

Suggestions of the United Nations Environment Programme Mediterranean Action Plan/Barcelona Convention Secretariat on the Joint Consultation Paper of the European Commission, entitled “Towards a new European Neighbourhood Policy”

I. Introduction

The European Union’s Neighborhood Policy (ENP), in line with Article 8 of the Treaty on European Union, has the objective of avoiding the emergence of new dividing lines between the enlarged EU and its neighbors and instead strengthening the prosperity, stability and security of all. It covers to the South of the EU, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia.

The ENP was reviewed in 2011, and, given the significant developments in the neighborhood since then, it is now under a fundamental review again, both in relation to its principles on which the policy is based and in relation to its scope and how its instruments should be used, in line with the Joint Consultation Paper of the European Commission entitled “Towards a new European Neighborhood Policy” (the Joint Consultation Paper).

In the Mediterranean basin, for the past forty years, the United Nations Environment Programme Mediterranean Action Plan (UNEP/MAP) and the “Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean” (the Barcelona Convention) with its seven Protocols have represented the political and legal framework for the protection of the marine environment and coastal areas.

As such, the UNEP/MAP Barcelona Convention has provided an important legal and political frame between Mediterranean countries in the area of environmental protection, with all Mediterranean riparian countries and the European Union as its Contracting Parties.

The ENP has been supporting the implementation of the Decisions of the Contracting Parties to the Barcelona Convention, with a focus on areas of pollution and pollution prevention, both through country specific assistance and through (sub)region-wide targeted initiatives and projects, such as Horizon 2020 Initiative, SEIS, SWITCH Med projects, MPAs component of the MedPartnership project and the SafeMed I and II projects.

In light of the current review of the ENP and the relevance of this review for the Mediterranean region and for the work of the UNEP/MAP Barcelona Convention, the UNEP/MAP-Barcelona Convention Secretariat intends to contribute to the debate on the Joint Consultation Paper: http://ec.europa.eu/enlargement/neighbourhood/consultation/index_en.htm).

The following suggestions of UNEP/MAP-Barcelona Convention Secretariat are based on the common goals and commitments set in the Barcelona Convention and its Protocols, on the Decisions of the Contracting Parties, especially those taken at the most recent 18th Meeting of the Contracting Parties in 2013, and on the ongoing work under the Programme of Work and Budget for the biennium 2014-2015.

In addition, the following suggestions and comments take account of ongoing international policy discussions relevant to the Mediterranean region and to the work of the UNEP/MAP Barcelona Convention, such as the development of the Sustainable Development Goals, the 10 Year Framework of Programmes for Sustainable Consumption and Production (SCP) approved by Rio+20 (the 10YFP), the international conventions relevant to the marine and coastal environment, including ones that regulate shipping adopted by IMO, as well as regional partnerships and common goals set by them, such as the UNEP/MAP partnership with the Union for the Mediterranean (UfM), with the General Fisheries Commission for the Mediterranean and other key regional institutions.

After general comments on the Joint Consultation Paper, the suggestions of UNEP/MAP Barcelona Convention will follow the structure of the Joint Consultation Paper and will aim to answer to the relevant questions asked in it (in italic), which are linked to relevant activities and ongoing work of the UNEP/MAP Barcelona Convention.

II. General Comments on the Joint Consultation Paper

The UNEP/MAP-Barcelona Convention Secretariat welcomes the opportunity to be able to contribute to the consultation on how to make the EU ENP more effective and more relevant for the EU neighborhood countries, especially in light of recent political and policy developments.

The UNEP/MAP-Barcelona Convention is the major regional legally binding agreement in the Mediterranean and has been providing a framework for environmental policy development and implementation for the past 40 years, with its Contracting Parties being either EU neighborhood, candidate or EU Member States, as well as the European Union itself.

Furthermore, the UNEP/MAP-Barcelona Convention has provided a continuous forum for dialogue and cooperation among all the countries of the Mediterranean region, regardless of their political, economic, religious, and other differences. In that regard, the common goal of managing the natural resources of the Mediterranean Sea in a sustainable manner under the auspices of UNEP/MAP-Barcelona Convention can be considered an element unifying the region and contributing to its stability.

As such, the UNEP/MAP-Barcelona Convention has already greatly contributed to the aims of Article 8 of the Treaty on the European Union and deepened partnership among all Mediterranean riparian countries, with the common aim to protect the Mediterranean marine and coastal environment, and will continue to do so in the future.

The implementation of the legal obligations under the UNEP/MAP Barcelona Convention, which aims to enhance biodiversity protection, reduce and prevent pollution (including through SCP), and protect the coast-line, has been supported politically by the Union for the Mediterranean (including by its recent Ministerial Declaration, which highlights the importance of implementation of legal commitments under the UNEP/MAP-Barcelona Convention), as well as by specific funding channeled through the ENP to Southern Mediterranean countries to assist their implementation efforts in the areas of pollution reduction and prevention.

The Southern Mediterranean countries traditionally have been very active in policy discussions and developments within UNEP/MAP-Barcelona Convention, including in the recent development of a Mediterranean Regional Climate Change Adaptation Framework, in the review of the Mediterranean Strategy for Sustainable Development, in the preparation of a Mediterranean Action Plan on SCP, and in the development of an Integrated Monitoring and Assessment Programme in line with the Ecosystem Approach. In this sense, the UNEP/MAP-Barcelona Convention has achieved in many cases convergence of aspirations and goals among its very diverse membership. In light of the above, it is crucial for the current debate on the review of the ENP to take into account the role that the UNEP/MAP Barcelona Convention.

UNEP/MAP has been supporting Contracting Parties for the past 40 years to qualify and quantify the marine pollution levels, sources and impacts on their marine and coastal environment, and to undertake coordinated measures and implement national and regional plans for the control, phase out and eliminate pollution from land based sources and activities, based on the Ecosystem Approach.

The Integrated Monitoring and Assessment Programme will enable a quantitative based analysis of the state of the marine and coastal environment in an integrated manner, covering pollution and marine litter, biodiversity, non-indigenous species, coast, and hydrography, based on common regional indicators, targets and Good Environmental Status descriptions.

The Mediterranean Sustainable Development Strategy (MSSD), which will be submitted for adoption by COP19 in February 2016, follows the Sustainable Development Goals (SDGs) and will be the first regional strategy of that kind, aiming to implement the SDGs at a regional level. As such, it will be an important legal framework, which all UNEP/MAP-Barcelona Convention Contracting Parties must implement, but which will need specific, targeted investment and support.

The Mediterranean Action Plan on SCP identifies goals and actions as well as a common roadmap for all Mediterranean countries to shift to SCP patterns. This Action Plan, which is also predicted to be adopted in February 2016, will be a milestone that places the Mediterranean region at the forefront of the global and regional efforts in the development of the 10YFP.

The Climate Change Adaptation Framework will aim to address vulnerability and adaptation needs of the Mediterranean marine and coastal region and, once approved, will be a very important instrument for all Mediterranean countries in their adaptation efforts to climate change.

In this regards, it is important to note the close connectivity of climate change and environment, especially for the Mediterranean marine and coastal ecosystems.

On the one hand, climate change is a key pressure, which negatively impacts these ecosystems and makes their vulnerability and adaptation needs higher. On the other hand, progress towards healthy marine and coastal environment also contributes to climate change mitigation.

Based on the Blue Carbon Report of UNEP/FAO/IOC/UNESCO/IUCN/CSIC¹, the role of healthy oceans in binding carbon is crucial, as they can contribute to offsetting up to 7% of current fossil fuel concentrations.

The Marine Litter Regional Plan and the Offshore Action Plan are also areas in which the Mediterranean is a pioneer. While strong ownership exists from the Contracting Parties, capacities differ and would need to be strengthened in a coordinated manner.

For the last 40 years, UNEP/MAP² has been an effective, functional, and truly comprehensive tool to address the challenges posed by international shipping to the Mediterranean region and is widely seen by all riparian countries as the most appropriate tool to address pollution from ships. The vision for the coming years in this area is to strengthen cooperation in the Mediterranean to prevent and combat marine pollution, especially together with the European Commission and the European Maritime Safety Agency, as well as with the industry and other relevant stakeholders.

We believe that the above matters, in light of the importance given by the EU to sustainable development and all three of its pillars, in line with Article 3(3) of the Treaty of the European Union, which states that sustainable development is an over-arching and long-term goal of the EU, are of common interest both for the EU and for the UNEP/MAP Barcelona Convention.

We emphasize the importance of featuring sustainable development as an over-arching goal in the revised ENP, taking all three of its pillars into account, in line with the international development of the SDGs and their future implementation needs, as well as with the high climate change vulnerability of the Mediterranean region.

¹ http://www.unep.org/pdf/BlueCarbon_screen_english.pdf

² Mainly through its' Regional Activity Centre: Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea

In addition, there are various specific areas which are a common interest among all Contracting Parties of the Barcelona Convention, in line with their Decisions, such as the implementation of the Ecosystem Approach in the Mediterranean (in synergy with the EU Marine Strategy Framework Directive), tackling marine litter, protecting biodiversity, meeting the Aichi targets and ensuring integrated coastal zone management.

Finally, there is a longstanding history of cooperation on land- and sea-based pollution prevention (including through the Horizon 2020 Initiative³) and reduction, and response in the Mediterranean between all riparian countries, which are also Members of IMO and parties to its Conventions. We believe that this work has enhanced partnership among the Contracting Parties to the Barcelona Convention and beyond, and it is an area in which the partnership could be further deepened with the future support of the ENP. We thus suggest that the future ENP should build on these achievements and should continue to put strong emphasis on pollution prevention and reduction, policy reforms, capacity building reporting, and data sharing based on SEIS principles.

In this regard, we would also like to highlight the need for the revised ENP and other EU policies to ensure equal attention to the needs of countries around the whole Mediterranean basin, especially in relation to marine and coastal environment.

The revised ENP should have closer bonds and synergy with UNEP/MAP activities especially when it comes to the implementation of the ecosystem approach, integrated planning of coastal areas, protection of marine and coastal habitats and threatened species, and reduction and prevention of pollution.

In summary, we would like to highlight the importance of ensuring that sustainable development, with all three of its pillars, will be at the core of the revised ENP, and that it shall have a strategic, long-term perspective. The protection of the marine and coastal environment within the context of sustainable development is of fundamental importance in the Mediterranean region, even more so during this time where many countries are facing political and economic challenges and increasing impacts from climate change. The unifying role of the UNEP/MAP-Barcelona Convention can contribute in a very important way to the common objectives of prosperity and cooperation.

Strengthening the environmental pillar will provide long-term benefits in enhancing governance, economic development, youth engagement, and empowerment of women. On the other hand, disregarding environment as a priority can trigger further political and strategic differences on natural resource use. This is particularly true for scarce resources such as water or arable land in the South. Processes and phenomena such as environmental degradation or climate change are also another cause contributing to the growing phenomenon of environmental migration.

Addressing “environment and climate change” should be an additional priority area (i.e. one specific common challenge, not only listed under “other common challenges”). As a common priority it will strengthen the systematic approach of the ENP in line with the over-arching and long-term goal of the EU and the ongoing work on the SDGs. We strongly believe that the already identified priorities will be enhanced and strengthened through this addition.

III. Specific comments on section II and III of the Joint Consultation Paper

Can partnerships be focused more explicitly on joint interests in order to increase ownership on both sides? How should the ENP accommodate the differentiation that this would entail? Are new elements needed to support deeper cooperation in these or other fields?

³ <http://www.h2020.net/>

Regarding sectoral cooperation needs, the recommendation of the UNEP/MAP-Barcelona Convention Secretariat is for the ENP to build on, strengthen, and not duplicate existing common objectives between EU and neighborhood countries.

In relation to the marine and coastal environment (including adaptation to climate change), the legal commitments and implementation needs under the UNEP/MAP-Barcelona Convention and its Protocols, as well as the commitments derived from the implementation of the IMO Conventions, provide a good basis for strengthening partnership among EU and neighboring countries.

How can the EU do more to support sustainable economic and social development in the ENP partner countries? How can it better promote sustainable employment?

The revised Mediterranean Sustainable Development Strategy will provide an overall framework for the sustainable development of the Mediterranean Sea and Coast. This Strategy will also serve as the Mediterranean regional implementation of the SDGs and as such can provide an overall framework to structure support in the ENP partner countries.

The Mediterranean Action Plan on SCP identifies action-oriented measures to shift to SCP patterns, many of which are addressed to support the market and the generation of employment for sustainable services and products.

In an effort to support the employment and business sectors in the Green Economy, UNEP/MAP leads the Mediterranean Training and Support Programme for Green Entrepreneurs as SCP drivers. Run through the ENP funded SwitchMed programme, it currently only targets MENA countries, however Mediterranean countries have indicated the need of extending it to other Mediterranean countries.

The RESCP UfM Labelled Project, endorsed by the UfM member countries, extends actions in support to Green Entrepreneurs to Turkey and Mediterranean Balkan countries, and is an example of that need. The upscaling of the Programme would directly benefit the generation of new sustainable businesses and employment opportunities and showcases well the region's ownership for working together towards a more sustainable Mediterranean.

How should the ENP further develop engagement with civil society in its widest sense? Can more be done to network different parts of the partner populations? What more can be done to promote links between business communities?

It is of key importance to strengthen the role of civil society in the Mediterranean region, noting that through sustainable development and environment related regional discussions in the UNEP/MAP-Barcelona Convention context as well as through specific partnerships, and projects, such as the MedPartnership, coordination between civil society already has been already strengthened across the region.

A Mediterranean platform for networking and knowledge exchange on SCP among businesses, civil society, entrepreneurs, policy makers, and members of public administrations also has been recently established under the ENP supported SwitchMed Project.

The platform includes several tools, one of which is an on-line community, a database of stakeholders and successful case studies, networking events and training activities that presents a unique tool through which promoting links between all mentioned stakeholders can boost sustainable services and products and eco-innovation in the Mediterranean.

Is the multilateral dimension able to deliver further added value? Are these formats fit for purpose? How can their effectiveness be strengthened? Can we more effectively use other, more flexible frameworks? Can we better coordinate with other regional actors (Council of Europe, OSCE, League of Arab States, Organisation of the Islamic Conference, African Union)?

It is important for the ENP to build on the commitments and partnerships already established in international and regional organizations and to support and not duplicate their efforts. With respect to pollution from ships, the fact that all the Mediterranean countries are Members of the IMO and therefore already committed to certain international obligations is an essential feature of the region. Assisting these countries to enhance their ownership over IMO international treaties is definitely an avenue to be explored.

Another good example is the cooperation in between UNEP/MAP Barcelona Convention and UfM, in which the UNEP/MAP-Barcelona Convention is the legally binding regional regime in the area of marine and coastal environmental protection while the UfM gives financial and additional political support to this regime. This was the case with the recent UfM Ministerial Declaration of 2014, which contained strong high level messages on environmental protection for the region in general and noted the important role of UNEP/MAP-Barcelona Convention in this regard.

The cooperation as part of the Horizon 2020 Initiative,⁴ which aims to de-pollute the Mediterranean by the year 2020 by tackling the sources of pollution that account for around 80% of the overall pollution of the Mediterranean Sea, is a specific best practice. The Initiative builds on the legal framework of UNEP/MAP Barcelona Convention and supports its Protocols implementation through targeted actions⁵.

Furthermore, building on the existing partnership, the UNEP/MAP-Barcelona Convention Secretariat would recommend for the future ENP to envision an even closer and more strategic cooperation with UN bodies, agencies active in the Mediterranean (Southern Neighborhood) region, including UNEP/MAP, and other bodies and agencies such as UNHCR, IOM, UNDP, FAO, UNIDO, and WHO. A specific joint strategy could be envisioned with common goals and actions in relation to the common priority, establishing a basis for strengthened and better coordinated more cost-effective actions.

From the side of the UNEP/MAP-Barcelona Convention Secretariat, we are open to start these strategic discussions in the field of environment and climate change and to build a more formal partnership with ENP based on common priorities. We are also happy to offer our assistance with an advisory role for questions and programmes relevant to UNEP/MAP-Barcelona Convention legal competence.

Do you agree with the proposed areas of focus? If not, what alternative or additional priorities would you propose?

The focus of the reviewed ENP should reflect the SDGs and the priorities set by the Mediterranean Sustainable Development Strategy.

In addition, the environmental pillar of the sustainable development should be specifically part of the common interest areas, and not only mentioned under other common challenges for the reasons mentioned above.

How should the EU structure relations with countries that do not currently have Action Plans?

The EU can build on common interests with these countries under existing international, regional regimes (of the United Nations for example) and set basis of priorities based on these.

In the field of the environment, this basis can be the UNEP/MAP-Barcelona Convention and the legal obligations and commitments of the Contracting Parties (including Southern Neighborhood, Candidate, EU Member States and the EU).

⁴ <http://www.h2020.net/>

⁵ In addition, the UNEP/MAP Barcelona Convention Secretariat is strongly involved in the Horizon 2020 Initiative and this is also reflected in the Horizon 2020's structure.

IMO provides a good basis for this type of cooperation through its Oil Pollution Preparedness, Response and Co-operation Convention (OPRC) and its Protocol, which is implemented at regional level through the Protocol concerning Co-operation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea.

Can ways of working be developed that are seen as more respectful by partners and demonstrate a partnership as equals?

It is important that partnerships are built based on existing common goals and commitments, such as regional agreements of the Contracting Parties under the UNEP/MAP Barcelona Convention. It is also equally important that the achievements of the ENP are channeled back to other existing and long-standing regional forums and organizations, where great country ownership exists, such as to the UNEP/MAP-Barcelona Convention meetings. In addition, is also important to identify other organizations in the United Nations system that are recognized as providing a level playing field and build on areas of common interest for the Mediterranean basin and build strategic partnerships with them, as described above.
