

*Be always  
like the sea...*

*Jim Morrison*



## *Political Recommendations*

Recommendations for an effective and collaborative  
governance of MPA at Mediterranean level



# Political Recommendations



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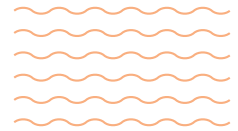
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## Why is a better governance for Mediterranean MPAs needed?



The Mediterranean Sea is acknowledged as one of the priority eco-regions and contains major biodiversity hotspots. In addition to its ecological value, the economic value of the Med biodiversity and the services it provides have been recognized. A wide array of pressures (e.g. population growth, urbanization, tourism exploitation, overfishing, pollution, shipping traffic, non-native species) is causing loss and fragmentation of Mediterranean marine and coastal habitats. Although action to halt biodiversity loss entails costs, biodiversity loss itself is costly for society, so each year some EU countries lose 3% of GDP due to the loss of marine biodiversity.

Therefore, the role played by MPAs for biodiversity conservation and management of its ecosystem services is fundamental. Over the last decades, several agreements have strongly emphasized this need to achieve effective management of marine protected sites. Under the Convention on Biological Diversity, countries committed themselves to reach 10% of protected coastal and marine areas by 2020 effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures (Aichi target 11).

Although considered as the most powerful tool for achieving biodiversity conservation, increasing resilience and supporting sustainable development, Marine Protected Areas (MPAs) are still threatened by a wide array of pressures causing loss and fragmentation of Mediterranean marine and coastal habitats within.

However, recent research has shown that there are gaps in the designation and management of MPAs, highlighting specifically the need for greater stakeholder participation and timely monitoring and evaluation (Álvarez-Fernández et al., 2020, in Palazzo et al., 2021). In the Mediterranean (and beyond), there are too few MPAs and many are not effectively managed. The updated version of the MPA database in the Mediterranean (MAPAMED), implemented by MedPan in 2019, displays the following figures: 8.33% of the surface area of the basin is covered by MPAs (although there are strong regional disparities), and only half

of these have a management plan. Thus only 4.11% of them are considered to be effectively managed (without prejudging their results and impacts in terms of conservation). Furthermore, they are marked by a fragmentation of responsibilities, competences and tools, together with an overall complexity due to the layering of resources, functions and actors with conflicting interests.

Over the last decades, several agreements have strongly emphasized the need to achieve effective management of marine protected sites: Convention on Biological Diversity, Barcelona Convention, EU biodiversity Strategy, Integrated Coastal Zone Management (ICZM) Protocol... However, the implementation of these commitments remains weak and incomplete, revealing a wide gap between what has been agreed and what is actually happening at local level. According to the Executive Secretary of the Convention on Biological Diversity, Elizabeth Maruma Mrema during the opening ceremony of the Mediterranean MPA Forum in November 2021, one of the main factors of failure of these protection tools is the lack of commitment of the actors of the territories in which they are implemented. Lack of knowledge, lack of transparency and mistrust are all conditions that contribute to the lack of understanding and appropriation of these tools at the local level.

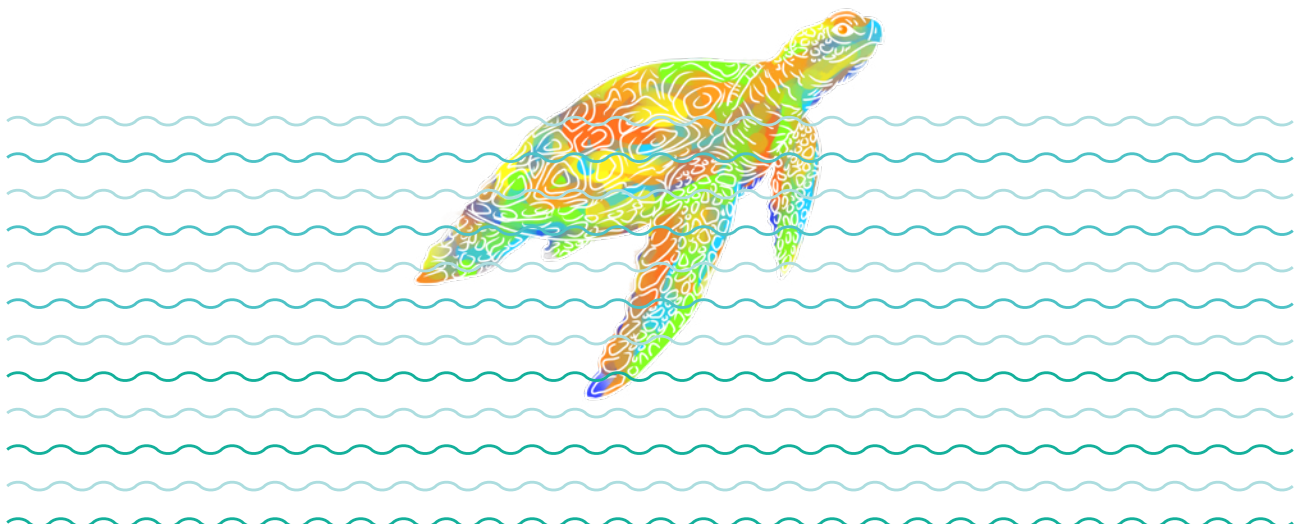
The Marine Strategy Framework Directive and other European directives including the Water Framework Directive require European countries to foster an integrated approach for managing MPAs and their surrounding wetlands through collaborative governance processes, combining multi-objective, multi-level and multi-stakeholder decision-making. In particular, a participative approach to decision-making is promoted as a prerequisite for defining integrated, sustainable and viable strategies (Jager et al., 2016, in Palazzo et al., 2021). Thus, among the actions to focus on for improving MPAs' management, there is an urgent need to foster participatory approaches within and beyond territorial waters to improve local and regional governance. Indeed, MPAs are more effective when integrated approaches for decision-making and actions are adopted.

### THE ENVIRONMENTAL CONTRACT AND THE TUNE UP PROJECT

Within TUNE UP\*, the Environmental Contract has been recognized as an inclusive and bottom-up process referring to a holistic approach which is not only consultative but also proactive, applied to MPAs governance, that:

- Provides a framework for consultation allowing greater transparency and information and knowledge sharing between stakeholders. Information sharing and transparency are really important in the process. A good communication allows the various stakeholders to be aware of the actions and provisions implemented within the MPA, thus contributing to a better understanding and even appropriation. Communication also offers opportunities in terms of membership. This is particularly true in the current sanitary context where the pandemic situation did not provide the conditions for physical meetings. As some people are not comfortable with online meeting tools, it is necessary to consider more creative tools - TV channel, radio shows, podcast, short films...).
- Promotes the dialogue between stakeholders and establishes a common working method while limiting conflicts between conservation issues and economic activities. The territorial laboratories (« territorial labs ») experience, where people were asked to share their views and build a common vision for their territory, has resulted in building reliability and mutual understanding in intra and inter-group level, avoiding at the same time conflicts between different sectors, even in larger areas.
- Paves the way to mid to long-term pioneering partnerships. The process implemented creates a community of practice sharing its interests and goals, setting the ground for voluntary-based and commitments and the development of an operational Action Plan. The operationalization of the process is extremely important for ensuring its effectiveness.
- Enables inter-institutional and cross-sectorial collaboration and coordination at different levels involving both public and private actors. The protection of biodiversity has not been considered as a strategic and horizontal issue that should be taken into account in all sectoral policies and in all areas of public and private intervention. Through the governance mechanism implemented with the Environmental Contract, conservation of biodiversity is interconnected and treated in the same way as other issues.

\*Project for Promoting multilevel governance for tuning up biodiversity protection in marine areas.  
See the Policy Toolkit and visit <https://tune-up.interreg-med.eu/>





# Six Political Recommendations

## Legal framework



**#1**

Further encourage Member States to systematize the use of collaborative processes by promoting the appropriation of environmental contract tools and embedding them in their regulations.

**#2**

Introduce a common framework fostering a standard approach while allowing for flexibility.



## Financial support



**#3**

Set up funding programs tailored for fostering environmental collaborative process.

**#4**

Foster a financial facility for ensuring the rewarding of environmental collaborative process.



## Stakeholder empowerment



**#5**

Further encourage Member states to involve national, regional, and local levels.

**#6**

Encourage the transfer of expertise and experiences between actors and initiatives to improve the capacities of the Mediterranean community and foster its empowerment in the implementation of voluntary cooperation agreements.





## Legal framework

### #1 Further encourage Member States to systematize the use of collaborative processes by promoting the appropriation of environmental contract tools and embedding them in their regulations.

The issue of formalizing the Environmental Contract at a regulative level is complex, and has already emerged during the WETNET project. Partners encountered legal limitations concerning the final Agreement due to the terminology of «contract». The Environmental Contracts should be seen as a process concerning the collaborative governance of a specific area. The legal reference of the Formal Agreement depends on national/regional regulations for public-private partnerships. This Formal Agreement must be legally and financially binding for the subscribed parties to outline a framework for inter-institutional and inter-sectoral collaboration, between administrations and public institutions, social and economic actors.

The contractual approach proposed by the Environmental Contract is not applicable in all countries, on the one hand because the tool is not recognized in public texts and policies and therefore not legally binding in some countries, and on the other hand because the terminology “contract” is not adapted to public-private partnerships. One of the solutions provided by the project was the formalization of MoUs (Memorandum of Understanding), which are not legally binding, as the first commitment of the stakeholder in order to start the process of the Environmental Contract.

Although the EU legal framework is in place to encourage the use of this governance model, there are still legal obstacles at national level for embedding the tool. One of the options to consider is to promote the current approach as a territorial project into regional and European road maps as tools for MPA conservation, allowing a certain flexibility for the adaptation of tools. As long as it is consistent with national policies and supra levels, such a designation would be an incentive and would avoid any criticalities related to the term « contract ».

### #2 Introduce a common framework fostering a standard approach while allowing for flexibility.

The definition of governance standards should make it possible to establish a common framework that guides countries in the application of the tool. In this regard, the tools developed, and in particular the Joint Transitional Methodology and the Regional Policy Toolkit, provide an important basis for the definition of standard procedures. However, the Environmental Contract is characterized by its flexibility and must therefore be able to adapt to the structural characteristics of the context, but also to the change produced by the contract itself. It is therefore important to support the effective and efficient implementation of the Environmental Contract in the long term, starting with its recognition as a flexible, open and continuously updated tool, adaptable to transformations and changes in social and economic conditions and policies. It is advisable to use an adaptive governance approach that will allow us to adapt strategies and interventions to local needs and to better exploit the opportunities offered by European funding. The adoption of widely adaptable generic standards to enable context-related rather than one-size-fits-all approaches is required.





## Financial support

### #3 Set up funding programs tailored for fostering environmental collaborative process.

In addition to the contractual aspect, the Environmental Contract provides for financial commitments from the signatories. However, these provisions can in some cases represent obstacles to the implementation of the approach. The lack of financial commitment may hamper the operationalization of the approach, which is really important for ensuring its effectiveness, as finally none of the parties are required to assume any financial commitment, reducing the power of the contract. Consequently, failure to comply with the obligations and/or commitments assumed by each of the parties has no consequences other than a lack of collaboration and may be detrimental to the territorial project initiated by the approach.

The concretization of the approach through the implementation of operational actions should be encouraged. Dedicated funds should be allocated to the Action Plan, as it ensures the commitment of the actors and their long-term involvement. Special funding should be granted for the actions from the Action plans to be implemented, to ensure that they are operational. Human and financial resources dedicated to the whole process (both in terms of coordination/facilitation and for its concrete implementation) must be properly sized. Funding opportunities in the mid-long term need to be identified and properly sized to implement both the governmental process (ensuring the development of the skills of the members of the governance bodies) and the strategy.

The process must be monitored and evaluated in order to be constantly adapted to the evolution of the territory. Specific funds for implementing Environmental Contract within the INTERREG Med 2012-2027 and its priority 3 for a better Mediterranean governance for example, should also include a specific time and budget for monitoring and evaluation to review the process.

Funding programs (eg. Med Programme) can recognize bonus scores for projects that will be implemented in areas where collaborative governance processes are active or that implement activities developed within a collaborative governance process. Funding programs can fund the starting of a collaborative governance mechanism in MPAs, but a financing facility should be established for ensuring the sustainability of such processes.



## #4 Foster a financial facility for ensuring the rewarding of environmental collaborative process.

The governance process implemented through the participatory approach requires time, both in its construction and in its sustainability. The mistrust that is at the root of the low level of stakeholder involvement can only be corrected through the establishment of a climate of trust in which everyone is heard, listened to and taken into consideration. The process requires time to build trust and confidence. The tight time constraints have often limited the realization of some discussions and further negotiations.

Since financial commitment is required, it is necessary to provide dedicated funding to launch the process, but also to support the use or creation of self-financing mechanisms that will eventually make it possible to make governance sustainable. One way of making the approach sustainable is then to promote financial incentives for facilitating the economic engagement of stakeholders, considering for example:

- a financial approach mixing private-public investment, as an additional financial tool to implement actions within the environmental field (similar to the “Integrated territorial investment”).
- the possibility to fund stakeholders to involve them more, by defining a shared and common framework within a common goal.

Indeed, the approach needs to support beneficiaries in developing self-financing mechanisms for ensuring the financial sustainability of the process.



## Stakeholder empowerment

## #5 Further encourage Member states to involve national, regional, and local levels

When it came to mainstreaming and embedding the tool, some issues related to competences and liability were raised. One of the main elements that has hindered the integration of the tool into public policies and strategies is the question of competences. Who is responsible for establishing and managing MPAs? Indeed, in many territories, the competence for MPAs does not lie with the region but with the national authorities. Thus, the role and power of regional authorities is limited in this area. In other cases, it is the structural reorganization of the services concerned that may have slowed down the process. This point underlines the importance of identifying all the competent authorities and their decentralized levels in order to involve them in the process from the outset.

The involvement of decision-makers at the highest levels should be guaranteed even in highly localized dynamics. The involvement of the competent authorities must be ensured; decentralization of competences should be encouraged (which would ensure that European funds are obtained at the appropriate levels). The inclusion of the highest levels of decision-makers, provided they are properly trained in the proposed governance approach, would enable the tool to be incorporated into strategies and then into public policies.



Stakeholders' mapping enables to identify the best people to involve in, nevertheless the designation of focal points for the coordination and facilitation would allow to mediate between the outcome of the governance and its legal framework, at multi-level regional and national authorities, and address decisions, in order to ensure efficiency, effectiveness and performance of the process even beyond the duration of the project.

It is important as it is an empowered and committed body widely recognized as a credit-worthy figure. In this way its voice will be perceived as authoritative, and its communication effort will be effective. Whatever the territorial level envisaged, the referents must be identified to lead the process and to pass on information and needs to the regional and European authorities. Assigning some small and clear responsibilities to political decision makers also allow to up-scale the process. The question of competences and resources must anyway be addressed for each of the governance entities established by the process.

## **#6 Encourage the transfer of expertise and experiences between actors and initiatives to improve the capacities of the Mediterranean community and foster its empowerment in the implementation of voluntary cooperation agreements.**

Building capacity is an important prerequisite for an efficient implementation of the process as well as to obtain early social participation and community support. The training of key stakeholders on how to implement Environmental/MPA Contract is therefore essential to the process and should be designed at early stages (e.g in schools' curricula).

An information centre should be created at the regional or European level in order to guarantee the transfer of knowledge and experience, as well as capacity-building and thus a better efficiency of the undertaken initiatives. The creation of a Mediterranean and common observatory for different topics not only with a function of a research center for collecting data, but a political tool to orient decisions and push institutions to change policies at an international level. Funding should be provided for the animation of Wikicoasting and other similar platforms by building bridges between them.

The multiplicity of projects and the diversity of approaches they advocate for can lead to confusion. Public action would be much more effective if tools and instruments were pooled and interoperable, especially as they can be seen as complementary. Experience and expertise sharing should be encouraged between different governance approaches (Green List, SMILO label...) as much as possible via regional and/or international organizations (RAC/SPA, ACCOBAMS, IUCN...) and networks (MedPAN, PIM, etc), in a logic of community of practice and to avoid the confusion that can be caused by the multiplication of projects, and the relative counter-productivity that might result. The use of PANORAMED as a resource centre can address this need for information and tool sharing.



## Conclusions

Finally, from the six recommendations that advocate for a strategic and collaborative approach for Med MPAs management and biodiversity protection, we will retain the following main ideas :

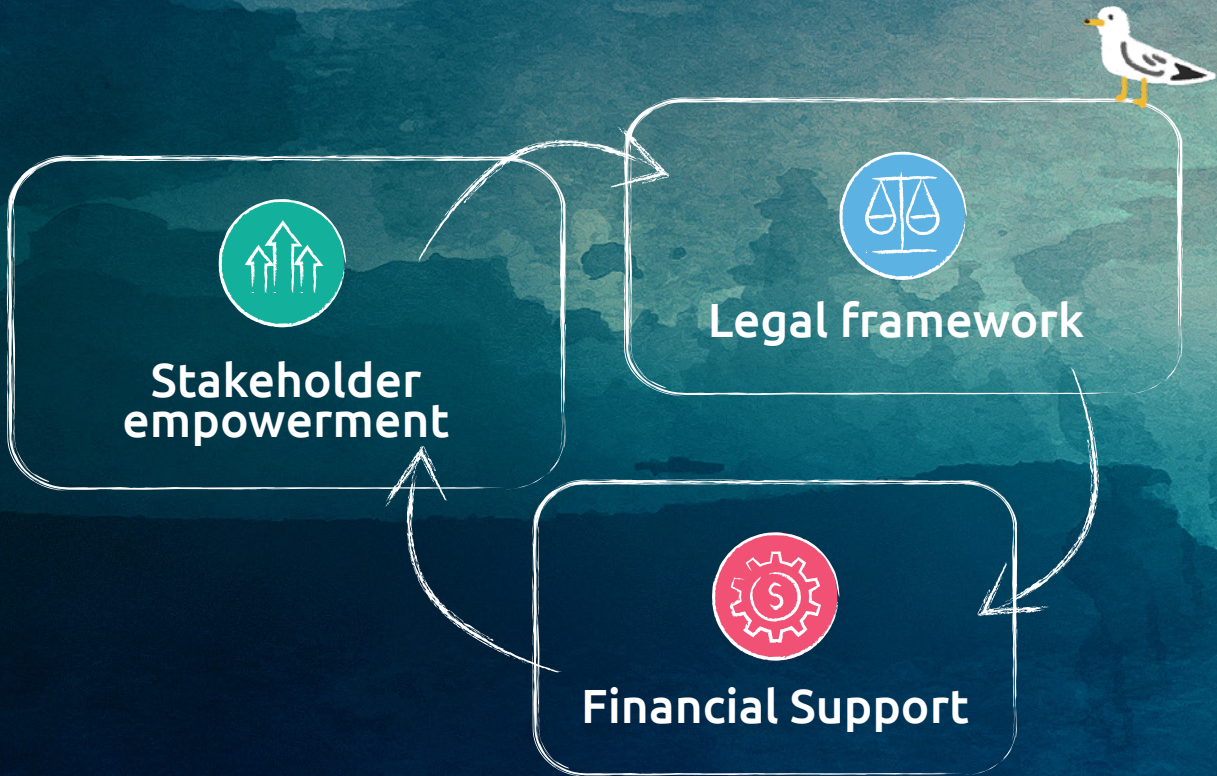
- The EU legal framework is in place to encourage the use of this governance model ; but the governance process requires a flexible approach: the different national legal frameworks and socio-economic challenges require EC to be individually tailored to each specific site; this challenge could be addressed by defining specific policies with common governance standards while allowing for flexibility;
- The process requires a specific organization with competent bodies (coordinator, board, technical committee, secretariat...) for following-up, monitoring and controlling its implementation; training, CB and experience and knowledge sharing should be encourage based on the already produced tools.
- The process requires a specific budget dedicated over time for ensuring its operationalization. A dedicated funding tailored to the operationalization of the process is then necessary, as well as a financial facility to ensure its sustainability.

Although requiring certain conditions to ensure optimal implementation, Environmental contracts are governance tools of particular relevance to the management and even designation of MPAs and other protected areas, especially those without organized governance schemes and structures. The governance dynamics inherent in the environmental contract should therefore be pursued in the future to ensure effective management of the MPA network in the Mediterranean region.





# Political Recommendations



*Happiness  
is a simple idea  
when facing  
the sea.*

*Jean-Claude Izzo*





*The winds and waves  
are always on the side  
of the ablest navigators.*

*Edward Gibbon*