mediterranean countries and Turkey - and the "SEIS" contract for data and monitoring) *a genuine opportunity is provided for further strengthening the cooperation between UNEP/MAP and the EU in line with the commitments given at the Cairo ministerial in 2006 and the road-map that was endorsed there.*

EU would like the SEIS contract (with the EEA) to serve as the central platform for cooperation with UNEP/MAP, rather than respond separately to explicit demands from ENP countries (including Morocco, Israel, Tunisia, Egypt, Jordan, Lebanon) for closer cooperation with the EEA; *closer cooperation between EEA and UNEP/MAP will support the UNEP/MAP system by strengthening the data and information basis and will facilitate the EU Member States which will no longer be confronted with double and not always consistent data supply requirements. UNEP/MAP has committed to working with the EEA and the new SEIS contract offers a means to put this commitment into practice.*

JL explained that both contracts are in the inception phase and there exists therefore room for fine-tuning arrangements so as to consider UNEP/MAP specific needs and capabilities. MS agreed to the

need for closer cooperation between MAP and H2020 and referred to the possibility of "back to back" (high level) meetings to counter an emerging "meeting fatigue" and poor attendance.

She stressed at the same time that *in the relationship with EEA the institutional role of MAP and the sensitivities of the BC Parties should be fully respected; MAP needs to genuinely participate in decision making, not just execute work packages designed by EEA.*

CR reminded that whilst the H2020 Steering Committee granted a coordinating function to the EEA (with the agreement of MAP), UNEP/MAP is one of the key players for monitoring and not just a simple "data provider". Details of their participation (e.g. in the Steering Committee) could be further discussed.

Both sides confirmed that they share the objective of closer and more efficient cooperation of UNEP/MAP and EEA and of active UNEP/MAP involvement in the H2020 activities, including through the SEIS and MEP contracts, and that proper arrangements to promote this can be made within the above-mentioned activities.

Follow up of Integrated Maritime Policy (IMP) and Maritime Spatial Planning (MSP) in the Mediterranean

AR highlighted the importance of *UNEP/MAP as a key partner for the implementation of IMP in the Mediterranean*, welcoming their participation in the WG on IMP in the Mediterranean held in Brussels on 15.12.2009 and mentioned the ongoing cooperation in the context of a study to explore the potential of Maritime Spatial Planning (MSP) in the Mediterranean, stressing the importance to make this tool coherent with ICZM Protocol obligations; future cooperation to implement a cross-border MSP test project in a second step is expected; DG MARE follows closely activities regarding the Ecosystem Approach and the SPAMIs; UNEP/MAP is invited to the Maritime Days in May 2010 to participate in a specific event on IMP in the Mediterranean.

MS confirmed the willingness to contribute on maritime issues and referred to related activities of some RACs (dealing with ICZM and pollution prevention and emergency response).

It was clarified that DG ENV is the UNEP/MAP main partner within the Commission, including for maritime and fishery issues.

Both sides expressed satisfaction for the depth of the discussions, the open character of the meeting and the progress in mutual understanding which is bound to facilitate cooperation. Areas of closer cooperation bringing mutual benefit, such as work on the Ecosystem Approach facilitating implementation of the Marine Strategy Framework Directive, have been identified and the willingness to overcome misunderstandings and past difficulties confirmed. It was considered to organise, if necessary, extraordinary meetings between two successive annual meetings.