THE CARIBBEAN CASE

INTERNATIONAL CONFERENCE ON REGIONAL COOPERATION FOR THE PROTECTION OF THE MARINE ENVIRONMENT

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TRINIDAD AND TOBAGO
GLOBAL OCEAN GOVERNANCE

Geographical spaces
(Oceans, large marine ecosystems, regional seas, coastal areas, etc.)

Actors
(States, international, regional and national agencies and non-state actors - conservation groups, science)

Legal and institutional arrangements
(global conventions, non-binding declarations, functional cooperation, regional management)

Substantive issue areas
(Biodiversity, migratory species, wetlands, trade (in endangered species), fishing, land and marine based pollution, shipping, climate change, sustainable development, cultural heritage etc)

Environmental norms and principles
(historical practices, economic benefit, conservation)

THE MAIN INTERNATIONAL ENVIRONMENTAL AGREEMENTS FOR MARINE SPACES RELEVANT FOR THE CARIBBEAN SEA

- Convention of International Trade in Endangered Species, 1972 (CITES)
- Convention on Biological Diversity, 1992
- International Convention for the Establishment of an International Fund for the Compensation of Oil Pollution, 1971 (FUND ’71)
- International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78)
- International Convention for the Regulation of Whaling 1948 and 1959
- International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC ’69)
- Protocol of 1992 to Amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC ’92)
- International Convention on Liability and Compensation from Damage in Connection with Carriage of Hazardous and Noxious Substances by Sea (HNS Convention, 1996)
- International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC Convention), 1990
- International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969; (INTERVENTIONS ’69)
- Basel Convention – Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and Their Disposal
- FAO Code of Conduct for Responsible Fisheries
- Fish Stocks Agreement (UNFSA)

- Annex II – Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk (1983)
- Annex III – Prevention of Pollution of Harmful Substances Carried by Sea in Packaged Form (1992)
- Annex V – Prevention of Pollution by Garbage from Ships (1988) (Gulf of Mexico and the Caribbean Sea have Special Area status in effect from 2011)
- Annex VI – Prevention of Air Pollution from Ships (2005)
UN OCEANS?

UN-Oceans is an inter-agency mechanism that seeks to enhance the coordination, coherence and effectiveness of competent organizations of the United Nations system and the International Seabed Authority, in conformity with the United Nations Convention on the Law of the Sea, the respective competences of each of its participating organizations and the mandates and priorities approved by their respective governing bodies.

CBD  CTED  ESCAP  FAO  IAEA  ILO  IMO  IOC  ISA  DESA  DOALO  ODA

OHRLLS  UNCTAD  UNDP  UNEP  UNESCO  UNHCR  UNIDO  UNITAR  UNU  UNWT  WMO  World Bank
<table>
<thead>
<tr>
<th>Governance contexts</th>
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<tr>
<td>Climate change and linked issues</td>
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<tr>
<td>Marine biota – higher mortality, lower reproductive success</td>
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<td>Food security and safety</td>
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<tr>
<td>Biodiversity hotspots are magnets for human activities</td>
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<tr>
<td>Increased and conflicting demands for ocean space</td>
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<td>Excessive inputs of harmful material</td>
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<td>Cumulative impacts are problematic</td>
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<td>Uneven distribution of benefits from the ocean</td>
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<td>Integrated management needs data</td>
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<td>Knowledge gaps should not lead to delay in implementing known solutions</td>
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INSTITUTIONAL ARRANGEMENTS, MEMBERSHIP AND HISTORY
# Global and Regional Institutional Architectures for Marine Governance

## International Institutions

- Secretariat of the Convention on Biological Diversity
- Caribbean Community Climate Change Centre (CCCCC)
- UN Economic Commission for Latin America and the Caribbean (ECLAC, UNECLAC or CEPAL in Spanish)
- United Nations Environment Programme (UN Environment)
- Western Central Atlantic Fishery Commission (WECAFC)
- Food and Agriculture Organization (FAO)
- FAO Western Central Atlantic Fishery Commission (WECAFC)
- Global Environment Facility (GEF) Trust Fund
- Latin American Organization for Fisheries Development (OLDEPESCA)
- The Caribbean Environment Programme - UNEP's Regional Seas Programme (RSP)
- Intergovernmental Oceanographic Commission (IOC)
- The International Hydrographic Organization - Advisory Board on the Technical Aspects of the Law of the Sea
- UNESCO's Intergovernmental Oceanographic Commission (IOC)
- International Seabed Authority (ISBA) of the UNLOS
- International Maritime Organization (IMO)
- Caribbean Tourism Organization (CTO)
- United Nations Conference on Trade and Development (UNCTAD)
- International Whaling Commission
- International Union for Conservation of Nature (IUCN) (State & Non-State)
- International Council of Scientific Unions (ICSU)

## Non State Actors

- The University of the West Indies
- The Caribbean Network of Fisherfolk Organisations
- Fishermen and Friends of the Sea (FFOS)
- Caribbean Network for Integrated Rural Development (CNIRD)
- Caribbean Youth Environment Network (CYEN)
- Friends of the Earth International
- Greenpeace International
- World Wildlife Fund (WWF)
- Seas at Risk
- The Nature Conservancy (TNC)
- Caribbean Natural Resources Institute (CANARI)
- International Coral Reef Initiative
- International Institute for Sustainable Development
- World Resources Institute (WRI)
- Oceana

## Private Companies/Sector

- Corporation/certification
- Aquaculture Stewardship Council
- Cruise Lines International Association, Inc. (CLIA)
- Marine Stewardship Council
- Caribbean Shipping Association (CSA)
- American Bureau of Shipping
- Bureau Veritas
- International Marine Certification Institute
- Lloyd's Register
- Caribbean Hotel & Tourism Association (CHTA)
# MARINE GOVERNANCE REGIMES FOR CARIBBEAN STATES

<table>
<thead>
<tr>
<th>Regime</th>
<th>Convention/Declaration</th>
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<tbody>
<tr>
<td>Biodiversity</td>
<td>Convention on Biological Diversity, (CBD) including the Aichi Biodiversity Targets&lt;br&gt;Cartagena Protocol on Biosafety&lt;br&gt;Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization</td>
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<tr>
<td>Caribbean Regional Sea</td>
<td>Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)&lt;br&gt;Protocol Concerning Co-operation and Development in Combating Oil Spills in the Wider Caribbean (Oil Spills Protocol)&lt;br&gt;Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region&lt;br&gt;Protocol Concerning Pollution from Land-Based Sources and Activities (LBS)</td>
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<tr>
<td>Endangered Species</td>
<td>Convention of International Trade in Endangered Species, 1972 (CITES)</td>
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<td>Fisheries</td>
<td>FAO Code of Conduct for Responsible Fisheries 2012</td>
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<tr>
<td>SIDS</td>
<td>Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway), 2014- Targets for sustainable use of oceans, conservation, pollution, research, coral reefs, illegal, unreported and unregulated (IUU) fishing, small-scale fisheries development and management, subsidies, capacity, co-operation and a commitment to 10 per cent marine protected areas.</td>
</tr>
<tr>
<td>Sustainable Development</td>
<td>UN 2030 Agenda for Sustainable Development, 2015- Goal 14 on the Conservation and Sustainable Use of the Oceans, Seas and Marine Resources for Sustainable Development</td>
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<td>Whaling</td>
<td>International Convention for the Regulation of Whaling 1948 and 1959 (ICRW)</td>
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<td>Shipping</td>
<td>International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC Convention), 1990 The Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances (HNS), 2000 (OPRC-HNS)</td>
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<td>Shipping - Oil Pollution</td>
<td>International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION Convention) 1969 The 1973 Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances Other Than Oil (INTERVENTION Protocol)</td>
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<tr>
<td>Shipping Ballast Water</td>
<td>International Convention for the Control and Management of Ship Ballast Water and Sediment, 2004</td>
</tr>
<tr>
<td>Shipping- Pollution</td>
<td>International Convention on Liability and Compensation from Damage in Connection with Carriage of Hazardous and Noxious Substances by Sea (HNS Convention, 1996)</td>
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## TWO MAIN REGIONAL INSTITUTIONAL ARCHITECTURES FOR MARINE GOVERNANCE

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<td>• Intergovernmental Meeting (IGM) on the Action Plan and</td>
<td>• Bureau</td>
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<td>• The Meeting of the Contracting Parties of the Cartagena Convention.</td>
<td>• Budget Committee</td>
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<td>• Three Sub-Commissions (scientific and technical, governance, public</td>
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<td>information and outreach and legal)</td>
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TWO MAIN REGIONAL INSTITUTIONAL ARCHITECTURES FOR MARINE GOVERNANCE

**CEP- 1981/ 1986**
- Intergovernmental Meeting (IGM) on the Action Plan and
- The Meeting of the Contracting Parties of the Cartagena Convention.

**ACS – 2006**
- Bureau
- Budget Committee
- Three Sub-Commissions (scientific and technical, governance, public information and outreach and legal)
Mission
"To promote regional cooperation for the protection and development of the Wider Caribbean Region”

Objective
“To achieve sustainable development of marine and coastal resources in the Wider Caribbean Region through effective, integrated management that allows for economic growth and sustainable livelihoods”
Island Nations

1. Antigua & Barbuda
2. Bahamas
3. Barbados
4. Cuba
5. Dominica
6. Dominican Republic
7. Grenada
8. Haiti
9. Jamaica
10. St. Kitts & Nevis
11. St. Lucia
12. St. Vincent and the Grenadines
13. Trinidad & Tobago

Continental Nations

1. Belize
2. Colombia
3. Costa Rica
4. Guatemala
5. Guyana
6. Honduras
7. Mexico
8. Nicaragua
9. Panama
10. Suriname
11. USA
12. Venezuela

Associated Countries, Departments Territories

1. Aruba
2. Curacao, St. Maarten
3. Caribbean Netherlands
4. Anguilla
5. Cayman Islands
6. Montserrat
7. Turks & Caicos Islands
8. British Virgin Islands
9. French Guyana
10. Guadeloupe
11. St. Martin – St. Barth
12. Martinique
13. Puerto Rico
14. US Virgin Islands

Source: P. Hoetjes
Only Legally Binding, Regional Agreement for the Protection and Development of the Marine Environment of the Wider Caribbean Region
The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (WCR) or Cartagena Convention (The Convention was adopted in Cartagena, Colombia on 24 March 1983 and entered into force on 11 October 1986.)

The Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region was adopted in 1983 and entered into force on 11 October 1986.

The Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region was adopted on 18 January 1990 and entered into force on 18 June 2000.

The Protocol Concerning Pollution from Land-Based Sources and Activities was adopted on 6 October 1999 and entered into force on 13 August 2010.

The Regional Coordinating Unit (UNEP-CAR/RCU) was established in 1986 in Kingston, Jamaica and is the Secretariat to the Cartagena Convention and its Protocols.
**OBJECTIVES: PROTOCOLS TO THE CARTAGENA CONVENTION**

**Objectives of the Oil Spills Protocol**
- Protect marine & coastal environment from oil spill incidents
- Establish & maintain means to respond to oil spill incidents & to reduce the risks associated with such incidents

- Adopted in 1983
- Entered into force in 1986
- 25 Parties

**Objectives of the Biodiversity (SPAW) Protocol**
- Protect, preserve & sustainably manage fragile areas & threatened or endangered species of flora & fauna
- Regulate &/or prohibit activities having adverse effects on protected areas & wildlife (biodiversity)

- Adopted in 1990
- Entered into force in 2000
- 16 Parties

**Objectives of the Pollution (LBS) Protocol**
- Reduce pollution through establishment of effluent & emission limitations and/or best management practices
- Exchange information on land-based pollution through cooperation in monitoring & research

- Adopted in 1999
- Entered into force in 2010
- 13 Parties
SUB-PROGRAMMES

Specially Protected Areas & Wildlife

Assessment & Management of Environmental Pollution

Communication, Education, Training & Awareness

• Marine Protected Areas and Wildlife
• Threatened and Endangered Marine Species
• Marine and Coastal Ecosystems

Protocols concerning: (1) Pollution from Land-based Sources and Activities (LBS Protocol); and (2) Co-operation in Combating Oil Spills (Oil Spills Protocol).

• Improve educational systems to promote positive attitudinal and behavioural changes on environmental management;
• Develop and implement training programmes for the management of coastal and marine resources;
• Support public awareness efforts by the media, private sector, community-based, and non-governmental organizations to demonstrate the value of marine and coastal resources;
• Increase access to data and information on coastal and marine resource management through strengthening of CEP websites, networks and databases; and
• Disseminate information resulting from the implementation of our projects and activities.
CEP WORK IN THE WIDER CARIBBEAN?

Technical Assistance: Guidelines, Tools, Methodologies, Contingency Plans, Technologies & Best Practices, Research, Monitoring

Mobilize Financing for Projects & Activities

Capacity Building & Training: Valuation, MPA management

Promotion & Awareness: Policy Briefs, Data & Information, Social Media, Media Briefs, Videos,

Institutional, Policy & Legal Reforms

Support to MEAs - CMS, Ramsar, CBD, Rotterdam, Basel, Stockholm, CITES, IMO, (eg. London, Marpol, Ballast Water Convention, OPRC etc)
### Regional Platforms
- OSPAR Commission
- Trash Free Partnership
- Caribbean Node for Marine Litter Management
- Caribbean Platform for Wastewater Management
- Caribbean Platform for Nutrients Management
- Caribbean Large Marine Ecosystem Plus Alliance

### Regional Activity Centres
- REMPEITC: Oil Spills in Curacao
- SPAW: Specially Protected Areas and Wildlife in Guadeloupe
- CIMAB: Pollution from Land-Based Sources and Activities in Cuba
- Institute of Marine Affairs: Pollution from Land-Based Sources and Activities in Trinidad & Tobago

### Projects (GEF)
- GEF-CLME+: Caribbean Large Marine Ecosystem & North Brazil Shelf
- GEF-CReW: Caribbean Regional Fund for Wastewater Management: Download a summary
- GEF-IWEco: Integrating Water, Land and Ecosystems Management in Caribbean SIDS
CHALLENGES FACED AND OVERALL IMPACT OF MECHANISM
<table>
<thead>
<tr>
<th>MONEY</th>
<th>CAPACITY</th>
<th>ENGAGEMENT</th>
<th>INFORMATION</th>
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<tbody>
<tr>
<td>Donor fatigue, Budgets: Increase Revenue and Service Debts</td>
<td>Policy, Legislation, Regulations, Enforcement; How can we move from policy to action?</td>
<td>Consultation Fatigue, Private Sector apathy, moving past political divides</td>
<td>Data availability, accessibility, quality, analysis, packaging &amp; dissemination, sustainability, fake data?</td>
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</table>
GEF PROJECTS: IWECO, CLME+, CREW+

- GEF CReW: 18 countries; SIDS, Central America, (IDB & UNEP) – Caribbean Regional Fund for Wastewater Management

- GEF IWECO: 10 Caribbean SIDS (UNEP & UNDP) – Implementing Water, Land & Ecosystem Management in Caribbean SIDS

- GEF CLME+: 2 LMEs: CARIBBEAN LME & NORTH BRAZIL SHELF LME - 25 GEF-eligible countries + dependent territories + USA
  - Plans, Policies, Laws, Legislation & Regulations;
    - Training
  - Support for on the ground solutions
IDENTIFICATION OF POSSIBLE RELEVANT BEST PRACTICES
REDUCING REGIONAL FRAGMENTATION - 4 STEPS

- Create a more inclusive policy formulation body (an ‘environmental council’ that benefits from non-regional resources via a ‘group of friends’).
- Fund a resourced regional environmental executive that can work through issue specific sub committees for more efficient use of limited regional resources.
- Develop a legal and judicial enforcement mechanism to ensure compliance and thus support the work of governance.
- Clearer articulation of a common regional environmental policy.

The CLME Project Approach:
Building a multi-level policy-cycle based governance framework

Transboundary diagnostic analysis (TDA)
Assesses issues to be addressed in activities

Strategic Action Programme (SAP)
Develops agreed plan to address key transboundary issues in next phase

LME Level Monitoring and Reporting
Develops indicators to monitor LME status.

Large Pelagics
Increases involvement in ICM for oceanic species and pursues regional governance arrangements for species contained in the Wider Caribbean area.

Guianas-Brazil Shrimp and Groundfish
Establishes and operates sub-regional cycle for cooperation in management of the shared stocks.

Eastern Caribbean Flyingfish
Establishes and operates sub-regional cycle for cooperation in management.

Reef Fisheries and Biodiversity
Enhances local level linkages among fishery and non-fishery stakeholders and upward linkages to national and regional levels.

Spiny Lobster
Enhances local level capacity and linkages among western Caribbean fishery stakeholders and upward linkages to national and regional levels.

A possible LME-level review and evaluation system involving the Association of Caribbean States as a regional policy-setting body.

Partners who have aligned their work programs with the CLME+ SAP

UNEP-CEP, FAO-WECAFC, IOCARIBE, CRFM, OSPESCA, CCAD, OECS Commission, CARICOM Secretariat
THE CLME+ SAP ICM =
AT THE CORE OF THE CLME+
PARTNERSHIP

Limited size, IGO’s with mandate highly relevant to CLME+ SAP ICM membership is approved by UNDP/GEF “CLME+ Project” Steering Committee
Innovative Financial Mechanisms,

Policies, Regulations, Enforcement, Universities, Development Banks, Online, Trainer of Trainers e.g. CaMPAM

Win-Win Partnerships, Participatory Planning, Communication for Development

Lose the pride; Where are we now?
Showcase our positive stories, achievements, lessons learned and best practices
Let's agree on common integrated targets that we ALL work towards as Governments and UN agencies.

Investments to improve Environmental Management Reduce Poverty, Improve Quality of Life & Improve our Asset Base - (Cost-Benefit Analysis, Resource Valuation, Internalizing Environmental Costs, Business Cases)

Be Strategic, develop Financing & Sustainability Plans; Provide Fiscal and non-Fiscal Incentives and Disincentives; Value for Money with Measurable Positive Benefits for People.
Training to do what and why - Needs Assessments

Internalizing and Innovating the Training: Regional Training Institutions, Online etc.

Monitoring and Evaluating the Effectiveness of the Training

CAPACITY for Public Policy and Rule of Law Institutions
It's about Engagement not Informing

It's about Empowerment not Dependency

It's about finding Solutions not Blaming
Understand Data and Information Landscape

Demonstrate the Economic and Social value of Evidence-based Decision-Making

Select appropriate Technologies based on Scale: Global, Regional, National, Local and Individual
THE END

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