

**First Intergovernmental Meeting of the Plan of Action of the
Convention for Cooperation in the Protection
and Sustainable Development of the Marine
and Coastal Environment of the Northeast Pacific
Guatemala, 19 to 22 February 2002**

I INTRODUCTION

1. The first Intergovernmental Meeting of the Plan of Action for the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific was held in the Westin Camino Real Hotel, Guatemala City, from 19 to 22 February 2002. The Meeting was held one day after the signing of the Antigua Convention and the Plan of Action in La Antigua Guatemala, on 18 February 2002.

II. ORGANIZATIONAL MATTERS

A. Opening of the meeting

2. Mr. Rodolfo Tejeda, Director of International Cooperation, Ministry of Environment and Natural Resources of Guatemala, formally opened the Meeting at 9.30 a.m. on Tuesday, 19 February 2002, and welcomed the participants.

B. Attendance

3. The session was attended by representatives from the following countries: Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua and Panama. Representatives of Canada and of the United States of America participated as observers.

4. Representatives of the following international and intergovernmental organizations also participated: Division of Ocean Affairs and the Law of the Sea, Office of Legal Affairs, Secretariat of the United Nations; UNEP Coordination Unit of the Global Programme of Action (GPA) for the Protection of the Marine Environment from Land-based Activities; UNEP Regional Office for Latin America and the Caribbean (ROLAC); Secretariat of the Cartagena Convention for the Protection and Development of the Environment of the Wider Caribbean; Central American Commission on Maritime Transport (COCATRAM).

C. Election of officers

5. The following delegates were elected to the Bureau:

Chair: Mr. Rodolfo Tejeda (Guatemala)

Vice-Chair: Ms. Jenny Asch (Costa Rica)

Rapporteur: Ms. Liza I. Gonzalez (Nicaragua)

D. Approval of the agenda

6. The Meeting adopted the following agenda, based on the provisional programme set out in document UNEP(DEC)/NEP/IG.1/1:

1. Opening of the First Intergovernmental Meeting

2. Organization of the meeting

- a. Election of the officers of the meeting
- b. Adoption of the agenda
- c. Organization of work

3. Presentation of the credentials of the delegates

4. Report of the Conference of Plenipotentiaries for the Signing of the Convention on Cooperation for the Protection and Sustainable Development of the Marine and Coastal Zones of the Northeast Pacific

- a. Signing of the Convention
- b. Adoption of the Plan of Action and its Annex I: Programme of Work of the Plan of Action for the Protection and Sustainable Development of the Coastal and Marine Environment of the Northeast Pacific 2001-2006

5. Operationalization of the Plan of Action: the Role of International Organizations

- a. The International Maritime Organization (IMO)
- b. The Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO)
- c. The Pan-American Health Organization (PAHO/WHO)
- d. The Food and Agriculture Organization of the United Nations (FAO)
- e. The Economic Commission for Latin America and the Caribbean (ECLAC)
- f. The United Nations Environment Programme (UNEP)
- g. Regional Organizations

6. Project Proposal for the Protection of the Marine Environment and Public Health in the Framework of the Sustainable Development of the Northeast Pacific: Priorities for Action for 2002-2005

7. Institutional Arrangements

- a. Establishment of the secretariat for the Plan of Action
- b. Procedures for the selection of the geographical location of the secretariat
- c. Support from international organizations

8. Financial Arrangements

- a. Establishment of a trust fund
- b. Establishment of trusts
- c. Support from UNEP for 2002-2003

9. Other matters

10. Adoption of the report of the meeting.

11. Closure of the meeting

E. Organization of work

7. Introducing the item, Mr. Jorge Illueca, Assistant Executive Director, UNEP Division of Environmental Conventions, explained that, under the Regional Seas Programmes, the role of the intergovernmental meetings was broader in scope than was traditionally the case under other agreements. All interested parties, including those that had not yet signed the Convention, were invited to participate in the activities under the Plan of Action, and he cited the example of the Cartagena Convention for the Protection and Development of the Environment of the Wider Caribbean Region, which had 21 Parties, but 32 participants in its Plan of Action. The Plan of Action was a "soft law" instrument to develop the ability of countries to enforce the agreement itself and to strengthen the components of sustainable use and management of the marine environment.

8. He briefly outlined the provisional programme of work for dealing with the items for consideration by the current Meeting, and stressed that there would need to be follow-up of many of the elements under discussion. In that connection, he recalled that UNEP had already earmarked US\$ 120,000 in support of the activities under the Convention for the period 2002-2003, with US\$90,000 for the Intergovernmental

Meetings and US\$30,000 for consultancies. It would thus be possible to hold a second meeting in the last quarter of 2002, at a time and place to be decided by participants.

III. PRESENTATION OF THE CREDENTIALS OF THE DELEGATES

9. Checking of the credentials was entrusted to Ms Ivonne Higuero of UNEP, who reported that she had examined the credentials of the participants, and that all of them met the necessary requirements.

IV. REPORT OF THE CONFERENCE OF PLENIPOTENTIARIES FOR THE SIGNING OF THE CONVENTION ON COOPERATION FOR THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE MARINE AND COASTAL ZONES OF THE NORTHEAST PACIFIC

(a) SIGNING OF THE CONVENTION

(b) ADOPTION OF THE PLAN OF ACTION AND ITS ANNEX I: PROGRAMME OF WORK OF THE PLAN OF ACTION FOR THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE COASTAL AND MARINE ENVIRONMENT OF THE NORTHEAST PACIFIC 2001-2006

10. Mr. Illueca congratulated the countries that had signed the Convention, and expressed particular thanks to the Government of Guatemala for such a special ceremony. The Meeting took note of the report of the Conference of Plenipotentiaries of the Convention on Cooperation for the Protection and Sustainable Development of the Marine and Coastal Zones of the Northeast Pacific, contained in document UNEP(DEC)/NEP/Plenipot./5.

V. OPERATIONALIZATION OF THE PLAN OF ACTION: THE ROLE OF INTERNATIONAL ORGANIZATIONS

(a) THE INTERNATIONAL MARITIME ORGANIZATION (IMO)

11. Mr. Illueca, noting that IMO was the only international organization that cooperated with UNEP in all of its Regional Seas Programmes, underlined the importance of IMO in helping governments to implement specific components of the Plan of Action, particularly with regard to oil spills and hazardous substances. IMO could and did assist in strengthening country capacities to respond to oil spills and in the formulation of national and regional contingency plans. He suggested, as a first

activity with IMO, the convening of a workshop in order to formulate a joint work plan in its areas of competence.

12. A message from IMO was reported to the Meeting, apologizing for the fact that a representative of the organization had been unable to attend and stressing that IMO was willing to work together with all countries in the region to assist them to make progress in those areas within its sphere of competence.

13. During the discussion, attention was drawn to the need for countries to formulate their contingency plans and to elaborate response mechanisms to deal with oil spills and environmental pollutants, such as chemicals and solid wastes. It was noted that, even where such plans existed, countries often lacked capacities to implement them and, in that connection, the need for capacity-building was underlined. The importance of countries' preparing national reports on their current capacity to manage and combat spills of oil and hazardous materials was emphasized, in order to permit them to clearly identify needs and to request and channel the support of international organizations. In that regard, UNEP and IMO could provide assistance.

14. The Meeting was informed that Regional Activity Centres covering specific fields had already been set up under other Regional Seas Programmes, and UNEP and IMO could assist in the development of such a centre to help countries of the Northeast Pacific region to respond to oil spills. In addition, it was noted that countries should consider the possibility of using funds from the private sector to assist them in dealing with oil spills. In that regard, reference was made to the International Oil Pollution Compensation Funds (IOPC), of which very few of the countries present were members, despite the fact that membership entailed no financial obligations. The fund was replenished by oil companies. It was recalled that a Regional Activity Centre for marine pollution dealing with oil spills had already been set up in Curacao, under the Cartagena Convention, in cooperation with IMO, and with support from the US Coast Guard and the Government of the Netherlands. That centre helped to provide training in oil spill management and assistance in the prevention of such incidents. Since seven of the countries at the current Meeting were members of the Cartagena Convention, it was suggested that it would be valuable to make the Curacao centre into a headquarters for matters of oil pollution concerning both the Northeast Pacific Convention and the Cartagena Convention.

15. Mr. Illueca stressed that it was necessary for countries to designate their focal points for the Plan of Action and the organizations which would be responsible for specific aspects of the Plan.

(b) THE INTERGOVERNMENTAL OCEANOGRAPHIC COMMISSION (IOC) OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)

16. Introducing the item, Mr. Illueca pointed to the important role already played by IOC in other Regional Seas Programmes, particularly in the Mediterranean and the Wider Caribbean, with respect to environmental monitoring and scientific assessment. It was also noted that IOC could be instrumental in providing support to carry out concrete activities that came under the Plan of Action and for which countries lacked capacities and resources., particularly in monitoring and assessment. Possible areas of activity included provision of expertise and guidance, training, and participation in the activities of the Global Oceans Observation System (GOOS) at the regional level.

17. It was observed that, since a number of countries lacked the expertise to handle the highly scientific data that resulted from marine monitoring activities, IOC could play an important role in capacity-building through the training of the necessary specialists in environmental data interpretation and management. Countries had to make known to IOC their priorities. In addition, they could also provide data to IOC on areas within its remit, such as data on extreme climate events of the region.

18. The Meeting agreed to authorize Mr. Nelson Andrade Colmenares, Coordinator of the Regional Coordinating Unit of the Cartagena Convention, to speak on behalf of the Intergovernmental Meeting of the Plan of Action at the forthcoming meeting of the IOC in Veracruz, Mexico, which he would be attending, and to raise the issue of possible areas of cooperation with IOC.

(c) THE PAN-AMERICAN HEALTH ORGANIZATION (PAHO/WHO)

19. Mr. Illueca reported that, following the Second Meeting of High-Level Government-Designated Experts for the Proposed Northeast Pacific Regional Seas Programme, the UNEP Division of Environmental Conventions (DEC) and the Coordinating Unit of the GPA had agreed to investigate the possibility of a joint activity with PAHO on the subject of domestic wastes in the areas covered by the Plans of Action of the Northeast Pacific, Southeast Pacific and Wider Caribbean. Although the reports on the issue were not yet finalized, he said that PAHO could be an important partner, in collaboration with GPA, in assisting countries on issues of pollution from domestic wastewaters.

(d) THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

20. Mr. Illueca stressed that one very important component of the Plan of Action concerned the ecosystems management of fisheries within the context of sustainable development, which was closely linked to the issues of poverty relief and food security. A joint initiative between UNEP and FAO had sought to promote activities bringing together the Regional Seas Programmes and regional fishery bodies, but the subject was very complicated. The Governing Council of UNEP, in its decision 21/28, had approved the activity, with the inclusion of IOC. Guidelines on the ecosystems management of fisheries were expected to be finalized by the end of 2002, and were expected to be followed by a pilot project in several countries of the wider Caribbean and Northeast Pacific regions. Citing the example of the Helsinki Convention and its cooperation with the International Baltic Sea Fishery Commission (IBSFC) as a rare example of good cooperation, he underlined the importance of cooperation with IOC, FAO and UNEP in the assessment and management of the fisheries in the countries of the region.

21. During the discussion, it was noted that FAO could play an important role in the development of environmentally sound aquaculture. It could also assist in establishing the basic structures to prevent further deterioration and disruption of the catch areas. There were also other and broader ways of looking at the ecosystem management of fisheries, particularly taking into account downstream socioeconomic factors. It was stressed that countries could not plan fisheries development or management on the basis of outdated or inefficient fisheries legislation and technologies, lack of national knowledge and data on marine biodiversity and resources, lack of capacities and training for research, and inability to assess and control the problems of coastal degradation and illegal fishing. It was thus considered necessary to deal with the question of ecosystem management of fisheries in a much more integrated way, using partnerships with FAO and others to enhance countries' capacities at both the national and subregional levels.

22. The Government of Mexico offered to make available to participants its " Fisheries National Charter", that contained all rules regarding the management of fisheries, including marine and coastal natural prorotected areas.

(e) THE ECONOMIC COMMISSION FOR LATIN AMERICA AND THE CARIBBEAN (ECLAC)

23. Mr. Illueca reported that, under a commitment given by the division of environment and sustainable development of ECLAC, the countries of the region would receive support for development of economic instruments in support of environmental management. The issue of financial resources would also be addressed under item 8 of the agenda of the current Meeting. UNEP would be contacting ECLAC to arrange a meeting to prepare a joint work programme, which would be

presented to a future Intergovernmental Meeting of the Plan of Action. In response to one intervention, he said that UNEP would raise with ECLAC the fact that countries sought assistance in the identification and examination of indicators in the marine environment.

(f) THE UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)

24. Mr. Illueca recalled that UNEP had already committed US\$120,000 to support the process under the Convention for 2002-2003, with US\$90,000 for meetings and US\$30,00 to contract consultants, mainly related to resource mobilization. He said that discussions on the provision of further support from UNEP were ongoing, and noted the possibility of projects and activities involving the other divisions of UNEP.

25. It was also recalled that the Governing Council at its twenty-first meeting had requested the Regional Seas Programmes of the Northeast Pacific, the Southeast Pacific and the Wider Caribbean to work together on programmes of common interest. It was suggested that a working group be set up with the Action Plan for the Wider Caribbean to identify possible areas of cooperation.

26. The observer from the UNEP GPA Coordination Office commended the signing of the Antigua Convention as the tangible implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA). Similarly, the signing of the Convention contributed to the commitments made at the First Intergovernmental Review of the GPA, held in Montreal, Canada, from 26-30 November 2001, which were articulated in the Montreal Declaration.

27. The GPA Coordination Office, with the support of donors, was currently assisting a number of countries to develop national programmes of action as a contribution to the GPA. The Coordination Office would support similar efforts in the Northeast Pacific to develop regionally integrated national programmes of action.

28. It was observed that there were a number of activities under the GPA in support of

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