

	<p><b>Central American Commission for Maritime Transport</b></p> <p><b>COCATRAM</b></p>	<p>Document: <b>COCATRAM/NEP/IG.3/7</b></p> <p>November 10, 2005</p> <p>Original: Spanish</p> <p>Distribution: Limited</p>
<p><b>THIRD INTERGOVERNMENTAL MEETING OF THE ACTION PLAN OF THE CONVENTION ON COOPERATION FOR THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE MARINE AND COASTAL ENVIRONMENT OF THE NORTHEAST PACIFIC THE ANTIGUA GUATEMALA CONVENTION</b></p> <p><b>Guatemala City, Guatemala, November 8, 9 and 10, 2005</b></p> <p><b>Panama, Guatemala, El Salvador, Honduras, Costa Rica, Nicaragua, Colombia y Mexico</b></p>		

**REPORT OF THE THIRD INTERGOVERNMENTAL MEETING OF THE  
ACTION PLAN OF THE CONVENTION ON COOPERATION FOR THE  
PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE MARINE  
AND COASTAL ENVIRONMENT OF THE NORTHEAST PACIFIC**

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## **Introduction**

According to the institutional stipulations of the Action Plan for the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific (NEP) (Doc: UNEP(DEC)/NEP/ Plenipot./4), and according to dispositions of the Second Intergovernmental Meeting (Doc UNEP(DCA)/COCATRAM/NEP/IG.2/10), Third Intergovernmental Meeting (IG.3), was convoked by the Dependence of Regional Coordination (DCR) COCATRAM, in consultation with the Governments participant in the Plan, in Guatemala city, November 8, 9 and 10, 2005.

The IG.3 was held, in Guatemala City, Guatemala, at the Convention Centre of the Hotel Westin Camino Real. It counted on the financial support of the United Nations Environment Programme (UNEP) and it was graciously hosted by the Government of Guatemala.

## **Purposes of the meeting**

As established in the Action Plan, the IG.3 was convoked with the following purposes:

- To know and analyze the advance reached in the instrumentation/complementation of the Plan, along the period 2002-2005.
- To know, analyze and decide about the state of ratifications of the Convention on Cooperation for the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific (the Antigua Guatemala Convention).
- To know, analyze and decide about the state of the national contributions from the Governments to the Fiduciary Fund and to know about other sources and modalities of financing for the Action Plan.
- To know, analyze and approve the Plan of Work for the period 2005-2007 and its budget.
- To inform about the permanent head office for the Dependence of Regional Coordination of the Plan.
- To know other matters of common interest, about which the IG.3 should analyze and decide.
- To estimate the possible international cooperation needed to implement the Plan.

## **Participants**

20 Representatives from Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Colombia and México attended the meeting. Furthermore, the following international organizations attended the meeting: United Nations Environment Programme with a representative from its Regional Office for Latin America and Caribbean UNEP-ROLAC, and a delegate of its Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (GPA); RAC/REMPEITC-Carib and the International Maritime Organization (IMO); Central American Commission for Environment and Development (CCAD); Swedish Agency for International Development

(SIDA) and National Direction Fisheries of Sweden, and Central American Commission for Maritime Transport (COCATRAM). The list of participants is presented in the **Annex 1** of this report.

### **Opening of the Meeting**

The Opening of the Meeting has placed on November 8<sup>th</sup>, 2005 at 09:30 hours, in the Room Las Ceibas of the Convention Centre of the Hotel Westin Camino Real, in the city of Guatemala. Mr. José Antonio Presa, Vice Minister of Communications and Infrastructure of Guatemala, in behalf of the Director Board of COCATRAM, welcome the participants. In his speech, Mr. Presa emphasized the importance of the Convention and the Action Plan, as instruments of regional cooperation to protect the marine and coastal environment of the Northeast Pacific and the dedicated and engaged way how COCATRAM has fulfilled and will continue the coordination of the Plan.

Mr. Marco Antonio Gonzalez, Executive Director for the Central American Commission for Environment and Development (CCAD), said that for CCAD are a pleasure and an obligation to participate in this meeting. He pointed that the objective of CCAD is to promote the regional mandate of environment inter agencies cooperation. He also said that they have many activities connected to marine corridors into their programs and in the quinquennial plan; they have activities for management of sewage waters and conservation of ecosystems and species of regional importance. In addition, CCAD applies cross-sector policies and works in alliance those subjects related to the sea, in three large areas: sustainable tourism, artisan and sport fishery and maritime transport. In this sense, he emphasized the joint activities with COCATRAM, as natural ally in the subject of sea and coastal environment. These joint activities have been dating for more of eight years, and among other products he mentioned as example the Project for Environmental Protection and Control of the Contamination originated by the maritime transport in the Gulf of Honduras.

Mr. Julio Calderon, in representation of UNEP said that for UNEP is important to support initiatives as NEP, like it makes with the Great Caribbean and the South-East Pacific. He enlightened the work conducted by COCATRAM in its coordinating activity of the NEP. He indicated that this coordination has been very important and coincident, with the Latin American and Caribbean Initiative for the Sustainable Development, where it is emphasized the fulfilment of the objective 7 of the Millennium Goals, which indicates that the environment should consider in a cross-sectoral way.

Finally, Mrs. Roxana Sobenes, Vice-minister of Environment and Natural Resources of Guatemala and President of the National Commission of Areas of Conservation, expressed the political endorsement of its Government to the Plan, emphasizing that the Third Intergovernmental Meeting represents the practice starting point to initiate the operative phase of the Plan. She confirmed the desire of its government to constitute itself in geographic seat of the Plan. She indicated the activities carried out in the application of the agenda of the plan agree with the integration policies of the region, emphasizing the work made by COCATRAM in fulfilling the mandates of the intergovernmental meetings

celebrated prior to this one. She indicated that her country has had knowledge of the offer of the Government of Sweden to support financially the institutionalization of the Plan, and interpreting the feelings of the other Governments, she expressed to name of these and of Guatemala, its gratefulness to the Swedish Agency for International Development. Before finalizing, she declared formally installed the III Intergovernmental Meeting.

Copy of the interventions appears in Annex 2 of this report.

### **Election of President and Rapporteur**

The IG.3 chose like its President Vice-minister Sobenes, delegated by Guatemala and as Rapporteur Mr. Luis Molina, Head of the delegation of Nicaragua.

The Presidency designated a committee ad-hoc for verification of credentials, integrated by the heads of the delegations of Honduras and Guatemala. Report presented appears as follows: "the Committee of Credential, in fulfilment of the mandate granted by the Presidency of the *III Intergovernmental meeting of the Action Plan for the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific*, held in the City of Guatemala on the 8th to the 10th of November of the this year, to Lawyer Leila Carolina Villatoro Rodriguez, First Secretary of the Sub direction of Multilateral policy of the Ministry of Foreign Affairs of the Republic of Guatemala and to the Engineer Oscar René Godoy Torres, Assistant of the Direction of Waters and International Limits of the Secretariat of Foreign Affairs of the Republic of Honduras, we declared that we have given fulfilment to the granted mandate and we are pleased in notifying that it has been approved the revision of Credentials for the civil employees governmental delegates for *III Intergovernmental Meeting of the Action Plan for the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific*". The report was presented by Lawyer Leila Villatoro Rodríguez and Eng. Oscar Godoy Torres.

To make her functions in the direction of the Meeting, the President let in duty to Ms. María Isabel Fernández, member of the delegation of Guatemala.

### **Adoption of Agenda y Schedule**

The presidency submitted to the plenary the approval of the agenda, document COCATRAM/NEP/IG.3/2 and the schedule, document COCATRAM/NEP/IG.3/3. The Guatemala delegation requested elimination of the point 4, considering that the Note of UNEP should be contained in the point 8 of the agenda. The Agenda was approved with this modification. The modified agenda and schedule are presented in the annex 3.

Furthermore, the meeting agreed to work in plenary and on the base of the documents prepared by the DCR.

### **Report of intersession activities 2002-2005**

The President of the Meeting requested the Coordinator to make a presentation on the attainments reached in the development of the Action Plan, according to the mandates conferred by I and II intergovernmental Meeting (IG.1 and IG.2). Mr. Juan Alberto Manelia, Coordinator of the Plan, presented a summary of the document COCATRAM/NEP/IG.3/4, Report of Intersession Activities 2002-2005. The complete document was given to each of the participants.

In the summary Mr. Manelia mentioned, among others:

- The DCR prepared and distributed to the governments the document: “Orientating Guide to help the Governments in the Designation of National Focal Points for the Action Plan for the protection and Sustainable Development of the Northeast Pacific”, according to decisions of the IG.1. The guide is found as document COCATRAM/NEP/IG.3/ informative 1 of this Meeting. Up to now, two countries, Panama and Guatemala have designated their Focal Points. In Nicaragua, the coordination of the activities of the Plan is made through the Ministry of Environment and Natural Resources.
- On the base of dispositions of the IG.2, COCATRAM prepared an update of the Strategy of Mangrove Forests that was presented as document UNEP-COCATRAM/NEP/IG.3/ informative 4 to this Meeting. Additionally, he informed that, due to the lack of economic resources, the group ad-hoc for perfecting the Strategy, as agreed in the IG.2, could not be convoked.
- Based on the recommendation 2 of the IG.2 and in the decision 1/1 of the IG.1, the DCR with the support of UNEP and IMO carried out in Managua, Nicaragua, a workshop of experts for the Regionalization of the Contingency Plans, on April 29 and 30, 2004. 24 experts of the region were present. They are representatives of the maritime and environmental authorities and experts of OMI, CEDRE and REMPEITC-Carib. The workshop recommended formulating a strategy to fortify the capacity of response and a technical-juridical process for the regionalization of the contingency plans, in parallel to a program of training. The report of the workshop is presented to the IG.3 as document UNEP-IMO-COCATRAM/ WG.1/1.
- With the environmental program of ARPEL Phase 1, to develop an “OPRC Plan in Central America”, RAC/REMPEITC-Carib and COCATRAM organized and conducted a workshop on the 13 and 14<sup>th</sup> of April 2005, in Balboa, Panama. The workshop was financed with resources of the Canadian International Development Agency (CIDA), as well as the contributions of ARPEL, RAC/REMPEITC-Carib (UNEP and IMO) and COCATRAM and it counted on the support of the Panama Canal Authority and the Maritime Authority of Panama. 30 experts from maritime and port authorities of the countries of Central America and representatives of the IMO, UNEP (Apell system of answer in situations of emergency), CIDA, ARPEL, REMPEITC-Carib, COCATRAM and UNEP/CAP (International Oil Pollution Compensation Fund) participated. The meeting concluded with a Route Map for the regionalization of the Response against

the operative contamination with oil in Central America and with recommendations for its implementation. A copy of the Route Map was distributed in the IG.3.

- Fulfilling the recommendations 3 of the IG.2 and 1 of the IG.1, the DCR completed the Profile of the Capacity of Response against the Operative Pollution from Oil in the Northeast Pacific, elaborated through a short-term consulting, with the support of UNEP. The profile has been used as base document for the updating and perfecting of the mechanisms of regionalization of the Response before mentioned. The profile was presented as document UNEP-COCATRAM/NEP/IG.3/ informative 5 to this Meeting.
- Bearing in mind the recommendation 4 of the IG.2, the DCR with financial support from UNEP and through a short-term consulting, elaborated a draft copy of a project for the Prevention, Reduction and Control of the Pollution from Land Sources in the Northeast Pacific. The project is a PDF proposal to be presented to the Global Environment Fund (GEF). The draft copy of the project was sent to UNEP for comments and suggestions.
- The Interagency meeting for consultation, decided in the IG.2, to explore and define the possible support to be obtained from international organisms for the priority projects of the Action Plan of the Northeast Pacific, could not be convoked due to the lack of resources and to the absence of formulated projects on the identified topics for the governments as priority. Notwithstanding, the Secretariat sent notes to all pertinent intergovernmental organizations with the documentation of the Plan, and it invited them to collaborate with the Plan, once the technical and economic proposals of priority programs will be ready and with their respective plans of work. A total of 24 invitations were sent by the DCR.
- COCATRAM prepared and sent to the UNEP a proposal addressed to obtain the support from SIDA for the “Institutionalization of the Plan”. It was prepared on the base of the projects that match the problems selected as priority by the governments in the IG.1 and IG.2. These projects are also part of the programmatic component of the Plan. This proposal is contained in the document presented to this Meeting COCATRAM/NEP/IG.3/Informativo 3. The proposal also answers the decision I of the IG.1 on the preparation of profiles and projects in order to search financing funds.
- The Coordinator stood out that the Plan has priorities identified by the governments, but it misses formulated projects, indispensable to start the operations of the Plan and to address the international cooperation. The funds of support from SIDA, as a whole with those from UNEP, those from the Governments and other organizations would alleviate this need and facilitate the implementation of the Plan, once the programs will be duly formulated.
- The Coordinator concluded indicating that the development of the Plan in the phase of implementation has been slow but sure, with very little but necessary activities that could be carried out with the limited resources the Plan has counted on. He pointed out that it is required bigger efforts from the Governments in front of the needs of the

programs, with contributions to the fiduciary fund and with the ratification of the Convention. Up to now, all the costs of coordination, logistic and personnel have been covered by COCATRAM, but it is sure that in the phase of implementation of the Plan it will be required to derive resources to support the costs of coordination. A larger commitment is also required from some international organizations, to include not only technical but also economic support. It is undoubted that while Plan lacks of projects formulated, it is very difficult to know how far the needs are extended and how much the necessary budget is. For this reason, the primary interest must be addressed towards the formulation of these programs that will set the way of the institutionalization as well. The participation of the institutions in their own programs constitutes the base of the sense of belonging of the Plan.

- Furthermore, the Coordinator indicated that the Plan must be developed in a gradual form, just as it has been foreseen, but in form sustained and at the time that more experience is acquired and new capacities are built. For this reason, the active participation of the most qualified national institutions must be permanent, as well as their interest in the Plan. The DCR could, as the funds permitted it, activate some of the decisions of the Plan. These decisions, from the IG.1 and the IG.2, point towards the development of the institutional and financial devices of the Plan. On the other hand, he pointed out that the Plan prepares to start the phase of operations, where it will be required to count on the documents of the programs duly formulated, and the institutions identified, committed and lined up in an operative system. The concepts must be unified and the common techniques and methods adopted. The international cooperation must be committed and the funds must be available and opportune.

Once the presentation concluded, the presidency requested to the plenary to express its opinion on the report. The representative of the UNEP-GPA congratulated to COCATRAM for the report. The delegation of El Salvador joined to this reconnaissance, as well as other delegations, that encouraged the Secretariat to continue working with the same dedication in the necessary coordination for the application of the Plan

Moreover, the representative of the UNEP-GPA requested to Secretariat to resend to this office the PDF expressing her excuses for not having reacted in the proper moment.

Accordingly to the abovementioned, the IG.3 agreed the Decision No. 1.

### **Review of the State of ratification of the Convention on Cooperation for the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific**

The presidency of the IG.3 requested to the secretariat to inform to the plenary on the state of the ratifications of the Convention. The Coordinator of the Plan pointed out that the Convention was subscribed on February 18<sup>th</sup>, 2002 for six of the member countries: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Colombia and Mexico indicated their decision of signing after carrying out the necessary consultations. Up to date, two countries have ratified the Convention: Panama through Law 28 of March 26th,



2003, published in the official gazette No.24,773 of April 2<sup>nd</sup>, 2003 and Guatemala, according to the publication of October 26<sup>th</sup>, 2005 of the Official Daily of Central America. In El Salvador and Nicaragua it finds in process. In Costa Rica the process is pending.

At the end of the exposition, the presidency opened the debate. The Executive Director of COCATRAM expressed that the processes of ratification imply political and technical steps and enlightened some cases in the ratifications of the IMO Conventions.

A representative of Costa Rica pointed out that according to her opinion, an inconvenient for the ratification of the Convention in her country is the economic involvements that come from the contributions from the governments to the fiduciary fund.

There was a debate about whether ratification of the Convention involves economic responsibilities from a government. Some delegates expressed that the ratification of all conventions involves economic responsibilities, but those contributions can be done in kind. The DCR cleared up that this debate had already done in previous meetings and the Action Plan does contemplate economic contributions to the fiduciary fund, but the Convention does not. He also pointed out that the Action Plan can operate no matter if the Convention is in force. However it is desirable the ratification of the Convention, since this fact provides the juridical frame to all activities agreed in it.

Also it was indicated that the ratification involves a procedure that demands the preparation of expositions of motives, expressing the conformities, the advantages and responsibilities taken by the Contracting Parts.

For her side, the delegate of Costa Rica expressed the need to make consultations inside of her country about the matter of the economic obligations for the ratification of the Convention.

Many participants suggested the DCR support the Governments in the processes of ratification, providing information for the preparation of the exposition of motives.

Finishing the topic, the IG.3 expressed the decision No. 2.

### **State of contributions from the Governments to the fiduciary fund and of other sources of financing for the Regional Action Plan**

For invitation of the presidency, the Coordinator informed to the plenary on the state of the contributions to the fiduciary fund. The report appears in the document COCATRAM/NEP/IG.3/Informativo 2, pointing out that up to date it has not been received any contribution to the fund.

He indicated that additional to the financial, technical and logistic contribution from COCATRAM, UNEP and other organisms have provided punctual contributions to the Action Plan.

The DCR informed to the plenary on the steps carried out for the establishment of the Endowment:

- COCATRAM hired the lawyer Firm Morgan, Lewis & Bockius LLP, with seat in Washington, D.C., for the formal establishment of a non-profit endowment in the United States.
- The statutes of the endowment for marine and coastal environment of the Northeast Pacific were formally certified by the U.S. government in the District of Columbia, United States, on July 21<sup>st</sup>, 2003.
- On May 27<sup>th</sup>, 2004 the endowment was recognized as non-profit organization, exempted for payment of income tax by the Federal government of the United States of America.
- The office of Sustainable Development and Environment of the Organization of American States in Washington, D.C. has offered its installations for the establishment of the offices of the Endowment.

A detailed description of these actions can be found in the documents COCATRAM/NEP/IG.3/4, COCATRAM/NEP/IG.3/Informativo 2 and COCATRAM/NEP/IG.3/Informativo 7 presented to this Meeting.

The DCR also informed that the document COCATRAM/NEP/IG.3/Informativo 6 of this Meeting, proposal for financing the strategic programs of the Action Plan of the Northeast Pacific –Support to the process of Implementation and Institutionalization of the Plan, was presented to UNEP in order to help the search of financial resources for the NEP. This is a technical economic proposal for an amount of US\$1.005.000,00, from which 3 millions of Swedish Crowns (approximately US\$400.000.00) come from SIDA, US\$285.000.00 from UNEP and the remainder from the fiduciary fund and other sources of financing. The proposal covers all the projects selected as priority for the Governments in the previous intergovernmental meetings.

Once the exposition was finished, the presidency opened the debate. Some delegations expressed their interest in knowing the criteria used to assign the sums of contribution to the fiduciary fund from each country. Other delegations expressed that the elements to permit the countries argue the reasons for budgetary reserves are still missing. Among these reasons, they pointed out that the Convention has not entry in force, yet. They also pointed out that the contributions can be made in kind or by other mechanisms proposed in the future. The Secretariat pointed out that the assigned sums must be taken as indicative and could vary according to the advance in the implementation of the Plan. The Secretariat emphasized for it the need that the priority projects were duly formulated, with the purpose to get an economic calculation of total costs of the Plan. In this sense he pointed out that the proposal presented to UNEP to obtain SIDA resources fulfils also with this need.

The representative of UNEP-GPA pointed out that from the annual contribution demanded to UNEP in that proposal, just US\$30.000.00 in cash and US\$60.000.00 in technical support to the coordination can be covered.

Once the debate finished the meeting adopted the decision No. 3.

**Program of work and budget proposed for the biennium 2005-2007**

The IG.3 president requested to the Coordinator of the Plan to present to consideration of the plenary the proposal of Plan of work prepared by the DCR for biennium 2005-2007, with the project of budget. The Coordinator made reference to the document COCATRAM/NEP/IG.3/5. He pointed out to the plenary that the base of the information used by the DCR for the preparation of the proposed plan of work is essentially constituted by the reports of the IG.1 and IG.2 and the reports of the activities executed in the period 2002-2004, which counted on financial support.

He indicated that the plan of work is structured with those activities considered as priority, defined as strategic for the governments, grouped in 14 priority and strategic programs, that constitute “Lines of Work” and in the fortification of the DCR. The following possible financing sources for these 14 priority programs have been considered:

- Funds of support from the Regional Seas Program of UNEP,
- Resources from the FF/NEP,
- Resources from the Swedish International Development Agency (SIDA),
- Resources proceeding from other sources.

The budget was projected for the period 2005-2007. The breakdown of activities for each of the 14 lines of work, including its objectives, goals, activities and expected results are found in detail in the document COCATRAM/NEP/IG.3/ Informative 6. So, the proposed plan of work only presents the objectives of each “line of work”, its legal reference, the estimated annual budget and the distribution of funds according to the financing sources considered.

The Coordinator pointed out to the plenary that the proposed plan of work must be read as a whole with the document COCATRAM/NEP/IG.3/ Informative 6 “Proposal for financing the strategic programs of the Action Plan of the Northeast Pacific. Support to the process of Implementation of the Action Plan- Strengthen of the institutional capacities and Institutionalization of the Plan”. The Coordinator indicated that the estimated total cost of the plan of work for 2005-2007 is US\$1.005.000, distributed in US\$349.000 for 2005, US\$343.000 for 2006 and US\$314.000 for 2007. From these funds, US\$285.000 come from UNEP (US\$95.000/year), US\$187.000 from the fiduciary fund (FF) of the NEP (US\$63.000/year ) and approximately US\$400.000 from SIDA, so:

<b>Total cost of the plan of work 2005-2007:</b>	<b>US\$1.005.000</b>
Estimated budget:	US\$349.000.00 (2005)
	US\$343.000.00 (2006)
	US\$314.000 (2007)

Funds to request to UNEP	US\$285.000 (US\$95.000/year )
Funds from FF/NEP	US\$187.000 (US\$63.000/year)
Annual amount recommended as contributions from the governments to the FF/NEP	US\$240.000
Funds from SIDA	Aprox. US\$400.000 (US\$372.000 + US\$78.000)
Other funds	US\$173.500

The coordinator informed to the plenary that due to the urgency in compromising and executing the funds provided by SIDA for the present year, it is necessary to start the execution of the plan of work with activities as:

- regional program and support to the formulation of national plans to control and reduce the marine pollution from municipal wastewater discharge systems and demonstrative pilot projects, specifically with a course on the use of the key principles and the checklist of the guidelines on municipal wastewater management and alternatives of wastewater treatment for the coast of the NEP, and
- formulation and conduction of a process of negotiation of a juridical frame for protection against the marine pollution from sources and activities on land, specifically with the conduction of a quantified and updated inventory of the municipal sources of pollution in the NEP, in order to use it as base in a process of negotiation of a supplementary instrument of the Convention for protection of the NEP against the municipal sources of pollution.

These two activities must continue during the subsequent years, in accordance with the plan of work. Some delegates manifested that among the proposed lines of work in the plan; some activities are already in execution and have high synergy with the priority projects.

A delegate manifested that the program could result very ambitious and therefore it was advisable to start some of the activities in a gradual form, just as the plan has prior stated. The delegations manifested the convenience to make a revision to the priority lines of work and accordingly, a table was prepared, in which each delegation noted its priorities. From the combination of the individual tables, the following order of priorities was obtained:

Code	Line of work (activity)	Priority
01	Diffusion and communication of the Plan	1
07	Regional strategy for the conservation and sustainable development of mangrove ecosystem in the NEP	2
02	Identification and selection of environmental indicators on the marine environment and coastal areas of the NEP to be applied in the assessment and monitoring of the Plan and for the establishment of trends and projections	3

<b>14</b>	Regional program for the environmental sustainable management of the tourism in the marine and coastal areas of the NEP	<b>4</b>
<b>10</b>	Regional program of integrated coastal zone management in the NEP	<b>5</b>
<b>11</b>	Program of watching and monitoring of the marine pollution in the NEP	<b>6</b>
<b>13</b>	Regional program of assessment and management of the marine pollution from agricultural wastes (nutrients and pesticides) in the NEP	<b>7</b>
<b>05</b>	Fishing management by closeness to the ecosystem	<b>8</b>
<b>12</b>	Program for the environmental sustainable management of the coastal aquaculture with emphasis in the marine shrimp cultivation	<b>9</b>
<b>03</b>	Program of environmental assessment of the NEP (regional component of the GOOS with emphasis in the early forecasting and alert of the phenomenon El Niño)	<b>10</b>
<b>06</b>	Joint programs in areas of common interest for the Action Plans of the Great Caribbean and NEP	
<b>04</b>	Program of work on accidental contamination from oil, Route Map for the Regionalization of contingency Plans	
<b>08</b>	Regional program and support to the formulation of national plans to control and reduce the marine contamination from municipal wastewater discharge systems and demonstrative pilot projects	
<b>09</b>	Formulation and conduction of a process of negotiation of a juridical frame for the NEP protection against the marine pollution from land based sources and activities	

The lines that do not appear granted priority is because they are already going on or ready to be initiated.

To the effects of the two activities to be started immediately, it is agreed that a joined committee COCATRAM, UNEP-GPA and National Direction of Fisheries of Sweden, prepare the economic proposal for the assignment of the funds from SIDA.

The president requests to the delegations their opinion in respect to the proposed plan of work. The IG.3 expressed the decision No. 4.

### **Interventions of the international organisms**

The president requested to the international organisms to make their presentations.

Mrs. Isabel Martínez, in representation of UNEP-GPA, presented a report on the Regional Seas Programme of UNEP, the new strategic addresses for the program, which was adopted for the Direction Board of UNEP in their 22nd session that took place in 2003. These addresses are related with the connection of the different Regional Seas Programmes, their contribution to the sustainable development, leading role of the member states, national legislation and financial sustainability, visibility, knowledge-based policy making, monitoring and assessment of activities, looking for synergy with the multilateral

environmental agreements, global and regional initiative, common vision and integrated management, based on ecosystem approaches. She informed about the objectives and results of the 7th World Meeting of Regional Seas Programme that took place in October 2005 in Helsinki and that counted on the COCATRAM participation.

She listed the activities in which they have supported to COCATRAM in the Program of NEP. Those ones include financial support for the organization of the intergovernmental meetings and workshops, as it has been informed in the intersession report presented by the DCR.

She also mentioned a series of activities they are carrying out directly with countries that are Part of the NEP in the frame of the Global Action Plan for the Protection of the Marine Environment from land based activities, in Guatemala, Costa Rica, Colombia and Panama.

She informed on the group of contributions with which UNEP can continue the support to the NEP that include: annual contribution of 30.000 dollars from own funds, to address funds from donating countries, to provide technical support (juridical, financing, creation of capacity in municipal wastewater management, integral management of watersheds and marine-coastal areas, among others) and facilitate the exchange with other regional sea programs. Finally she invited the participants to visit UNEP Web site on Regional Seas: [www.unep.regionalseas.org](http://www.unep.regionalseas.org)

The president requested to the participants their comments on the presentation of UNEP-GPA. The Executive Director of COCATRAM expressed that without mind of engaging in controversy, it was necessary to make a clarification about the content of the document presented by UNEP-GPA, concerning to the request of the Environment National Authority of Panama (ANAM), to be constituted in geographical seat of the secretariat, through CATHALAC. That request was not ever received in COCATRAM. On the other hand, the note of UNEP pointed out that COCATRAM did not accept to attend a meeting of non formal consultation, convoked for UNEP-ROLAC, to consider among others subjects, the mentioned request, because the countries had already decided the seat of the secretariat, by accepting the offer of the Guatemala government. He illustrated to the plenary, with the reading of the note sent by COCATRAM in its opportunity and he requested to annex the note to this report.

For her part, the representative of UNEP-GPA recognized the existence of faults in the communications, for which she presented excuses to COCATRAM, and with conciliatory mind, she permitted herself to read the request letter sent by ANAM and she also asked to annex it to the report.

The Coordinator of the Plan enlightened the importance of keeping the proper channels of communications and pertinent consultations in order to avoid this type of situations, doing the things in the way established in the Action Plan. Furthermore, he pointed out that the general authority of the Plan is the intergovernmental meeting, in which the decisions on fundamental matters, as the decision about the DCR seat are taken.

The representative of Guatemala mentioned the decision taken in the IG.2 on the acceptance of the Guatemala offer to be the seat of the DCR and requested to the present

delegates to reiterate that decision. It was cleared that the point had only brought to inform and to not remain any doubt about and there is no change on the taken decision in the last intergovernmental meeting of this agreement. The Panama representatives recognized that that the action of ANAM was untimely and apologized for it. COCATRAM representative mentioned that it was necessary the designation of focal points, because this avoids this kind of confusions and invited to the countries to carry out their efforts on it.

The representative of RAC/REMPEITC-Carib made a short exposition on the work of this organization, whose objectives are the consolidation of the capacity of preparation and response to events of oil spills, to facilitate the cooperation and to implement the international conventions on the matter. He explained that the centre was founded under an agreement between IMO, UNEP and the Government of Netherlands Antilles. He made a summary of the activities they carry out. Particularly with the NEP, they have carried out workshops, as it was informed by the Coordinator of the Plan, and at present it is organized at the end of November 2005, an OPRC course for the first responsible, that will be imparted in Panama. Moreover, it has been programmed for March 2006, a workshop to continua the development of the Route Map of the regionalization of the contingency plans. He presented a table reflecting the situation of ratification for agreements related with the topic they work, for each country, pointing out the importance of these ratifications, because it shows the degree of commitment the countries have with the topic. He recommended to the NEP to promote the cooperation and uniformity for national plans of contingency of countries of the NEP and for them and the programs of the Great Caribbean and the Southeast Pacific and to invite to Belize as observer in the NEP as he recommended to the Program of the Wider Caribbean the same invitation to El Salvador. He also mentioned they are now planning the activities 2006-2007, so it is opportune to request the inclusion of some topics of interest of the NEP in it. Finally he transmitted IMO message to the NEP, expressing that IMO will continue its support to the Action Plan of NEP, through its technical cooperation program.

The representative of CCAD Secretariat reiterated what above mentioned Dr. González, about supporting the implementation of the Action Plan of NEP, firstly in the frame of the Regional Environmental Plan of Central America (PARCA). Moreover, she took the opportunity to present the instruments for the consolidation of the biological Mesoamerican corridor, saying that these ones had been approved by the Ministries of Environment and they were complementary to the efforts made by the Action Plan of the Convention and are internalized in the PARCA.

Mrs. Laura Píriz mentioned that the Swedish cooperation is established in three levels, bilateral, regional and global. It started mentioning that the central goal of Swedish cooperation is to combat poverty and related to it, the sustainable and democratic development. The bilateral cooperation is defined by national priorities and in Central America it is limited to Guatemala, Nicaragua and Honduras. Up to now these countries have not outlined the topic of management of marine and coastal resources as high priority for the Swedish cooperation, because they have more urgent problems to deal with, related to the topic of poverty and governance.

At a regional level, SIDA has provided financial attendance through UNEP, supporting the processes of implementation of the Action Plan of Cartagena Convention for the Wider Caribbean. Additionally, they have supported the initiative White Water to Blue Water (WW2BW) that contains topics of watershed and marine coastal management.

SIDA also supports to OSPESCA through FAO in the area of fishing. The future support to the region is going to be decided in function of priority lines marked for example by SICA, in the negotiations with SIDA that includes the preparation of a regional strategy of cooperation. Such strategy will be prepared in 2006. It is of supreme importance that in the frame of CCAD and its instrument of planning (PARCA) the interest in these topics could be expressed to SIDA.

At a global level, she expressed that SIDA supports to UNEP and FAO in specific points, and cooperation with COI is being discussed, which is in process. With IMO it is also discussing. From all of these actions at global level that many times involve training, specific studies or activities for coordination of programs, the regions can also be benefited. She mentioned that SIDA definitively has all the interest to support the countries with this Convention and probably the levels of this cooperation could reach the range of SIDA's support to the Wider Caribbean, but that would require an effort from the countries, to get ahead this Convention, to assign priority to these topics in the regional ambiance and to mobilize other funds.

She also mentioned other financing supports from SIDA to other non governmental organizations, such as UICN and WWF. In the case of the regional program of the Wider Caribbean these organizations participate actively, and it would be interesting that members of NEP see those possibilities in a future.

She mentioned that in Sweden it is the seat of the International Foundation for the Science (IFS) that would be interested in supporting young students with small projects for applied investigation in the topic of the management of natural coastal resources.

She appreciated the effort made until now by COCATRAM that has been intelligent to offer its platform and contacts to establish and push the Action Plan. However, she reflected on the fact that the ambiance of action of this Program is wider than the spectre of traditional action of COCATRAM, which imply that to protect and foment the sustainable development of the marine environment and coastal areas of the NEP will be needed an active involvement of other organizations at national and regional level. It also implies that in these topics the countries and their Environment Directions go to have more involvement. In such sense, -she said, I believe that the CCAD involvement is crucial and according to the topics also touched on by OSPESCA.

Laura Píriz also reflected on the attraction of new funds, for which it is important the countries and the region assign priority to these topics, relating them to the Millennium Goals.

The Coordinator of the Plan contributed on the need to make cross-sector links. He pointed out that the political focus points continue in the Ministries of Foreign Affairs. The links



with other institutions, whose interests coincide with the interests of the Convention, are being built. Finally, he reiterated that COCATRAM will follow working with the follow-up to the focal points designation as instances at national level for the coordination inside the country on the topics of the Convention.

### **Head office Agreement for the DCR of the Action Plan of the Northeast Pacific**

The representative of Guatemala informs that the National Port Commission of Guatemala has been designated by the Guatemala Government to be the seat of the DCR of the Action Plan. She did a short exposition on the functions, personnel and installations this instance count on to be the seat of the DCR. The COCATRAM representative recognized to the Guatemala Government for its actions and the advances on this point.

A discussion was generated on the DCR and the seat. It was explained that are two different points. One is related with the decision taken by the governments in the IG.2, designating COCATRAM as the Secretariat of the Action Plan, as regional entity. The other decision, also taken in the same meeting is on the geographical seat of this instance, which is in Guatemala. Several representatives expressed that the strengthening of this instance that will be located in Guatemala must be made gradually, in such manner to not affect the implementation of the Action Plan. About the matter, the IG.3 it is expressed in the decision No.5.

### **Other matters**

The presidency invited to the participants to present some topic of interest they wanted to bring to the session. Not having other matters that treat.

Out of the agenda of the IG.3 the representative of El Salvador read a statement that figures in note delivered to the Secretariat, which remains available upon request.

Under consideration to the verbal position of Honduras delegation on the statement of El Salvador, the remainder delegations expressed that this is not the appropriate forum to treat the matters containing in the declaration and therefore, they encouraged to all the countries to carry the matters of different nature than the nature of the Action Plan and the Convention to the pertinent instances in the future.

The representative of UNEP-GPA invited to the assistants to take part in the preparatory process of the Second Intergovernmental meeting of Review of the Global Action Programme for the Protection of the Marine Environment from land based activities. The meeting will be held on October 16-20, 2006 in the Chinese People's Republic.

### **Reading and approval of the report of the III Intergovernmental Meeting**

The president requested to the general Rapporteur to read in plenary to the project of report of the III Intergovernmental Meeting, and request to the plenary the consensus. The report

was approved unanimously and signed for the delegation chiefs. The IG.3 ordered to the DCR its publication and opportune distribution.

### **Closing of the Meeting**

The day 9<sup>th</sup> of November at 8:30 p.m. the IG.3 was closed. The ceremony of closing counted on intervention of Mr. Juan Manelia, Coordinator of the Action Plan, who recognized the developed labour of the delegates of the countries and the representatives of the international organizations in the meeting. Also it appreciated the financial support of UNEP and the organization| support of the National Port Commission. The participants in turn recognized the developed labour of COCATRAM in the preparation and conduction of this meeting. It was informed that the day 10<sup>th</sup> will have a press conference to inform to the media on the results of the IG.3 and also it will be given the report to the delegates, together with a compact disk that contains the documents of the meeting. For the day 10<sup>th</sup>, it has been organized a visit to La Antigua city and to the installations of the National Port Commission in Guatemala City, where it will be located the DCR seat.

### **Decisions of the IG.3**

#### **Decision No. 1. Report of Intersession Activities.**

##### **The IG.3**

- a) *having been properly informed on the activities carried out by the DCR in fulfilment of the IG.1 and IG.2 , for the implementation of the Plan;*
- b) *taking note of the limited economic resources that were available for the fulfilment of that mandate;*

Decides:

- 1) To approve the Report of intersession activities 2002-2005 prepared by the secretariat;
- 2) To encourage COCATRAM in its quality of DCR of the Action Plan to continue in its labour with the same dedication.

#### **Decision No. 2. State of the ratification of the La Antigua Convention.**

##### **The IG.3**

- a) *having under consideration that the process of ratification of La Antigua Convention has come progressing, missing the ratification of two countries to get the Convention entries in force;*
- b) *knowing that Panama and Guatemala have already ratified the Convention and it exists an advanced process in El Salvador and Nicaragua;*
- c) *considering it is convenient that the countries still pending can get the ratification as soon as possible;*

Decides:

- 1) To instruct the DCR in order to attend the Governments in their process of ratification, supplying the necessary information for the preparation of the expositions of motives.
- 2) To incorporate this activity to the plan of work 2005-2007 of the DCR.

### **Decision No. 3. Fiduciary fund of the Plan, Endowment and other financing sources.**

#### **The IG.3**

- a) *having under consideration that the IG.2 approved the establishment of a fiduciary fund to support the costs of coordination and common programs, which must be in operation as of January 2004;*
- b) *considering that up to date the countries have not contributed to the fiduciary fund;*
- c) *knowing that internal limitations to get the countries can make their budgetary contributions persists;*
- d) *conscious that the contributions of the governments are basic and important to support the costs of coordination and the priority projects, which also require funds of counterpart;*
- e) *taking note of DCR has advanced steps for the establishment of an endowment in the NEP;*
- f) *emphasizing that as part of the functions assigned by the Action Plan to the Secretariat, a proposal for the financing of the priority projects has been prepared;*

Decides:

- 1) To instruct to the DCR to establish with support from UNEP, the economic frame required for the complete operation of the Plan, taking into account for it the costs demanded by the execution of the projects and the possible sources of financing. Moreover, on the base of these costs to propose a new scale of contributions to the fiduciary fund.
- 2) To encourage the secretariat to continue with the steps on the Endowment.
- 3) To incorporate these activities previously mentioned to the plan of work of the DCR 2005-2007.
- 4) To express its reconnaissance to the DCR for the presented proposal to UNEP for financing from SIDA and to urge it to continue in the preparation of new proposals of financing.

### **Decision No. 4. Plan of work biennium 2005-2007.**

#### **The IG.3**

- a) *taking note the secretariat has presented a proposal of plan of work for the biennium 2005-2007, that gathers the decisions on the execution of priority projects of the IG.1 and IG.2;*
- b) *having examined the proposed plan of work, document COCATRAM/NEP/IG.3/5 and the informative 6, and knowing that it is convenient to start the operation of the priority projects contained in the proposed plan, those for which have been*

*identified sources of financing and technical support, besides activities in motion which have synergy with them;*

Decides:

- 1) To approve the plan of work proposed for the biennium 2005-2007, with the modifications and terms indicated in this meeting.
- 2) This plan of work must be started before December 31st, 2005 with the following activities:
  - Code 08, regional program and support to the formulation of national plans to control and reduce the marine pollution from municipal wastewater discharge systems and demonstrative pilot projects.
  - Code 09, formulation and conduction of a process of negotiation for a juridical frame for the NEP protection against the marine pollution from land based sources and activities.

These priority activities will begin with a regional course on the use of the key principles and the verification list of the guidelines on municipal wastewater management and alternatives of wastewater treatment for the coast of NEP and with the conduction of an updated and quantity inventory of the municipal sources of pollution in the NEP, to serve as base to a process of negotiation of a supplementary instrument of the La Antigua Convention for the protection of NEP against the contamination from municipal wastewater discharges.

- 3) The lines of work of the plan will be executed according to the order of priorities shown in the table agreed by the IG.3 for this topic. Moreover, it orders to COCATRAM with support of UNEP to fit the plan of work, in accordance with the terms established in the IG.3, taking as base the document 5 and the informative 6 of this meeting.
- 4) In the perfecting of the plan of work COCATRAM considers the following lines of action as activities in course:
  - Program of work on the accidental contamination from oil spills (Route Map) for the regionalization of the contingency plans.
  - Regional strategy for the conservation and sustainable development of mangrove ecosystem in the NEP.

To order COCATRAM, starting in consult and with the support of international pertinent organisms, the formulation of the priority projects, considering as initial and sure source of financing the resources from SIDA, addressed through UNEP, for the Plan 2005-2007, as well as UNEP technical and financial contributions. For its formulation it must take into account among others, what it is established in the document COCATRAM/NEP/IG.3/informativo 6.

#### **Decision No. 5. Agreement for the Head of Secretariat of the Plan.**

##### **La IG.3**

- a) *having been informed that the internal administrative arrangements to shelter the secretariat of the Action Plan have been already carried out;*
- b) *keeping in mind that the National Port Commission of Guatemala has made the pertinent coordination with the Ministry of Foreign Affairs and the Ministry of*

*Environment and Natural Resources to facilitate the work of the secretariat of the Action Plan;*

Decides:

- 5) To order COCATRAM to start in consultation with the government of Guatemala, the necessary activities for the installation of the DCR office in Guatemala as soon as possible, taking into consideration the plan of work approved in this IG.3.
- 6) To thank the Illustrated Government of Guatemala, in head of its Ministry of Foreign Affairs, Ministry of Environment and Natural Resources and the National Port Commission for providing all necessary arrangements, to facilitate shelter the seat of the secretariat.