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**Ninth Intergovernmental Meeting on the
Action Plan for the Caribbean Environment
Programme and Sixth Meeting of the
Contracting Parties to the Convention for
the Protection and Development of the Marine
Environment of the Wider Caribbean Region**

Kingston, Jamaica, 14 – 18 February 2000

REPORT OF THE MEETING

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REPORT OF THE MEETING

Introduction

1. The Ninth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Sixth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region was convened by the Executive Director of UNEP, in Kingston, Jamaica, 14-18 February 2000. The Meeting was convened to review the achievements of the Caribbean Environment Programme and to make decisions with regard to moving the Caribbean Environment Programme into the new millennium. The Meeting:

- Evaluated the projects and activities implemented within the framework of the Caribbean Environment Programme during the period 1997-1999;
- Reviewed the progress made in the implementation of the decisions of the Eighth Intergovernmental Meeting and Fifth Meeting of the Contracting Parties (Kingston, 9-13 December 1996) and Twelfth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties (Kingston, 9-12 June 1997);
- Discussed new strategies to strengthen and further develop the Caribbean Environment Programme;
- Reviewed offers from two governments for the establishment and development of Regional Activity Centres;
- Decided on the composition of the Monitoring Committee and the Bureau of Contracting Parties for the 2000 - 2001 period; and
- Examined the proposed objectives of the Meeting as contained in the Report of the Executive Director UNEP(DEC)/CAR IG.17/4 and adopted the necessary decisions for the continuing implementation of the Caribbean Environment Programme.

2. All States and Territories participating in the Caribbean Environment Programme and the Commission of the European Union were invited to attend the Meeting. Other States which had demonstrated concern for the protection of the marine environment of the Wider Caribbean Region, as well as UN and non-UN organisations participating or interested in the Caribbean Environment Programme, participated in the Meeting and the following non-governmental organisations attended as Observers: Birdlife Jamaica, Caribbean Natural Resources Institute (CANARI), CARICOM, Dominica Conservation Association, Earthvoice/Monitor International, Eastern Caribbean Cetacean Network, Third Millennium Foundation, Humane Society of the United States, International Maritime Organization (IMO), International Fund for Animal Welfare (IFAW), Monitor International, Organization of Eastern Caribbean States (OECS), Ramsar Convention, Regional

Marine Pollution Emergency Information and Training Centre Caribbean (REMPEITC-Carib), Swedish International Development Co-operation Agency (SIDA), Swedish Centre for Coastal Development and Management of Aquatic Resources (SWEDMAR), The Nature Conservancy and United States Agency for International Development (USAID).

Agenda Item 1: Opening of the Meeting

3. The Meeting was opened on 14 February 2000 at the Jamaica Conference Centre at 9:00 a.m. by Mr. Jorge Illueca, Assistant Executive Director, Division of Environmental Conventions for UNEP, Nairobi, on behalf of the Executive Director of the United Nations Environment Programme, Dr. Klaus Toepfer.
4. In his inaugural address, Mr. Illueca highlighted the role of the Caribbean Environment Programme, legal agreements concluded, institutional advancement initiatives undertaken, as well as the priority projects and activities of UNEP.
5. In welcoming the delegates and participants, Mr. Illueca emphasized the increasing role of the Caribbean Environment Programme, and the numerous demands placed on the Secretariat in the form of legal, institutional and programmatic needs. He applauded the work of the Co-ordinator and staff of the Secretariat in reviving a programme that was in crisis in 1997.
6. Stressing the importance of legal agreements, he reminded the Meeting of the increased momentum of the Cartagena Convention, noting the accession of the Dominican Republic and Belize, bringing the total number of Parties to the Convention to 21 out of a possible 28. He also cited new protocol developments: the imminent entry into force of the SPAW Protocol, given the accession of Trinidad and Tobago, and promising statements from several other governments, as well as the adoption and signing of the Protocol on Land-based Sources and Activities last October in Oranjestad, Aruba. He hailed the latter as a significant agreement, a model for the implementation of the Global Programme of Action for the Protection of the Marine Environment from pollution from land-based activities, and urged its ratification and implementation.
7. Touching on institutional advancement, Mr. Illueca indicated that co-ordination with global initiatives had increased and would continue to do so. He cited the Second Global Meeting of the Regional Seas Conventions and Action Plans, hosted by UNEP in The Hague in early July 1999 in which 14 of the 16 regional seas conventions and action plans participated, as well as the secretariats of 7 global conventions and agreements. From this Regional Seas Meeting emerged the establishment of horizontal co-operation between the more mature regional seas conventions and the less developed, as well as increased co-operation between regional seas and global conventions.
8. Mr. Illueca briefly outlined priorities given by the Governing Council of UNEP, such as the need for substantial support for various conventions and action plans, including financial and technical support in the development of GEF-funded projects. He also noted the approval of a significant number of project proposals of the Caribbean Environment Programme – a testimony to the confidence placed in the Programme based on its track record for delivery.

9. In concluding his address, Mr. Illueca exhorted participants to lend their political, financial and technical support to ensure the continued growth and success of the Programme.

10. The representative of the Jamaican Government, the Hon. Mr. Anthony Hylton, Minister of Foreign Trade, also extended a warm welcome on behalf of his government. In his welcoming remarks, he reminded the meeting of the vital role played by the ocean and marine resources in our daily lives. He underlined the constant threat of marine pollution through improper disposal of sewage, illegal dumping of solid waste and ship-generated waste, and the depletion of living marine resources.

11. Minister Hylton emphasized the Jamaican Government's commitment to join with the countries of the region to protect, develop and manage coastal and marine resources. In testimony to this he cited Jamaica's adherence to several international maritime agreements and other related treaties and agreements of international importance.

12. He also cited Jamaica's involvement in various programmes in collaboration with the private sector, non-governmental organizations and international agencies, with specific reference to the Kingston Harbour Rehabilitation Project and the GOJ/USAID Coastal Water Quality Improvement Project (CWIP). He informed the Meeting of the existence of the Council on Ocean and Coastal Zone Management, launched in 1998 –the Year of the Ocean- which is guiding the development of national policy in this area.

Agenda Item 2: Organisation of the Meeting

(a) Rules of Procedure

13. The Rules of Procedure of the Governing Council of UNEP (UNEP/GC/3/Rev.3) were applied *mutatis mutandis*, for the conduct of the Meeting.

(b) Election of Officers

14. The Meeting elected, from among the participants, the following officers who will also serve as the Bureau of Contracting Parties for the period 2000-2001 the Chairperson, three Vice-Chairpersons and a Rapporteur.:

Chairperson:	Mr. Franklin McDONALD	(Jamaica)
First Vice-Chairperson:	Ms. Beverly WADE	(Belize)
Second Vice-Chairperson:	Dr. Jean-Francois PULVENIS	(Venezuela)
Third Vice-Chairperson:	Mr. Harold GUISTE	(Dominica)
Rapporteur:	Mr. Ben M.J. KOMPROE	(Netherlands Antilles on behalf of the Kingdom of The Netherlands)

(c) **Organization of Work**

15. English, French and Spanish were the working languages of the Meeting. Simultaneous interpretation in these languages was provided by the Secretariat for the plenary sessions and the working documents of the Meeting were available in all working languages.

16. The Meeting agreed to break into working groups during its proceedings as required but simultaneous interpretation was not provided to the working groups.

Agenda Item 3: Adoption of the Agenda

17. The provisional agenda proposed in document UNEP(DEC)/CAR IG.17/1, was presented by the Chairperson for consideration by the Meeting. A number of delegations pointed out that matters of paramount importance to all member governments such as the financial rules and rules of procedure as proposed in provisional agenda items 6 and 7 have, in the past, been discussed prior to Intergovernmental Meetings to facilitate their adoption. The delegation of Cuba suggested these two items be deferred to allow for preliminary discussions at a separate meeting which could be hosted by the Government of Cuba. Other delegations urged the Meeting to deal with the financial situation of the Programme as a matter of urgency.

18. In response to the concerns raised, the Secretariat pointed out that the Caribbean Environment Programme has been functioning without clearly established rules and financial guidelines which are required to improve the Programme's governance.

19. A number of delegations suggested that some discussion on financial rules could take place when discussing the financial strategy for the Programme.

20. In this context, the Meeting agreed that the second part of the proposed Agenda Item 6 on financial rules be removed from the agenda but kept in mind during discussion of the other issues on this Agenda Item. With regard to Provisional Agenda Item 7, Rules of Procedure, the Meeting agreed to remove this Item.

Agenda Item 4: Report of the Chairperson of the Monitoring Committee and President of the Bureau of Contracting Parties

21. The Chairperson of the Monitoring Committee and the President of the Bureau of Contracting Parties during the 1998-1999 biennium, who are one and the same, presented her report as contained in document UNEP(DEC)/CAR IG.17/3.

22. In her report, the Chairperson of the Monitoring Committee noted that after eight years without additional governments acceding to the Cartagena Convention, the Governments of the Dominican Republic and Belize had acceded to the Cartagena Convention and Oil Spills Protocol, bringing to 21 the total number of Contracting Parties. With the ratification of the SPAW Protocol by Trinidad and Tobago, this instrument is likely to enter into force in 2000, as only one additional party is needed. In this regard, she informed the Meeting about the intention of the Government of St. Lucia to accede to the Protocol in the upcoming weeks. She also highlighted the adoption of the

Protocol Concerning Pollution from Land-based Sources and Activities in the Wider Caribbean Region (LBS Protocol) at a meeting convened in Aruba from 27 September to 6 October 1999.

23. In her presentation, she also raised some of the concerns facing the CEP, such as the absence of regular and sustained ordinary contributions to the Caribbean Trust Fund (CTF). She suggested that the Secretariat might consider more carefully the selection of the country-recipients of CEP projects and activities, linking this selection to those countries that make regular contributions to the CTF or those that have either ratified or acceded to the Cartagena Convention and its Protocols.

24. In conclusion, the Chairperson of the Monitoring Committee cited areas for future focus such as activities to support the Oil Spills Protocol, the SPAW Protocol, the LBS Protocol as well as relevant global initiatives. She also reiterated the need for collective commitment of the Governments to the Cartagena Convention and other objectives of the Caribbean Environment Programme.

Agenda Item 5: Report of the Executive Director of UNEP on the Implementation of the Caribbean Environment Programme (1997-1999)

25. The Secretariat presented the Report of the Executive Director of UNEP on the Implementation of the Caribbean Environment Programme, as contained in document UNEP(DEC)/CAR IG.17/4 in response to the decisions of the Eighth Intergovernmental and Fifth Contracting Parties Meeting (Kingston, 9-13 December 1996) and Twelfth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties (Kingston, 9-12 June 1997).

26. Mr. Nelson Andrade Colmenares highlighted aspects of the Report of the Executive Director of UNEP on the Implementation of the Caribbean Environment Programme 1997-1999 comprising the following sections:

- I. Introduction
- II. Management, Administration and Organisation of the Programme
- III. Programme Achievements
- IV. Financing the Caribbean Environment Programme
- V. Proposed Objectives of the Ninth Intergovernmental Meeting

27. Mr. Andrade pointed out that there had been very significant changes at the programmatic, administrative and financial levels. He informed the Meeting that changes in financial arrangements and reporting of the Programme to the IGM were intended to achieve more transparency in matters of finance and management. He also noted that over the period 1997-1999, the CEP had ensured consistency in management by maintaining its Co-ordinator whose current contract will expire at the end of 2001.

28. He indicated personnel changes which have enhanced the operation of the Secretariat: the recruitment of an AMEP Programme Officer, general support staff, an Information Systems Assistant, and the secondment of a Legal Officer under the Junior Programme Officer Programme of Sweden.

29. He signaled two major projects in the CEPNET and SPAW Sub-programmes in environmental information systems management and sustainable tourism respectively, as well as the adoption of the Protocol Concerning Pollution from Land-based Sources and Activities in Aruba in October 1999.

30. With regard to finances, Mr. Andrade underlined the difficult financial status of the CEP. Stressing the need for countries to pay their contributions, he informed the Meeting that ordinary contributions to the CTF are still insufficient to adequately staff and operate the Secretariat. He further informed the Meeting of the Secretariat's successful efforts in securing funding from various sources: professional staff support from UNEP/Nairobi; significant extraordinary contributions to the CTF and contributions earmarked for specific sub-programmes and projects; and a number of GEF projects.

31. Mr. Ricardo Sanchez, Director of the Regional Office for Latin America and the Caribbean (ROLAC) of UNEP expressed satisfaction with the enhanced collaboration between the ROLAC and CAR/RCU, and his hope for continuation of this collaboration. Mr. Sanchez also highlighted activities of ROLAC in the area of environmental information, natural resources, climatic change, public awareness and environmental law.

32. Detailed presentations were made by the respective Programme Officers of the CAR/RCU Secretariat on the programmatic accomplishments of CEP:

- Assessment and Management of Environment Pollution - Mr. Tim Kasten
- Specially Protected Areas and Wildlife (SPAW) - Ms. Alessandra Vanzella-Khoury
- Information Systems for the Management of Marine and Coastal Resources (CEPNET) - Ms. Marjo Vierros (CAR/RCU consultant)
- Financial arrangements - Mr. Jorge Flores

33. These presentations outlined the main objectives, activities and achievements of the sub-programmes, as well as the issues and perspectives for their future development.

34. The Meeting noted the significant accomplishments of the Programme and congratulated the Secretariat for this great effort undertaken despite the financial constraints of the CTF.

35. A number of delegations expressed concern about the quality of the translation of documents.

36. With regard to the Trust Fund, the Delegations cited problems of communication between the Governments and UNEP as payments to the CTF were not always reflected in a timely manner.

37. In response to the question of the status of financial contributions, Mr. Jorge Illueca, Assistant Executive Director of UNEP explained that when making payments to the CTF through the UN in New York, Governments must clearly identify the accounts for which the contributions are intended. Without these clear instructions and given that UNEP manages close to fifty trust funds, it can take up to several months to identify the intended recipient trust fund. He also explained that UNEP in Nairobi cannot officially record a contribution until it had received a receipt from the United Nations in New York.

38. The Secretariat proceeded to outline the proposed objectives as detailed in the Report of the Executive Director. The Meeting took note of the Report of the Executive Director, including the proposed objectives of the Meeting.

Agenda Item 6: Strategy for the Financial Sustainability of the Caribbean Environment Programme and Financial Rules of the Caribbean Environment Programme

39. The Secretariat presented the document "Strategy for the Financial Sustainability of the Caribbean Environment Programme", UNEP(DEC)/CAR IG.17/8. In the presentation, the Secretariat highlighted Decision No. 6 of the Eighth Intergovernmental and Fifth Contracting Parties Meeting of 1996 which stated that "cash contributions to the CTF remain the primary funding base of the Programme". The Secretariat also explained the programmatic and administrative impacts of this decision, as financial sustainability of CEP has a direct link to its planning and delivery. The Secretariat explained the various contributions that can be made to the CEP. Specifically, it was explained that, according to Decision No. 6 of the Eighth IGM, ordinary contributions to the CTF are those that should fund the Overall Co-ordination and Common Costs (OCCC) of the CAR/RCU Secretariat.

40. The Secretariat noted that the levels of indicative pledges to the CTF have never been matched and that for some years the level of ordinary contributions did not even meet the very basic staff costs of the operation of CAR/RCU. It was further noted that the average year shows a 60% deficit in meeting OCCC through ordinary contributions and that about 40% of operating costs are covered by ordinary contributions. During 1997-1999, this deficit was alleviated to some extent through extraordinary contributions, annual carry-over of unspent funds, seconded staff and downsizing of the Secretariat. The Secretariat stated, however, that this approach is not sustainable: 1) there is no longer any carry-over due to improved management, all funds are programmed; 2) there are no promises of seconded staff or extraordinary contributions to be used for OCCC as extraordinary contributions are generally earmarked; and 3) current staffing levels will not allow the Secretariat to carry out the workplan.

41. Several reasons for the financial difficulties of the CEP are stated in the strategy, and were highlighted in the presentation. These included:

- dependence on a few donors to pay for the whole programme;
- failure of the voluntary contribution system -- many countries are not contributing;

- equal treatment policies -- all members are treated equally regardless of whether they have ever contributed to the CTF or whether contributions are kept current;
- accounting problems -- due to invoicing and accounting procedures, it is sometimes difficult for CAR/RCU to know who is in arrears; and
- a narrow marketing strategy -- CEP's fund-raising activities have primarily focused on the traditional public sector donor groups and have not tapped the private sector.

42. To attempt to solve some of these problems, the Secretariat presented several actions as contained in document UNEP(DEC)/CAR IG.17/8. These included among other things:

- developing a 4-year budget at full capacity for operation of the office, including full staff, meetings and communication costs. Also developing a "bare bones" minimum budget, which can largely be met through ordinary contributions. The full-capacity budget can only be met through obligatory payments to the CTF.
- developing additional promotional material and a marketing strategy;
- the incorporation of co-ordination costs into project budgets;
- encourage the payment of arrears through in-kind contributions;
- giving consideration to countries that have contributed to the CTF when making project site selection; and
- the need to revitalize the Monitoring Committee to improve governance, ownership and to assist in fund-raising.

43. The Secretariat concluded its presentation noting the acceptance that ordinary contributions would not meet the full-capacity costs of the OCCC. Therefore, the Secretariat was presenting in the proposed Workplan for 2000-2001 (UNEP(DEC)/CAR IG.17/8) a minimum budget necessary to meet basic OCCC costs and a full-capacity budget in document UNEP(DEC)/CAR IG.17/8, with the realization that these additional costs would have to be met with fund-raising efforts. These efforts would be in addition to fund-raising for projects. If fund-raising does not raise the necessary funds, expenditures will have to be reduced, causing productivity to fall.

44. In reacting to the Strategy presented by the Secretariat, the issue of financial and other types of commitments to the Caribbean Environment Programme was raised once again by the delegations. They discussed the question of whether the CEP was being made sufficiently attractive to sustain the interest of governments and which features of the Programme were no longer being offered. The Secretariat was urged to foster greater team work between the Parties, the Governments and itself in order to generate a feeling of ownership of and identification with the Programme. It was generally agreed among the delegations that the profile of the Programme needs to be heightened in order to convince governments of its utility.

45. One delegation stressed the convenience of the mandatory nature of assessed contributions and requested that the Secretariat clarify the criteria used for assessing and calculating these contributions, and noted the need for transparency and equity. Although one delegation felt this was desirable, most delegations felt they should remain voluntary.

46. Another delegation, while agreeing that the Caribbean Trust Fund is the basis for any groundwork within the Programme, questioned the action of doubling contributions, arguing that the financial sustainability strategy should instead be based on compliance and payment of arrears. There was general agreement that it would be difficult to comply with increases in contributions to the CTF.

47. The need for objectivity in approaching the question of benefits derived from the Programme was again the focus of attention. A number of delegations noted that some countries might effectively not be in a position to pay their contributions at a given time and should therefore, in the collective interest, not be deprived of the fruits of co-operation. Other delegations urged the Meeting to find a way of carrying the Programme forward as it was impossible for some countries to pay up arrears and remain current. The financial problems are due to the economic situation of the region, including social and economic factors and natural disasters. Administrative and political problems also cause arrears in contributions.

48. The low level of contributions being received by the CEP Secretariat was recognized with regret, reminding the Meeting that this was insufficient to adequately staff and operate the RCU. The staff was lauded for its creative and successful efforts which have resulted in its attracting over US\$1.4 million in extraordinary contributions, GEF grants to support projects and activities, secondment of staff and for its cost-saving use of information technology. This, it was noted, could serve as a model for other international organizations.

49. The delegation also noted that the OCCC should be funded from regular contributions to the Trust Fund as long-term plans can only be serviced through a regular and sustained funding base, given that potential donors are unlikely to contribute more within this climate. The delegation proposed ways in which it could improve its method of contributing to the CEP, including potentially increasing its ordinary contributions and a request to UNEP to waive the 13% in counterpart contributions, and urged other countries in the region to match these efforts.

50. The Meeting raised questions regarding the criteria for setting the formula and scale of contributions and to the difference between indicative contributions and voluntary contributions received.

51. Mr. Illueca, intervening on the issue of contributions added that only the Regional Seas Conventions have fixed contributions and that the scales are applied loosely and modified according to the financial situation of countries.

52. Mr. Andrade explained that the Secretariat was unable to provide funding to the delegates from the Dominican Republic and Guatemala to attend this Meeting because of a decision taken by the Governments in 1994, which requested that financial assistance for attendance at meetings

of the Programme should not be granted to countries which had not made at least one contribution to the Caribbean Trust Fund. Mr. Andrade noted that this Meeting has one of the highest attendance rates, and regrets that no assistance could be given to the delegates of the Dominican Republic and Guatemala due to excessive arrears. He requested that all countries pay what they have committed.

53. The absence of the Governments of the Dominican Republic and Guatemala at the Meeting was regretted, particularly, taking into account that the Dominican Republic recently became a Contracting Party.

54. Mr. Andrade urged the delegations to ensure that governments assist the Secretariat in its fund-raising efforts by demonstrating their political commitment to the Programme and the Convention at various UN and non-UN fora. He noted that the Secretariat had implemented all of the past decisions of Member Governments regarding increased transparency, streamlining the CEP and reducing to the bare minimum the operational costs of the Secretariat without utilizing the reserved funds of UNEP as requested. Therefore, he impressed upon the Meeting the need for Governments to raise the profile of the Programme and give it greater visibility.

55. Delegations called for increased and more active involvement of Member Governments in the formulation of plans and strategies. The delegate expressed the need for greater communication among Member Governments during the period between Intergovernmental Meetings. Another delegation reiterated the need not only to increase the profile of the Programme, but also to encourage and strengthen collaboration between technical and national focal points at the country level.

56. With regard to the issue of payment of arrears, the Secretariat informed the Meeting that although in-kind contributions to offset payment of arrears was not a mechanism encouraged by the Secretariat, given the financial crisis, the Secretariat was open to negotiate alternative options such as payment of arrears by installments or by funding activities such as meetings of the Programme. In this context, he mentioned the example of the Government of Cuba that had made an important effort in this regard. He noted that no other Government had come forward with any other proposal for the payment of arrears.

57. The Meeting agreed to accept the in-kind contribution of the Government of Cuba in the amount of US\$ 28,811, representing a partial payment of its commitments to the CTF, which was made through the hosting of the Fourth Meeting of the Interim Scientific and Technical Advisory Committee (ISTAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region (Havana, Cuba 3-6 August 1999).

58. One delegation requested that the text of the financial strategy be reworded to indicate that in-kind contributions could be applied to both outstanding and current contributions. The Secretariat explained that any contribution would first be applied to offset arrears of that particular Member Government. Another delegation noted that the criteria for acceptance of in-kind contributions should only be exercised for those countries facing a severe problem such as a natural disaster.

59. A number of delegations informed the Meeting that their governments will not be able to fully pay their indicative level of contributions for the year 2000 on the due date of 30 June 2000. One delegation explained that because of economic hardships caused by natural disasters and other events, timely payment might not always be possible. Other delegations expressed similar sentiments because of the need to reassess commitments, or that their budget cycle would not meet the need to pay by 30 June.

60. The Meeting discussed the issue of amnesty for arrears. It was pointed out that governments do not fall into arrears of their own volition; many were faced with severe and continuous financial constraints. It was suggested that each case of arrears be considered individually. Most delegations felt that although an amnesty programme might be realistic, implementing one might be a disincentive and impact negatively on those countries that have always paid up and therefore, compromise the sustainability of the CTF.

61. On the issue of the 13% charged by UNEP on contributions to the Trust Funds and to counterpart contributions, Mr. Illueca, Assistant Executive Director of UNEP gave a very precise and informative explanation, regarding the origins and utilization of this surcharge. The General Assembly of the United Nations had decided, based on studies carried out by UNDP, to levy a 13% service charge on Trust Funds even before entering into its reform crisis in 1996. Since this time, U.N. comptrollers gave clear instructions to UNEP to charge 13% on all counterpart contributions to cover the costs of managing these trust funds. He explained that in the past UNEP had to utilize its operational reserve as a safety net to cover these management costs. Furthermore, he explained that the administrative costs incurred by UNEP are actually greater than the 13% being charged and other organizations such as the World Bank, charge much greater amounts (20-23%). One Delegation noted the likely negative impact of the 13% programme support cost levied on counterpart contributions and that it was exploring the options.

62. Finally, he urged the Contracting Parties, in light of the difficult financial circumstances of the CEP, to address a formal request for assistance to the Executive Director of UNEP.

Agenda Item 8: Strategy for the Development of the Caribbean Environment Programme 2000-2004

63. The Secretariat presented the document "Strategy for the Development of the Caribbean Environment Programme 2000-2004" (UNEP(DEC)/CAR IG.17/10). The proposed strategy reaffirms the long-term goal of the CEP and offers a broad vision of the future of CEP in light of its current situation, which is fraught with increasingly complex environmental problems and diminishing financial resources. An important focus is the establishment of a sound financial and institutional base for the Programme.

64. The three-part presentation succinctly reviewed the background to the Strategy and the current operation of the Caribbean Action Plan, then outlined the actual strategy for the future.

65. The Strategy includes information management for increasing efficiency, revitalization of the Monitoring Committee for enhanced communication through various means, especially

during inter-sessional periods, improved decision-making, and increased involvement of participating governments in the work of the Secretariat.

66. It also focuses on project management for evaluation, correction and general project assessment, as well as criteria for decision-making, and collaboration with other offices and programmes to avoid duplication of effort.

67. In general, the delegations welcomed the Strategy and made some comments for its improvement. The presentation also raised several questions. One delegation requested clarification on the outcome of programmes mentioned and the role of the Secretariat as the focal point of the Small Islands Developing States (SIDS) Programme of Action. The Secretariat explained that it co-ordinates the information, not necessarily the activities, adding that a certain number of activities had been identified but none had yet been implemented. Another delegation observed that little was said about programme evaluation and that programme management should be strengthened through evaluation.

68. A revised wording was provided for the first bullet point on page 2 under objectives. This should read... "to develop mechanisms and/or strategies (such as involving agencies already working in the areas under consideration by the CEP) to ensure that the Cartagena Convention and the CEP play a central and pivotal role in the management of marine and coastal resources in the Wider Caribbean Region"...

69. The Delegations of Dominica, St. Lucia, the United States and Venezuela questioned the relevance and role of all the conventions and international treaties listed in paragraph 10 and noted that the list was not exhaustive. The Observer from the Ramsar Convention Secretariat requested that Ramsar be included in this list.

70. The Delegation of the Netherlands Antilles requested that a correction be made to Annex I to the effect that the Kingdom of the Netherlands is a Contracting Party to the Basel Convention only for the European part of the Kingdom. Several delegations suggested that the table in Annex I be restructured in particular to include other relevant instruments, MARPOL Annexes and the Climate Change Convention.

71. The Observer from the OECS noted that in light of financial constraints, the development of partnership agreements is important. The Observer added that there was a need to ensure that closer communication and co-operation exist between national and technical focal points. Another delegation added that some projects may also be implemented through existing mechanisms such as OECS-NRMU and CARICOM.

72. The Delegation of the United States requested that in paragraph 22, that "conservation" be added to the text stipulating that goal, so as to encompass the idea of conservation and development, since this issue needed to be addressed.

73. It was observed that the wording used in formulating the goals of the Strategy for the future should clearly reflect the goals of the Cartagena Convention and several delegations requested rewording in this regard.

Agenda Item 9: Regional Activity Centres of the Caribbean Environment Programme

74. The Secretariat introduced document UNEP(DEC)/CAR IG.17/11 entitled "Regional Activity Centres for the Caribbean Environment Programme", highlighting the fact that it had been able, during the 1997-1999 period, to complete and sign an agreement with the Government of France for the establishment of a Regional Activity Centre for the SPAW Protocol in Guadeloupe.

75. The Secretariat acknowledged two new proposals to establish RACs under the Caribbean Environment Programme based on document (UNEP(OCA)/CAR IG.12/7) (one for the establishment of a RAC for the newly adopted Protocol Concerning Pollution from Land-based Sources and Activities by the Government of Cuba; and one for the establishment of a RAC/REMPEITC-Carib for the Wider Caribbean Region on the island of Curaçao, by the Netherlands Antilles).

76. The delegate of France expressed his Government's satisfaction at being chosen as the first country to host a Regional Activity Centre. He informed the Meeting that the draft protocol between the Government of France and UNEP concerning the establishment of the Centre had been finalized and would be signed shortly by both Parties. He added that the Centre was already a de facto reality and was receiving technical assistance from the Parc National de Guadeloupe as well as scientific collaboration from the Université des Antilles-Guyane.

77. The Director of the RAC in Guadeloupe explained that the Centre had been in operation since 1 January 2000 with a small staff to be expanded within the next two months. In the short term, the facility will have the status of a non-profit organization under French legislation. France will cover the operation of the Centre: staff salaries, rental of premises, purchase of furniture, computer equipment and communication expenditures. Two contributions have already been made to the RAC, one through UNEP/Nairobi totalling 100 000 French francs, the other directly to the RAC, totalling 200 000 French francs.

78. He noted that other contributions will be made, according to specific activities to be proposed in the months and years to come. However, access to certain funds from the French Government will depend on external counterpart contributions requiring bilateral or multilateral financing.

79. The Delegation of Cuba presented a proposal for the Centre of Engineering for Environmental Management of Bays and Coastal Areas (CIMAB) of Cuba (CIMAB) for the establishment of a Regional Activity Centre under the framework of the CEP, closely associated with the LBS Protocol.

80. The presentation outlined the goals and scope of the project, as well as the credentials of CIMAB: CIMAB aims to enhance regional co-operation and rationalize aspects of the Cartagena Convention. It has 25 years of experience to its credit, and full support of the Cuban Government.

It has also been involved in several projects with other countries in the region and has benefited from past funding from UN agencies.

81. The Meeting thanked the Government of Cuba for this initiative. It was also felt that since further clarification was needed in terms of responsibilities, financial and administrative matters, and proper relationships, some delegations felt a resolution to support the principle of the RAC should be adopted and that the proposal should be fine-tuned and re-examined at a later date. The Meeting was reminded by another delegation that at past intergovernmental and Contracting Parties meetings, decisions had already been taken regarding the overall principles and terms of reference for the RACs.

82. The Meeting agreed that Decision No. 12 in the Report of this Meeting in no way precludes other Governments from submitting proposals to establish or participate in the establishment of a RAC or RAN for Land-based Sources of Activities of Marine Pollution in the Wider Caribbean Region.

83. The Meeting recognised the presence of the Minister of Transport and Communications of The Netherlands Antilles, Mr. M. Adriaens, as the head of the Delegation of the Kingdom of The Netherlands. He proceeded to present a formal offer of the Government of The Netherlands Antilles to host a Regional Activity Centre, the Regional Marine Pollution Emergency, Information and Training Centre (RAC/REMPEITC) as a RAC for the Oil Spills Protocol, with the support and management from the International Maritime Organization (IMO) and UNEP-CAR/RCU. This offer was followed by a presentation by REMPEITC and seconded by the IMO .

84. The sensitivity of the region to oil spills was emphasized. It was pointed out that the islands of the Caribbean region are particularly vulnerable to damage which may result from a major oil pollution incident because of their fragile ecosystems and the enormous importance of "clean beaches" to many of their economies, hence the importance of this proposal.

85. It was explained, that the Seventh Intergovernmental Meeting of the Action Plan and the Fourth Meeting of the Contracting Parties of the Cartagena Convention, December 1994, had already accepted, on a provisional basis, the establishment of a Regional Marine Pollution Emergency, Information and Training Centre (REMPEITC-Carib) in Curaçao Netherlands Antilles, and requested IMO and UNEP to consider means to sustain the operation of the Centre and to develop the necessary institutional arrangements.

86. Following subsequent consultations between officials from the IMO and UNEP-CAR/RCU as well as representatives from the oil and shipping industries, discussions proceeded about establishing a Regional Activity Centre (RAC), following the example by the RAC for SPAW, within the framework of the Cartagena Convention.

87. A Delegation recognized that REMPEITC-Carib carried out valuable projects, but the legal documents to establish a RAC/REMPEITC out of the Centre seemed complicated. Concerns were also raised on the financial implications to the Caribbean Trust Fund, the governance of the RAC and on the formation and membership of the Steering Committee. Another Delegation emphasized the importance of establishing REMPEITC/RAC, and called for informal consultations to further discuss the issue with interested Parties.

88. After informal consultations among delegations and deliberations of a working group created to revise the language of the offer by the Netherlands Antilles, the Meeting decided to adopt the legal texts establishing the RAC/REMPEITC with the necessary amendments as reflected in Annex IV and Appendix II to this Report.

89. The Delegation of France noted that they had listened with deep interest to the interventions made by the Minister from the Netherlands Antilles and by the representatives of the IMO and REMPEITC-Carib, as well as from the other representatives of the Netherlands Antilles and the Delegation of the United States, and appreciated their presentations. The Delegation of France continued by thanking the governments of the Netherlands Antilles, the Kingdom of The Netherlands and the United States for the role which they have played in the establishment and operation of REMPEITC. The Delegation further thanked the REMPEITC-Carib staff for their remarkable job and noted that it would be regrettable if the Centre were forced to close in June 2001.

90. The Delegation of France stated its support for the establishment of REMPEITC-Carib as a Regional Activity Centre of CEP and noted the need for a positive decision from the Meeting in this regard to ensure the continuity of the Centre and asked for the adoption of the proposal. The Delegation of France gave several reasons for its support of the proposal including: the need for clearly defined objectives and that the issue had been debated extensively at several meetings; the revised text of the Agreement ensures greater control by government representatives than earlier drafts; and finally, that such a decision would make the outcome of the Meeting more substantial.

91. The Delegation of France concluded its intervention offering "considerable support" to the RAC/REMPEITC if it is created and specifically that the Government would fund one of the activities, yet to be defined at the next co-ordinating meeting in Curaçao, and that France also intends to second an expert to the RAC/REMPEITC.

Agenda Item 10: Workplan and Budget for the Caribbean Environment Programme for the 2000-2001 Biennium

92. The Secretariat presented the draft "Workplan and Budget for the Caribbean Environment Programme for the 2000 - 2001 Biennium" UNEP(DEC)/CAR IG.17/12.

93. The presentation comprised the three major programmes of CEP: SPAW, AMEP and CEPNET. Brief information on the ETA Programme, as well as detailed information on the overall co-ordination of common costs (OCCC) of the Programme was presented.

94. The SPAW Programme Officer recalled the general objectives of the Programme, outlined the main projects and activities and their linkages to relevant initiatives and partners. The projects and activities covered the following broad areas: Strengthening of Parks and Protected Areas, Training in Protected Areas and Wildlife Management, Conservation of Threatened and Endangered Species, and Conservation and Sustainable Use of Major Ecosystems in the Wider

Caribbean. Emphasis was placed on the co-ordination of the Programme with other relevant organizations such as the Secretariats of CBD, CITES, Ramsar and the need to continue working in the strengthening of marine protected areas, management of coral reefs and sustainable tourism.

95. Following the presentation, Delegations commended the Secretariat on its comprehensive list of projects and activities. One Delegation inquired whether the Secretariat could facilitate communication between technical groups, create synergies with the World Heritage Convention, or assist countries in securing funding for protection of critical and endangered habitats for sea turtles and other endangered wildlife. In response, the Secretariat expressed its willingness to facilitate communication and explained that although the main channel of communication with countries is usually via the focal points, the Secretariat does maintain regular communication with technical and non-governmental organisations. The Secretariat noted that there was also need for more active communication between focal points and the Secretariat.

96. The Programme Officer promised to look into the possibility of synergies with the World Heritage Convention. With regard to funding question, she explained that the Secretariat is constantly in search of funding for protecting habitats.

97. With reference to the publication of an information brochure on SPAW, some delegations felt that this should not be delayed until entry into force of the Protocol. The Programme Officer concurred with this opinion, adding that this project would be undertaken as soon as funding had been identified.

98. One delegation asked if funding was available for the meeting of the STAC and if a first meeting of the Parties had been planned following the entry into force of the Protocol. She responded that only the STAC had been planned but the necessary funds had yet to be raised by the Secretariat. In this context, a Delegation noted for the record that ordinary meetings of SPAW Parties need to be held in conjunction with the ordinary meetings of the Convention, according to Article 23 of the SPAW Protocol.

99. Following the presentation of the SPAW component of the workplan, a comprehensive presentation on the status of marine mammals focusing on whales was given by representatives of the Eastern Cetacean Network (ECCN) and the International Fund for Animal Welfare (IFAW).

100. The Secretariat continued with the presentation of the Workplan for the Assessment and Management of Environmental Pollution Programme (AMEP). The projects for which AMEP has already secured partial or full funding are the following: (i) "Reducing Pesticide Run-off to the Caribbean Sea", this project has received GEF (Global Environment Facility) Project Development Funding (PDF); (ii) GEF/PDF funding has also been secured for "Integrating Management of Watersheds and Coastal Areas in Small Island States in the Caribbean and (iii) The "Rehabilitation of Contaminated Bays" project has been allocated GEF funds to implement the project developed under the former UNDP PDF project on contaminated bays. CEP has received a portion of the funding for this project to develop regional aspects of the project which generally focuses in Cuba and Jamaica. Regional aspects include training in nutrient removal and sludge utilisation.

101. Other funded projects include: "Financial Strategy for National Implementation of the LBS Protocol", and "Training for the Development and Improvement of National Oil Spill Contingency."

Projects which are partially funded by other sources are: "Pilot Projects in Sewage Treatment Needs Assessments"; "Planning for Rehabilitation, Environmental Management and Coastal Development in the Wake of Hurricane Mitch", "Assessing Non-point Source Loading to the Marine Environment, and "Legal and Technical Review and Comparison of the Oil Spill Protocol and the Oil Pollution, Prevention, Response and Contingency Convention (OPRC)."

102. In responding to the presentation made by the Secretariat on AMEP, delegations lauded the Secretariat's efforts in project development and fund-raising.

103. The Observer from Sida/Sweden then announced his Government's support to the project for the Planning and Rehabilitation following hurricane Mitch. The project funds pledged by Sweden during the Meeting will complete the full amount necessary over three years to implement this project. The Meeting thanked Sweden for this contribution.

104. A few delegations representing small island states recalled the devastation caused by Hurricane Lenny and wondered if there were any plans by the CEP to assist in assessing its impacts in the next biennium. The Observer of the OECS/NRMU outlined some of the initiatives being undertaken by his organization in the areas of watershed management and sustainable tourism strategies.

105. Other Delegations also requested that the Secretariat, in its planning efforts, should take into consideration initiatives already put in place by national governments and other sub-regional institutions on integrated management of watersheds, as in the case of the OECS/NMRU and on research of small Cetaceans in collaboration with other agencies. It was felt that these initiatives should be considered complementary to the CEP activities and should be duly noted for enhancement of existing capacity as well as to avoid duplication of effort.

106. Other concerns raised following the report included a request for clarification of the criteria used for choosing countries mentioned in the workplan as well as for defining priorities. Delegations also suggested that projects should be carried out on a more region-wide basis rather than be restricted to one or just a few countries.

107. The Observer from Sweden noted the importance of Caribbean participation in the Global International Waters Assessment (GIWA). The Meeting noted this as a possible area for further expansion of the AMEP and/or CEPNET Programmes.

108. The Chairman suggested that it might be useful for Contracting Parties present at the Meeting to frame a common point of view in order to guide the Secretariat in how to proceed in reducing disaster impact and managing natural disaster response. He pointed out that the lessons of the past were no longer reliable in guiding planning for the future, for various reasons, including a change in the types of natural disasters. The Observer from Sweden noted that he had learned a lot from the experience of Mitch and recommended that the Secretariat strengthen its relationship with disaster mitigation entities in the Wider Caribbean Region.

109. The Secretariat responded to each of the concerns raised by the delegations. With regard to region-wide activities, it was explained that funds were too limited to undertake full regional projects that would have real on-the-ground impact. He noted however, that the Secretariat does attempt to undertake as many projects as possible and to distribute them equitably across the Wider Caribbean Region. The RCU also attempts to achieve regional benefits although the projects may be located in only a few countries.

110. Concerning site selection, the Secretariat explained that certain donors are often interested in and seek proposals for specific geographical areas, which may result in some sites being bypassed because they do not meet the donor's criteria for selection. In any event, the Secretariat endeavours to group together countries with similar socio-economic, environmental and cultural needs when approaching entities such as the Global Environmental Facility (GEF). The GEF, which functions as a donor, is looking for specific projects and workplans which fit into its workplan. The countries are often then grouped together and a single submission made. Regarding GIWA, the Secretariat indicated its interest in working in this area and hoped that human and financial resources would be made available.

111. As far as ongoing activities are concerned, and in particular the GEF/PDF project in the SIDS, the Secretariat explained that funds would be received from the GEF this biennium for project development. He reiterated that the overall goals of what is to be done in a given country was first and foremost up to the respective country and that the project was to take into account any efforts already underway.

112. In response to questions raised regarding the hazardous waste project, which had been a priority in previous workplans, the Secretariat informed the Meeting that the projects listed in the workplan had not attracted sufficient funding. However, a study was undertaken within the organisation to determine what had been done previously within the context of CEP and other regional organisations as well as the Basel Convention. Some donors had been working through the Basel Convention Secretariat and new sub-regional and regional centres had been set up within Latin America and the Caribbean, which will be carrying out identified activities. The Secretariat was therefore proposing to continue as it had been doing over the past two years, by collaborating with the above organisations to ensure that the objectives and interests of the CEP are reflected in the projects and activities that they undertake.

113. Prior to the Secretariat outlining the future goals of CEPNET, it was noted by the Secretariat that currently the position of CEPNET Programme Officer is vacant and will remain so unless the financial situation of the Secretariat allows for the hiring of a Programme Officer. Presently, there are no funds for any of the proposed activities for CEPNET. CEPNET's workplan consists of the following projects: a strengthening of CAR/RCU information management capabilities; continued updating and revision of website; providing the region with "Technical Advisory Services" based on the CEPNET/IDB project model and tailored needs and resources of each country; collaborating with already existing environmental information initiatives in the region; training in remote sensing and geographic information systems (GIS) application in the context of coastal zone management and implementing a regional-level web-based GIS application on emergency preparedness on the CEP website. One activity which has already received partial funding and is underway, albeit in its early stages, is the UNEP Global Programme of Action clearing house node for the Wider Caribbean Region which will be accessible from the CEP website. It will deal with information

related to land-based sources of marine pollution. A number of delegations supported fully the CEPNET workplan and showed concern for how the total required budget of 2000 and 2001 would be reached.

114. Following the presentation of the technical components of the workplan and related questions and discussions, the Co-ordinator presented the overall co-ordination and financial component. In his introductory remarks, he outlined the current situation as well as some of the needs and obligations of the Secretariat.

115. Operating costs for the year 2000 are estimated at \$1.5 million. With the level of contributions at \$840,000 this results in a shortfall of approximately \$600,000. Salaries total \$874,500; Administrative costs total \$252,000 and the cost of consultations and subcontracts amounts to \$65,000. As of January 1991, 13% UNEP Programme Support cost applies to all the financial costs of the Programme.

116. In summing up the financial situation, the Co-ordinator called on delegations to demonstrate their commitment to CEP by helping to assume travel costs, hosting meetings or engaging in fund-raising initiatives. He also reminded delegates that CEP is already seriously understaffed and any further reduction in personnel is not a viable option.

117. During the ensuing discussion, delegations expressed concern about adopting the Workplan as proposed and raised various issues requiring funding: important meetings such as the First Conference of Parties of SPAW, the Thirteenth Meeting of the Monitoring Committee, the Tenth Intergovernmental Meeting and Eighth Meeting of Contracting Parties of the Cartagena Convention and the LBS/ISTAC.

118. On the topic of Education, Training and Awareness (ETA), delegations expressed concern and regret that it could not be implemented though it is a vital element of CEP and asked the Secretariat to prepare a workplan to be presented at the Thirteenth Meeting of the Monitoring Committee, and to begin fundraising for this purpose.

119. It was also proposed that the CEPNET and ETA Programme Officer positions be funded by other contributions. It was acknowledged that RACs could play an important role in project-related training. Regarding the contributions to the CTF, the delegations agreed to keep them at the indicative level of 1999, though it was stressed that this did not represent any commitment. It was further noted that some Governments may increase their contributions voluntarily.

120. Finally, to close discussion on the budget, the Chairman underlined the necessity to approve funding guidelines before the end of the Meeting. It was proposed that the Secretariat should determine which projects could be funded by the CTF contributions of 1999 and which from counterpart contributions.

121. The Secretariat agreed to re-examine the budget and presented a down-sized version by the end of the Meeting for its adoption.

Agenda Item 11: Election of Members of the Monitoring Committee

122. Subsequent to deliberations by the participants, the following Governments were elected as members of the Monitoring Committee for the 2000-2001 period: Chairperson: Jamaica, other members include: Trinidad &Tobago, Cuba, Colombia, Costa Rica, France, Haiti, Mexico and United States of America. In the next meeting of the Monitoring Committee, the members will elect the officers of the Monitoring Committee.

123. The Chairperson of the Meeting congratulated the new members of the Monitoring Committee on their appointment. Mr. Nelson Andrade, in extending his congratulations to the Governments, stated that he looked forward to working with them in fulfilling the mandate and goals of CEP.

Agenda Item 12: Other Business

124. In keeping with an earlier suggestion made by Mr. Illueca, one delegation suggested that Contracting Parties communicate with the Executive Director of UNEP to request financial support. This support could take the form of secondment of staff, the provision of financial assistance, or waiving the imposed 13% programme levy. This delegation submitted a form letter for consideration of all delegations. This proposal met with general approval.

125. With regard to reminders of payment for unpaid contributions to the CTF, the delegation of the USA favoured the use of letters bearing the mention "Invoice" stating that such a document does not constitute a legal obligation to pay and that since contributions are voluntary, failure to pay would entail no penalty and, in its view, could not legally constitute arrears.

126. The Delegation of Venezuela requested to make a presentation to the Meeting on the issue of the recent natural disaster that devastated an area on the north coast of the country. The Delegation of Venezuela was grateful for the assistance, which had been provided by most governments at the Meeting and made a detailed and comprehensive presentation on this tragic natural event. The Meeting unanimously recognised the gravity of this event and expressed sympathy to the Government of Venezuela and requested that the sentiments shared by the delegates attending this Meeting be reflected in the decisions of the Meeting.

127. Additionally, a number of Governments recognized the importance of integrated land-use planning and noted that this was a living example of the negative impact of bad watershed and land-use practices. In this context, the Meeting noted the need for CEP to seriously consider putting in place mechanisms for training, awareness and assistance in this area. It was further agreed that it is important to include the concept of disaster prevention and preparedness in the planning and decision-making process.

128. The Delegate of France reiterated the commitment of his Government to provide bilateral support to Venezuela. The Secretariat informed the Meeting as well of the support provided by UNEP and the Executive Director to Venezuela through the Regional Office for Latin America and the Caribbean (ROLAC). Additionally, it was brought to the attention of the Meeting of the existence of CDERA in the Caribbean which provides a mechanism of co-ordination on prevention and mitigation of natural disasters.

Agenda Item 13: Adoption of the Report of the Meeting

129. The draft report of the Meeting was prepared by the Rapporteur and was reviewed and adopted by the Meeting with amendments and corrections as reflected in the Report.

Agenda Item 14: Closure of the Meeting

130. In his closing remarks, the Chairperson thanked the delegates for their co-operation in the Meeting and their efforts to reach fruitful conclusions. Mr. Nelson Andrade Colmenares, Co-ordinator of CAR/RCU thanked the Chairperson and the delegates for their active participation and their continuing support and commitment to CEP. He noted the difficult times ahead regarding the status of the CTF and asked the delegates to continue their commitments to making contributions in a timely manner to ensure the continuity of the CEP Secretariat and its successes in programme implementation.

131. The Observer from the Dominica Conservation Association made a statement on behalf of his own organisation as well as the other non-governmental organisations (NGOs) present at the Meeting. In his statement, the Observer expressed gratitude to the Secretariat for welcoming NGO participation and for the transparency of the proceedings. The Observer recognised the importance of the successful implementation of the SPAW Protocol and urged its ratification and accession without reservations or future amendments. He expressed hope for the Protocol's entry into force early in the year 2000 and that the First Meeting of the Parties be convened with the next ordinary meeting of the Contracting Parties to the Convention.

132. The Delegates expressed their gratitude to the Secretariat and to the Officers of the Meeting for their dedication to complete the ambitious agenda in the time allotted.

133. The Meeting was closed by Mr. Franklin McDonald, Chairperson of the Meeting and the Secretariat at 10:00 p.m. on 18 February 2000.

ANNEX I/ANNEXE I/ANEXO I

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Annex I/Annexe I/Anexo I

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ANNEX II

AGENDA

1. Opening of the meeting
2. Organisation of the meeting
 - (a) Rules of procedure
 - (b) Election of officers
 - (c) Organisation of work
3. Adoption of the agenda
4. Report of the Chairperson of the Monitoring Committee and President of the Bureau of Contracting Parties
5. Report of the Executive Director of UNEP on the Implementation of the Caribbean Environment Programme (1997-1999)
6. Strategy for the Financial Sustainability of the Caribbean Environment Programme
7. Strategy for the Development of the Caribbean Environment Programme 2000-2004
8. Regional Activity Centres of the Caribbean Environment Programme
9. Workplan and Budget for the Caribbean Environment Programme for the 2000-2001 Biennium
10. Election of members of the Monitoring Committee and Bureau of Contracting Parties for the period 2000-2001
11. Other Business
12. Adoption of the report of the meeting
13. Closure of the meeting

ANNEX III

LIST OF DOCUMENTS

Working Documents

UNEP(DEC)/CAR IG.17/1	Agenda
UNEP(DEC)/CAR IG.17/2	Annotated Agenda
UNEP(DEC)/CAR IG.17/3	Report of the Chairperson of the Monitoring Committee and President of the Bureau of Contracting Parties
UNEP(DEC)/CAR IG.17/4	Report of the Executive Director of UNEP on the Implementation of the Caribbean Environment Programme (1997-1999)
UNEP(DEC)/CAR IG.17/5	Report of the Ninth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Sixth Meeting of the Contracting Parties to the Cartagena Convention, Kingston, 14-18 February 2000
UNEP(DEC)/CAR IG.17/6	Proposed Draft Rules of Procedure of the CEP Council for the Meetings and Conferences Convened within the Framework of the Action Plan for the Caribbean Environment Programme
UNEP(DEC)/CAR IG.17/7	Proposed Financial Rules for the Cartagena Convention, and the Caribbean Environment Programme, and the Terms of Reference for the Caribbean Trust Fund
UNEP(DEC)/CAR IG.17/8	Strategy for the Financial Sustainability of the Caribbean Environment Programme
UNEP(DEC)/CAR IG.17/9	Strategy for the Payment of Arrears to the Caribbean Trust Fund
UNEP(DEC)/CAR IG.17/10	Strategy for the Development of the Caribbean Environment Programme 2000-2004

UNEP(DEC)/CAR IG.17/10/Rev.1
of Annex I

Strategy for the Development of the Caribbean
Environment Programme 2000-2004

UNEP(DEC)/CAR IG.17/11

Regional Activity Centres for the Caribbean
Environment Programme

UNEP(DEC)/CAR IG.17/12

Workplan and Budget for the Caribbean Environment
Programme for the 2000-2001 biennium

Information Documents

UNEP(DEC)/CAR IG.17/INF.1

List of Documents

UNEP(DEC)/CAR IG.17/INF.2

List of Participants

UNEP(DEC)/CAR IG.17/INF.3

Status of UNEP Programme Support Costs ("13%")

UNEP(DEC)/CAR IG.17/INF.4

Summary Report on the joint UNEP/USAID
Caribbean Environmental Network (CEN Project).
Accomplishments and Recommendations

UNEP(DEC)/CAR IG.17/INF.5

Legal Assessment of "Compatibility" issues
between the Protocol Concerning Specially
Protected Areas and Wildlife (SPAW) to the
Cartagena Convention and the Convention on
International Trade in Endangered Species (CITES)

UNEP(DEC)/CAR IG.17/INF.5 add.1

Comments of the United States on SPAW/CITES
Compatibility Issues

UNEP(DEC)/CAR IG.17/INF.6

International Trade in Species listed in both the
Protocol Concerning Specially Protected Areas and
Wildlife (SPAW) and the Convention on
International Trade in Endangered Species (CITES).
(English only)

UNEP(DEC)/CAR IG. 17/INF.8

Presentation of SPAW/RAC

- UNEP(WATER)/CAR WG.22/5 Report of the Fourth Meeting of the Interim Scientific and Technical Advisory Committee (ISTAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region, Havana, Cuba, 3-6 August 1999
- UNEP(WATER)/CAR IG.14/6 Workplan and Budget for the Caribbean Environment Programme for the 1998-1999 biennium
- UNEP(WATER)/CAR IG.14/7 Report of the Twelfth Meeting of the Monitoring Committee on the Action Plan for the Caribbean Environment Programme and Special Meeting of the Bureau of Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, Kingston, 9-12 June 1997
- UNEP(WATER)/CAR IG.13/8 Report of the Eighth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fifth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, Kingston, 9-13 December 1996
- UNEP(WATER)/CAR WG.22/INF.5 Funding Protected Areas in the Wider Caribbean: A Guide for Managers and Conservation Organizations
- UNEP(WATER)/CAR WG.22/INF.7 Marine Mammals of the Wider Caribbean Region: A Review of their Conservation Status

Reference Documents

- UNEP, 1983a Action Plan for the Caribbean Environment Programme. UNEP Regional Seas Reports and Studies No. 26
- UNEP, 1983b Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region and Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region. UNEP Regional Seas Conventions and Protocols

UNEP/GC/3/Rev.3, 1988	Rules of Procedure of the Governing Council of UNEP
UNEP, 1990a	The Strategy for the Development of the Caribbean Environment Programme. CEP Technical Report No. 5
UNEP, 1990b	Final Act on the Conference of Plenipotentiaries Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region
UNEP, 1999	Final Act of the Conference of Plenipotentiaries to Adopt the Protocol Concerning Pollution from Land-Based Sources and Activities in the Wider Caribbean Region
UNEP, 1996	Directory of Focal Points of the Caribbean Environment Programme. CEP Information Paper, July 1999. (English only)
ICRI, 1996	International Coral Reef Initiative. Report to the United Nations Commission on Sustainable Development. (English only)

ANNEX IV

DECISIONS OF THE MEETING

The Meeting:

Taking into account the Report of the Executive Director (UNEP(DEC)/CAR IG.17/4), on the status of the on-going projects and activities, institutional and financial arrangements, legal agreements as well as the objectives of the Meeting;

Noting the recommendations of the Fourth Meeting of the Interim Scientific and Technical Advisory Committee (ISTAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW), in the Wider Caribbean Region, (UNEP(WATER)/CAR WG.22/5);

Having Examined the Strategy for the Financial Sustainability of the Caribbean Environment Programme (UNEP(DEC)/CAR IG.17/8), the Strategy for the Development of the Caribbean Environment Programme 2000-2004 (UNEP(DEC)/CAR IG.17/10.Rev.1), and the Proposed Workplan and Budget for the Caribbean Environment Programme for the 2000-2001 Biennium (UNEP(DEC)/CAR IG.17/12);

Decides to:

1. **Endorse** the general approach of the "Strategy for the Development of the Caribbean Environment Programme 2000-2004", and request the Secretariat to prepare a document reflecting the inputs and results of the discussion held in this Meeting, and to submit it to the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties.
2. **Defer** the detailed discussions on the draft proposal for Rules of Procedure for the Caribbean Environment Programme and for the Cartagena Convention, as well as previous drafts (UNEP(OCA)/ CAR IG.12/7) to the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties and **requests** that such Meeting refer the relevant recommendations to the Tenth Intergovernmental Meeting of the Caribbean Environment Programme and Seventh Meeting of the Contracting Parties to the Cartagena Convention.
3. **Request** the Secretariat to prepare, in consultation with the governments, concrete proposals for the revision of the proposed Financial Rules of the Caribbean Trust Fund, and previous drafts (UNEP(OCA)/CAR IG.12/7), as well as for establishing a rational and fair scale of ordinary contributions, and for the adoption of such financial rules referred to in Article 20 of the Cartagena Convention, to be submitted to the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties.

4. **Request** member governments and Contracting Parties to send their comments on such Financial Rules and Draft Rules of Procedure, as well as the previous drafts of these documents, (UNEP(OCA)/CAR IG.12/7) and send their comments to the Secretariat no later than 30 July 2000. **It further requests** the Secretariat to compile and distribute these comments to the Member Governments and Contracting Parties in a systematic and interactive way through electronic means, fax, or mail, to ensure a wide exchange of opinions before the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties is convened.
5. **Request** that the Executive Director of UNEP, make the necessary arrangements to extend the Caribbean Trust Fund until 31 December 2001.
6. **Request** the Secretariat to continue developing and implementing a creative strategy to address the need for prompt payment to the CTF, as called for in December 1996 by the Eighth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fifth Meeting of the Contracting Parties to the Cartagena Convention. This strategy should include:
 - a) a request that all governments make prompt payment of their 2000 contributions, as well as that of previous years, including 1998 and 1999;
 - b) initiation or continuation of negotiations between the Secretariats and the Governments concerned on payment of commitments to the CTF up to the 1996/1997 period; and
 - c) implementation of other mechanisms to address the question of contributions to the CTF for that period, such as in-kind contributions, in-country workshops, etc., while ensuring that such measures do not undermine the CTF as the core cash resource of the CEP.
7. **Strongly urge** all Governments, to provide timely and substantial contributions to the CTF in order to ensure the Programme's sustainability, bearing in mind the critical situation of the CTF, and the need to ensure the survival of the Programme.
8. **Adopt** on an interim basis, for a period of 60 days, the table on indicative levels of voluntary contributions to the CTF as reflected in Appendix III of this Report. Furthermore, call upon Governments to inform the Secretariat within 60 days of their acceptance or otherwise of the indicative amounts referred to, and at that time indicate the dates by which payments for the years 2000 and 2001 may be made.
9. **Request** the Secretariat to invoice the Member Governments of the Caribbean Environment Programme in the amounts expressed in the table of indicative contributions to the Caribbean Trust Fund in Appendix III of this Report, but notes,

however, that such invoices do not represent a legal obligation to pay that, or any other amount, and that all contributions to the Caribbean Trust Fund are voluntary.

10. **Request** the Secretariat to report to the Governments on an ongoing basis on the results of the above activities. Furthermore, the Secretariat shall report to the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties and the Tenth Intergovernmental Meeting on progress made.
11. **Emphasize** the paramount importance of the Education, Training and Awareness (ETA), Sub-programme for the Caribbean Environment Programme and requests the Secretariat to continue discussions with interested governments and partners with a view to obtain funding for its implementation and **further requests** that the Secretariat prepare a draft ETA workplan, reformulating its focus on providing assistance to the Protocols and present this workplan to the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties.
12. **Request** the Secretariat to continue strengthening its communications with Focal Points and **urge** governments to maintain, on a frequent basis, communication with the Secretariat, in order to have active and open exchange of information, in particular during the intersessional period between meetings of the Programme.
13. **Note** the recommendations of the Fourth Meeting of the Interim Scientific and Technical Advisory Committee to the SPAW Protocol (Havana, Cuba 3-6 August 1999), **reaffirm** the leading role of the Caribbean Environment Programme to coordinate the International Coral Reef Initiative (ICRI) within the region and **note** that the CEP in its 2000-2001 workplan implement the ICRI goals that are shared priorities of the SPAW Programme.
14. **Stress** the convenience to the Secretariat of convening the first meeting of the Contracting Parties to the SPAW Protocol within 90 days of its entry into force pursuant to Articles 16 and 24.2 of the Cartagena Convention and Article 23 of the SPAW Protocol, and take note of the offer of the Government of Cuba to host the meeting.
15. **Welcome** the proposal from the government of Cuba for the establishment of a Regional Activity Centre (RAC) for land-based sources of marine pollution in the Wider Caribbean Region and authorise the Secretariat to undertake negotiations with the Government of Cuba with a view to revising the proposal to include *inter alia* provisions for institutional strengthening of existing regional institutions and details regarding administration and financial requirements, and report to the Thirteenth Meeting of the Monitoring Committee and Special Meeting of the Bureau of Contracting Parties on progress made.

16. **Encourage** the governments to ratify the Cartagena Convention and its Protocols, including the SPAW Protocol and the Protocol Concerning Pollution from Land-based Sources and Activities to ensure their entry into force as soon as possible.
17. **Endorse** the general approach of the revised Workplan and **adopt** the Budget for the Caribbean Environment Programme for the 2000-2001 biennium as reflected in the text and Appendix I of this Report. The Meeting **also requests** the Secretariat to seek additional funds to meet the full requirements of the Overall Co-ordination and Common Costs of the Caribbean Environment Programme. If such funds are obtained, the Meeting **further requests** the Secretariat to allocate any such new funds, or to re-allocate existing funds to meet the Workplan for the 2000-2001 biennium.
18. **Recognize** the contribution and collaboration of the Government of Jamaica towards improving the working environment of the UNEP-CAR/RCU through the provision of refurbished office accommodation.
19. **Recognize** the advancements in electronic information capabilities of the Secretariat and **encourage** the use of these capabilities to facilitate communications within and among the various intergovernmental bodies of the Programme, and specifically **request** that all future meeting documents be made accessible prior to the meetings on the CEP Website.
20. **Recognize** the tremendous effort made by the Secretariat in consolidating the Caribbean Environment Programme and its level of performance during particularly difficult financial circumstances.
21. **Recognize** with appreciation the continuing support to the Programme from the government of Sweden through the Swedish International Development Cooperation Agency and in particular for their additional pledge to project funding during the years 2000-2002.
22. **Recognize** the contribution of the Government of France through the opening on 1 January 2000 of the Regional Activity Centre (RAC) for the SPAW Programme in Guadeloupe and request the Secretariat to work closely with the RAC to identify and implement the relevant activities of the SPAW Programme.
23. **Welcome** the intention of the Government of France to second an officer to the REMPEITC-Carib RAC for Oil Spills established by this Meeting.
24. **Request** governments to systematically support, at relevant fora, the CEP; the Cartagena Convention; its Protocols; and decisions of the intergovernmental process, with a view to further co-ordination and co-operation as well as to avoid duplication with other relevant programmes, initiatives and treaties.

25. **Send** a letter to the Executive Director of UNEP, signed by the Chairman of the Monitoring Committee citing the recent Governing Council decision to strengthen the Regional Seas Programmes, and the financial constraints under which the Caribbean Environment Programme is functioning, and request the Executive Director to assist CEP financially and through the assignment of professional posts from the UNEP Secretariat in Nairobi to work in the CEP Secretariat.
26. **Express** the solidarity of all Member Governments and Contracting Parties with the people and Government of Venezuela for the tragic natural disaster which occurred in December and **urge** Governments, UNEP and other organizations to continue to provide their support to this Caribbean nation.
27. **Request** the Secretariat to formulate in consultation with governments, a strategic approach to assess the vulnerability of coastal populations and natural resources to natural disasters and determine what could be the unique contribution of CEP in this regard.

In addition, the Meeting:

CONSCIOUS of the need to preserve the human environment in general and the marine environment in particular;

RECOGNIZING the serious threat posed to the marine environment by oil pollution incidents involving ships, offshore units, sea ports and oil handling facilities;

MINDFUL of the importance of precautionary measures and prevention in avoiding oil pollution and the need for strict application of existing international instruments dealing with marine safety and marine pollution prevention;

MINDFUL ALSO that, in the event of an oil pollution incident, prompt and effective action is essential in order to minimise the damage which may result from such an incident;

EMPHASIZING the importance of effective preparation for combating oil pollution incidents and the important role which the oil and shipping industries have in this regard;

RECOGNIZING ALSO the importance of mutual assistance and international co-operation relating to matters including the exchange of information respecting the capabilities of States and Territories to respond to oil pollution incidents, the preparation of oil pollution contingency plans, the exchange of reports of incidents of significance which may affect the marine environment or coastline and related interests of States and Territories in the Wider Caribbean Region, and research and development respecting means of combating oil pollution in the marine environment;

NOTING that the Protocol concerning co-operation in combating oil spills in the Wider Caribbean region designate UNEP, through the Regional Co-ordinating Unit, in close co-operation with the International Maritime Organisation, to carry out the functions and activities mentioned in Article 9 of the Protocol;

NOTING ALSO that the Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC 90) calls for co-operation between governments and oil and shipping industries, in particular Resolution 5 of the OPRC Conference invites the Secretary General of IMO, in consultation with the Executive Director of UNEP, to approach the oil and shipping industries with a view to encouraging further co-operation in order to assist developing countries to implement Article 6 of OPRC 90;

RECALLING the decision of the Seventh Intergovernmental and Fourth Meeting of the Contracting Parties to the Cartagena Convention, Kingston December 1994, which accepted on a provisional basis a proposal of the delegations of the Netherlands, the Netherlands Antilles and the United States to establish a Regional Marine Pollution Emergency Information and Training Centre for the Wider Caribbean Region (REMPEITC-Carib) on the Island of Curaçao, Netherlands Antilles, which under the management of IMO will carry out the activities mentioned in Article 9 of the Oil Spill Protocol;

RECALLING ALSO that the draft institutional arrangements for REMPEITC-Carib was discussed during the Twelfth Meeting of the Monitoring Committee on the Action Plan for the Caribbean Environment Programme and the Special Meeting of the Bureau of the Contracting Parties to the Cartagena Convention. The Meeting recommended that the Draft Institutional Arrangements for REMPEITC-Carib be forwarded to the Ninth Intergovernmental and Fifth Contracting Parties Meeting for the meeting to consider its adoption;

TAKING INTO ACCOUNT that, in the four years of operation, the Centre has achieved many goals for the Region, and the Contracting Parties expressed their support and acknowledgement of the effort and achievements made by REMPEITC-Carib, and stated that it should be considered an excellent example of a Regional Activity Centre (RAC) of the Caribbean Environment Programme and advised on the institutionalisation of the Centre within the Caribbean Environment Programme;

HAVING CONSIDERED the proposition of the Government of the Netherlands Antilles to transform REMPEITC-Carib into a Regional Activity Centre under the Caribbean Environment Programme, to host and provide office premises, staff, materials and equipment, for REMPEITC-Carib in Curaçao and to ensure funding for its operation and on-going costs; and

HAVING CONSIDERED ALSO the proposal made by the UNEP Regional Co-ordinating Unit and the IMO Secretariat to establish a Regional Activity Centre for marine pollution emergencies and the creation of a REMPEITC Steering Committee;

28. **Decides:**

- a. To accept the kind offer of the Government of the Netherlands Antilles to continue to host, in Curaçao, the Regional Marine Pollution Emergency, Information and Training Centre (REMPEITC-Carib) and to provide the necessary facilities for the Centre to operate as a regional activity centre under the policy guidance of the Caribbean Environment Programme;
- b. To accept the proposal to establish REMPEITC-Carib in Curaçao as a regional activity centre (RAC/REMPEITC-Carib) within the framework of the Caribbean Environment Programme and to create a REMPEITC Steering Committee for the purpose of providing guidance and support to the activities carried out by the Centre;
- c. To adopt the terms of reference and functions of a Marine Pollution Emergency Information and Training Regional Activity Centre for the Wider Caribbean Region (RAC/REMPEITC-Carib) attached hereto at Appendix II;
- d. To adopt the Terms of Reference of the REMPEITC Steering Committee attached hereto at Appendix II;
- e. To request the UNEP Regional Co-ordinating Unit in co-operation with the International Maritime Organisation to manage and supervise the operation of the Centre in accordance with Article 9 of the Oil Spill Protocol on behalf of the Contracting Parties to the Cartagena Convention and in collaboration with the REMPEITC Steering Committee;
- f. To invite the IMO to co-operate closely with the UNEP/RCU and with the REMPEITC Steering Committee in accordance with the provisions of Article 9 of the Oil Spill Protocol, and particularly to provide assistance and technical support in the operation and management of the RAC/REMPEITC-Carib, with the understanding that IMO's role in carrying out the required functions and responsibilities for the Centre shall have no direct financial implications on that Organization or the RAC/REMPEITC-Carib;
- g. That the RAC/REMPEITC-Carib will become operational as a regional activity centre under the Caribbean Environment Programme after 31 May 2001, the expiry date of the present arrangement for REMPEITC and following the signing by the Government of the Netherlands Antilles and by UNEP/RCU and IMO on behalf of the Contracting Parties to the Cartagena Convention of an MOU on the establishment, operation and management of the RAC/REMPEITC-Carib;

- h. To request the UNEP/RCU, acting in collaboration with IMO, to prepare and sign an MOU before June 2001; to present to the next meeting of the Monitoring Committee a draft work programme and budget to be implemented by the RAC/REMPEITC-Carib after 31 May 2001; and to report to the next meeting of the Contracting Parties to the Cartagena Convention and thereafter on the activities and financing of the Centre;
- i. To invite the member countries to the Caribbean Environment Programme to fully support the Centre to their best ability through the sponsoring of consultants and operating and project costs; and
- j. To invite donor countries, donor organisations and industry to support the Centre through the sponsoring of experts and projects.

Further, the Meeting:

HAVING MET in Kingston, Jamaica from 14 through 18 February 2000 to, *inter alia*, review progress made by the Caribbean Environment Programme over the period 1997-1999 as well as elaborate a strategy for 2000-2004;

TAKING INTO ACCOUNT that a Conference of Plenipotentiaries met in Oranjestad, Aruba and, on 6 October 1999, adopted the Protocol Concerning Pollution from Land-based Sources and Activities in the Wider Caribbean Region (Protocol) to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Convention);

RECALLING, in particular the Articles of the Protocol on Co-operation and Assistance (Art. V), Institutional Mechanisms (Art. XIII), and the Scientific, Technical and Advisory Committee to report and advise the Contracting Parties regarding the implementation of the Protocol (Art. XIV); and

ACKNOWLEDGING the need to promote action to facilitate ratification of the Protocol as well as its implementation;

29. **Decides:**

- a. To invite the Contracting Parties to the Convention to designate, as soon as possible, a focal point to serve as liaison with the UNEP Regional Coordinating Unit of the Wider Caribbean Region on the technical aspects of the implementation of the Protocol;
- b. To instruct the Secretariat to convene an *Ad Hoc Working Group* of Government-designated Experts to begin to function as an Interim Scientific, Technical and Advisory Committee on Land-based Sources and Activities and Assessment and Management of Environmental Pollution

(AMEP) activities as they relate to the Protocol, until the Protocol enters into force;

- c. To invite through the Secretariat this Ad Hoc Working Group to coordinate through the Secretariat with all relevant programmes, *inter alia*, Global International Waters Assessment (GIWA) and the Global Coordination Office of the GPA to ensure coordination of projects and activities within the Wider Caribbean Region so as to avoid duplication of efforts; and
- d. To request the Ad Hoc Working Group to report regularly to the Inter-governmental Meeting and Conference of the Parties.

WORKPLAN AND BUDGET

(see separate spreadsheets)

**TERMS OF REFERENCE AND FUNCTIONS OF A MARINE POLLUTION
EMERGENCY INFORMATION AND TRAINING REGIONAL
ACTIVITY CENTRE FOR THE WIDER CARIBBEAN
REGION (RAC/REMPEITC-Carib)**

I PREAMBLE

The Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (“the Cartagena Convention”) and its Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region (“the Oil Spills Protocol”), adopted on 24 March 1983 and entered into force on 11 October 1986 are the framework agreements setting out the political and legal foundations for regional co-operation in the Caribbean. The Oil Spills Protocol concerns co-operation among countries of the Wider Caribbean region in preparing for and responding to oil spills.

Article 9 of the Oil Spills Protocol describes the functions and activities to be carried out to achieve the objectives of the Protocol and to assist the Contracting Parties in implementing the Protocol and fulfilling their obligations. Article 9 designates UNEP/RCU and the International Maritime Organisation (“IMO”) to carry out those functions and activities.

The Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC 90) invites to conclude bilateral and multilateral agreements for oil pollution preparedness and response and calls for co-operation between governments and oil and shipping industries.

Regional agreements for co-operation in marine pollution preparedness and response need institutional support structure to remain viable. In regions where developing countries predominate, the emphasis is on establishing a mechanism by which assistance can be provided to parties in the implementation of the agreement and strengthening national and regional preparedness and response capacity. A model for establishing an institutional support structure to service developing countries needs exists in the Regional Marine Pollution Emergency Response Centre (REMPEC) managed by IMO in co-operation with UNEP for the Mediterranean Coastal States within the framework of the Mediterranean Action Plan.

On a provisional basis a Regional Marine Pollution Emergency, Information and Training Centre for the Wider Caribbean Region (REMPEITC-Carib) was established in Curaçao and began operations in June 1995 under the management of IMO and in co-operation with UNEP/RCU and with the support of the Governments of the Netherlands Antilles, Netherlands and the United States.

II ESTABLISHMENT AND MANAGEMENT OF THE CENTRE

Pursuant to the offer of the Government of the Netherlands Antilles and to the decisions of the Contracting Parties to the Cartagena Convention, a regional activity centre for marine

pollution emergency, information and training for the Wider Caribbean region (hereinafter referred to as “RAC/REMPEITC-Carib”) is established in Curaçao under the laws and regulations of the Netherlands Antilles to undertake regional activities in accordance with the functions and terms of reference defined hereinafter:

RAC/REMPEITC-Carib shall have a regional role as defined in accordance with article 9 of the Oil Spill Protocol and with relevant decisions of the Contracting Parties to the Cartagena Convention.

The Centre will operate under the management of IMO and UNEP/RCU. IMO will manage the operation of the Centre in providing technical guidance and support. UNEP/RCU will supervise the operation of the Centre with respect to integrating the Centre’s activities into the Caribbean Environment Programme, including establishing linkages between RAC/REMPEITC-Carib with other components of the Caribbean Environment Programme.

The REMPEITC-Carib Steering Committee composed of representatives from supporting countries and organisations, representatives from IMO and UNEP/RCU, as well as representatives from the relevant oil and shipping industry groups will meet annually to provide policy guidance and support to the activities of the Centre.

III OBJECTIVES AND FUNCTIONS

Pursuant to the Protocol concerning co-operation in combating oil spills in the Wider Caribbean region, in particular its article 9 and taking into account the OPRC 90 Convention, RAC/REMPEITC-Carib shall have the following objectives:

Objectives

- Strengthen national and regional preparedness and response capacity of the States and Territories of the Wider Caribbean Region and to foster and facilitate co-operation and mutual assistance in cases of emergency in order to prevent, control and combat major oil spill incidents; and
- Strengthen the operational effectiveness of the implementation of the Cartagena Oil Spills Protocol and the Caribbean Islands Oil Pollution Preparedness and Response Co-operation, the International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 (“OPRC-1990”) and its plan, through the provision of technical services.

Functions

To achieve its objectives the RAC/REMPEITC-Carib shall perform the following functions:

1 Strengthening national capabilities

- Assisting governments in establishing national response systems;
- Facilitating the provision of technical assistance (expertise, consultancies) on OPRC/Oil Spills Protocol related matters to governments, institutions and industry on request;
- Conduct national exercises for testing national contingency plans;
- Deliver the IMO Model Courses on Oil Preparedness and Response in co-operation with industry; and
- Provide follow-up assistance to national, regional/sub-regional training institutions to enable the delivery of the aforementioned training course programme on a sustainable basis.

2 Facilitate co-operation and mutual assistance

- Fostering co-operation with UN specialised agencies, intergovernmental, governmental and non-governmental organisations and industry;
- Co-ordinating regional emergency response activities and mobilise international assistance pursuant to the OPRC Convention on request;
- Establishing and maintaining liaison with competent regional and international organisations, including major oil producers, refiners, oil spill clean-up contractors and co-operatives, and oil transports;
- Promoting bi-/multilateral agreements on oil pollution preparedness response and co-operation;
- Conduct sub-regional/regional exercises for testing the Caribbean Island – and Mainland OPRC Plan.

3 Exchange information

- Maintain *and update the* focal point database for marine pollution emergency response;
- Disseminating information on the prevention and combating of oil spills *and monitor the effectiveness of the Oil Spills Protocol*;

- Identifying or maintaining means for emergency response communications including eventual operation of the CARIB POLREP system;
- Encouraging research by the Contracting Parties competent international organisations and appropriate private entities on oil spill-related matters, including the environmental impacts of oil spills and of oil spill control materials and techniques of particular relevance to the Caribbean region;
- Assisting the Contracting Parties in the exchange of information;
- Organise specialised meetings/seminars to promote the implementation of Conventions, e.g. the OPRC 90 Convention, and testing national contingency plans on marine pollution preparedness and response;
- Expanding communication in the region via newsletters and the increase use of the home page;
- Updating where necessary current data available on marine oil spill risk exposure in the region; and
- Conduct specialised meetings/seminars/workshops dealing with the international conventions (OPRC, Cartagena Convention, CLC & Fund, MARPOL 73/78), the introduction of the Caribbean Mainland OPRC Plan, and e.g. sensitivity index mapping, risk assessment/management, use of dispersants.

4 *Co-ordinate response resources for emergencies*

- Conduct sub-regional/regional exercises for testing the Caribbean Island and Mainland OPRC Plan

5 *Assistance in establishing a legal response framework*

- Assist in formulating legislation to facilitate the implementation of international conventions (Cartagena, OPRC 90, CLC & Fund, MARPOL 73/78)

IV ADMINISTRATION AND FINANCE

The Government of the Netherlands Antilles undertake to provide adequate office space, staffing, material and equipment and to cover the initial and recurring operational costs needed for the work of the Centre.

National staffing for REMPEITC will be recruited by the Government of the Netherlands Antilles and managed by REMPEITC. International staff for REMPEITC will be recruited

directly by the UN in consultation with the Government of the Netherlands Antilles in accordance with the rules and regulations of the UN.

Legal and financial obligations of the Government of the Netherlands Antilles, regarding REMPEITC shall be specified in an MOU signed by the Government of the Netherlands Antilles and the UNEP/RCU and IMO.

Pursuant to the relevant decisions of the Contracting Parties to the Cartagena Convention, REMPEITC may also be financed through the Caribbean Trust Fund. The financial resources provided to REMPEITC through the Caribbean Trust Fund will be made available to the Centre for the implementation of its regional activities under a project document signed by the Centre and the UNEP/RCU.

Additional resources for the Centre from sources other than the Government of the Netherlands Antilles and the Caribbean Trust Fund should come from voluntary contributions. They should come from countries and organisations in and outside the Wider Caribbean region which will support or co-sponsor RAC/REMPEITC by financing its programme activities or by seconding additional staff or experts. The voluntary contributions should cover also part of the operating costs of the Centre. The Netherlands Antilles, the UNEP/RCU, IMO and REMPEITC, individually or jointly, shall seek such additional support.

The International Maritime Organisation will use RAC/REMPEITC for the delivery of projects from its technical co-operation programme relevant to the objectives and functions of the Centre.

REMPEITC-Carib will have its own budget and an account in the name of REMPEITC established in Curaçao. In accordance with UN accounting practices, REMPEITC will produce an annual financial report and submit to all donors a detailed final expenditure statement in line with the programme budget.

The Steering Committee, pursuant to the present function and terms of reference of the Centre and according to the decisions of the Contracting Parties to the Cartagena Convention, will oversee the overall budget and programme of the Centre. It will prepare, review and approve biennially REMPEITC's work programme and budget consistent with the policy direction of the Meeting of the Contracting Parties; review and approve the yearly REMPEITC annual progress report and annual financial report.

The financing of the Centre will be reviewed at the meeting of the Contracting Parties to the Cartagena Convention.

V PERSONNEL

The Government of the Netherlands Antilles shall make available, to the extent possible, to the Centre, personnel who are essential for the exercise of its functions.

REMPEITC shall have a Director appointed by the Government of the Netherlands Antilles after consultation with IMO and the RCU. The Director, under the guidance of IMO, and the supervision of the RCU and the REMPEITC Steering Committee, will have the overall responsibility for the operation and administration of the Centre and he will represent the Centre.

International personnel, whose posts are financed from the Trust Fund provided by the Contracting Parties to the Cartagena Convention shall be recruited by the UN (IMO/UNEP) in accordance with the rules and regulations of the UN.

Seconded consultants and other experts will be seconded to IMO for the Centre by supporting countries or organisations, in accordance with the rules and regulations of the UN and with the laws of the supporting country and of the Netherlands Antilles.

Review of performance by consultants or experts will be in accordance with the appropriate secondment agreement of the respective countries and IMO.

The Government of the Netherlands Antilles shall be responsible for the formalities related to the entry visas, residence permits and work permits of its personnel internationally recruited or seconded to IMO for the Centre.

VI REPORTING

The RAC/REMPEITC-Carib will submit to the Steering Committee for its review and approval an annual progress report, including a financial report and proposed future work programme and budget for the Centre. The progress report and work programme and budget, as approved by the Steering Committee, will be submitted through the UNEP/RCU to the relevant Contracting Parties meetings.

VII WORKING LANGUAGES

The Centre, taking into account the nationality and the skills of the Centre's staff, in particular the seconded personnel should operate as much as possible in English, Spanish and French.

VIII ENTRY INTO FORCE

The terms of reference for the REMPEITC-Carib Regional Activity Centre shall enter into force after the termination in June 2001 of the existing MOU between the Ministry of Transport, Traffic and Telecommunications of the Netherlands Antilles, the United States Coast Guard and the Ministry of Transport, Public Works and Waste Management of the Netherlands on the establishment of a Regional Marine Pollution Emergency Information and Training Centre (REMPEITC) for the Wider Caribbean region on the island of Curaçao; and upon signature of an MOU signed by the Government of the Netherlands Antilles, the UNEP CAR/RCU and IMO on behalf of the Contracting Parties to the Cartagena Convention.

DRAFT TERMS OF REFERENCE OF THE RAC/REMPEITC-CARIB STEERING COMMITTEE

I PREAMBLE

The Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC 90) calls for co-operation between governments and oil and shipping industries, in particular Resolution 5 of the OPRC Conference invites the Secretary-General of IMO, in consultation with the Executive Director of UNEP, to approach the oil and shipping industries with a view to encouraging further co-operation in order to assist developing countries to implement article 6 of OPRC 90.

To assist countries of the Wider Caribbean Region to implement the Protocol Concerning Co-operation in Combating Oil Spills, the Contracting Parties to the Cartagena Convention established a Regional Activity Centre (RAC/REMPEITC-Carib) within the framework of the Caribbean Environment Programme. The Centre operates under the management of IMO in close collaboration with UNEP/RCU on behalf of the Contracting Parties and with the co-operation and support of donor countries, relevant international organisations and industry entities.

II ESTABLISHMENT

For providing policy guidance and support to the activities of the RAC/REMPEITC-Carib, in particular for facilitating co-operation in programming and support for the financing of the Centre, an RAC/REMPEITC Steering Committee is established under the authority of the Contracting Parties to the Cartagena Convention who will provide policy guidance.

III MEMBERS

The RAC/REMPEITC-Carib Steering Committee will consist of representatives from countries, organizations, and industry groups that are donating funds or in-kind support to the Centre and from IMO and UNEP/RCU:

- ◆ Netherlands Antilles;
- ◆ A member of the Bureau of the Contracting Parties;
- ◆ The President of the Monitoring Committee;
- ◆ Regional Co-ordinating Unit of the United Nations Environmental Programme for the Caribbean Action Plan (UNEP-CAR/RCU);
- ◆ Donor Countries;
- ◆ International Maritime Organization (ex-officio);
- ◆ Clean Caribbean Co-operative (CCC) (ex-officio);
- ◆ Donor organizations (ex-officio);
- ◆ Other interested industry groups (i.e. tourism industry) (ex-officio);

IV ROLES AND RESPONSIBILITIES

The responsibilities of the RAC/REMPEITC-Carib Steering Committee are to:

- Give REMPEITC-Carib support, guidance and feedback on the Centres activities;
- Review, provide input and approve the biennially REMPEITC-Carib Work Programme;
- Review, provide input and approve the biennially REMPEITC-Carib Budget;
- Review and approve the yearly REMPEITC-Carib Annual Progress Report;
- Review and approve the yearly REMPEITC-Carib Annual Financial Report; and
- Ensure REMPEITC-Carib's expenditures have been legitimate and have been spent for the planned and approved activities

The REMPEITC-Carib Steering Committee will establish rules and procedures regarding the contribution to the budget of the Centre and the management of the budget;

The members of the REMPEITC-Carib Steering Committee are responsible for meeting their obligations in securing the fund and providing the support according to their commitments when approving the programme and the budget;

The progress report, programme and budget reviewed and approved by the Steering Committee are submitted through UNEP/RCU to relevant meetings of the Caribbean Environment Programme; and

The Steering Committee can propose to the meeting of the Contracting Parties to the Cartagena Convention changes and amendments to this term of reference.

V MEETINGS

The REMPEITC-Carib Steering Committee will meet biennially to review and approve the progress reports and programme and budget prepared by the Centre.

The meetings will take place at RAC/REMPEITC-Carib's location: Willemstad, Curaçao, Netherlands Antilles, unless otherwise noted by the Secretariat of the REMPEITC-Carib Steering Committee.

Transportation and accommodation costs are the responsibility of the members of the REMPEITC-Carib Steering Committee.

The chairmanship of the meeting circulates between all members of the REMPEITC-Carib Steering Committee. Each meeting deciding on the chairman for the subsequent gathering.

RAC/REMPEITC provides the secretariat for the meeting. The secretariat will set the date of the annual meeting, organise accommodation matters, circulate the necessary documents, and prepare the minutes of the meeting.

The language of the meetings and reports will be presented in English.

The members of the REMPEITC-Carib Steering Committee should delegate a representative with the appropriate credentials to make necessary decisions required.

Potential donor countries, organisations or industry groups might be invited to participate in the meetings of the REMPEITC Steering Committee as deemed appropriate.

VI CONDUCT OF BUSINESS

The RAC/REMPEITC-Carib Steering Committee shall adopt rules of procedure for their meetings.

VII ENTRY INTO FORCE

Anticipating the entry into force of the terms of reference and functions of the RAC/REMPEITC-Carib, the Steering Committee will start meeting in the year 2000 to review, provide input and approve the Centre work programme and budget covering the period from June 2001 to 2002 which will be presented by UNEP/RCU and IMO to the meeting of the CEP Monitoring Committee and subsequently submitted to the Contracting Parties Meeting.