
Protecting the Marine Environment of the Wider Caribbean Region: The Challenge of Institution-Building

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Introduction

The oceans make up two-thirds of the surface area of the planet, and they are increasingly the object of environmental degradation. Global management regimes have been adopted to protect them, but global regimes are not enough. They need the support of regional and subregional institutions, which can reflect the multiple uses and the layers of interests involved. However, adequate marine management becomes more difficult as regulations impinge on significant domestic interests. This chapter examines a single marine region, the Caribbean, and evaluates efforts to manage the region's marine environment.

The United Nations Environment Programme (UNEP) has placed the Caribbean Sea within the broader environmental management context of the Wider Caribbean Region. The Wider Caribbean includes 'the Gulf of Mexico, the Caribbean Sea, and the areas of the Atlantic Ocean adjacent thereto, south of the 30 degree north latitude and within 200 nautical miles of the Atlantic coasts'¹ of any of the regional states. Twenty-five states fall within this region.² France,³ the Netherlands, and the United Kingdom also participate in regional management regimes on behalf of their territories.

Most of the littoral states and territories are small islands, and, because of this, their well-being is profoundly integrated with the well-being of their ocean environment. As land resources are depleted, or as they become less valuable, these states are turning more to the oceans in search of development options. The attractiveness of the oceans as a new area for economic development has been augmented in recent times by the common recognition of coastal states' exclusive economic zones. However, this also broadens the states' areas of responsibility in terms of management and conservation.

The Environmental Status of the Wider Caribbean Region

Like other marine regions, the Wider Caribbean is affected by four principal sources of pollution: shipping, dumping,

sea-bed activities, and land activities. These activities can damage fisheries, as well as foul the seas and beaches. Large amounts of debris enter the Caribbean from offshore activities. These include discarded nets from fishing-craft, packing material from merchant shipping vessels, garbage from cruise ships, and tar and dispersed petroleum hydrocarbons from tankers and offshore petroleum development.

Globally, land activities account for almost 80 per cent of all marine pollution.⁴ Economically important land-based activities, such as agriculture, industrialization, urbanization, and mass tourism, are indeed the most significant sources of marine pollution for the Caribbean. Some of these activities result in the discharge of sewage and industrial wastes. Less than 10 per cent of the population along the Caribbean basin is served with any form of sewage treatment. In addition, the Caribbean Environmental Health Institute has found that many of the sewage and solid-waste disposal plants in the Wider Caribbean operate at a substandard level.⁵ Other land-based pollution includes warm water from power-stations built on coasts and estuaries, and discharges into the atmosphere of vehicle exhaust and sprayed agricultural chemicals, which may be precipitated into the sea.

The Caribbean coastal zone contains some of the most productive and biologically complex ecosystems in the world. These include coral reefs, sea-grass beds, mangrove forests, and coastal lagoons. They provide food, shelter, and nurseries for commercially valuable fishes and crustaceans, and they also protect harbours and bays, and limit coastal erosion. These ecosystems are economically important because of their linkage to activities such as fishing and coastal tourism.

In the Caribbean, nowhere is the tension between environment and development more clearly demonstrated than in the tourism industry. Tourism accounts for 20 per cent or more of the gross domestic product of some countries in the region. Many decision-makers consider expansion of this industry to be the only real hope for raising incomes and providing employment. This hope may be misplaced, however, since tourism, as it has developed, produces many negative effects, some of which are environmental. The

unplanned sprawl of tourist facilities, such as hotels, marinas, airports, roads, restaurants, and casinos, can cause coastline destabilization, coastal siltation, beach erosion, and the destruction of coral reefs and mangroves. Hotels are prime sources of water contamination, since they contribute to pollution by untreated or inadequately treated sewage. Recreational uses, such as boating, add to the accumulation of plastics and other trash in the near-shore and coastal areas.

Environmental Management Regimes for the Caribbean

All the world's oceans are covered by the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which entered into force in November of 1994. Its comprehensive framework governs the full spectrum of ocean uses. Part XII of UNCLOS focuses on the environment, covering pollution from a wide range of sources. It defines the rights and obligations of states and provides enforcement mechanisms. UNCLOS provides a framework for related global instruments dealing with specific environmental problems, and for regional agreements.

Regional arrangements to protect the oceans have emerged out of the UN Regional Seas Programme. The programme is based on the assumption that the countries of each region share a common interest in safeguarding their marine environment and have a mutual need for sustainable development of marine resources. Coastal waters, estuaries, and enclosed and semi-enclosed seas suffer the earliest and most severe degradation from the effects of human activities. At the same time, they contain highly productive ecosystems. They are, therefore, logical starting points for combating marine pollution.

For the Wider Caribbean Region, there is the continuing development of laws and institutions under the UNEP's Caribbean Environment Programme. Its major legal instrument is the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention), which was adopted in 1983. It entered into force in 1986, and has been ratified by most of the littoral states.⁶ The metropolitan states with interests in the area are also signatories. The Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region was also adopted at the same meeting. More recently, some of the region's states adopted the Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region (SPAW Protocol). A protocol on land-based sources of marine pollution (LBSMP Protocol) is being developed. A Regional Protocol on the Management of Hazardous Wastes is also to be formulated, but work on this has been postponed until the 1998–9 biennium.⁷

The Cartagena Convention

The Cartagena Convention is comprehensive in scope. Its general purpose is to prevent, reduce, and control pollution of the Convention area and to ensure sound environmental management.⁸ It targets pollution from shipping, dumping, land-based sources, sea-bed activities, and atmospheric discharges.⁹ States are to protect and preserve fragile ecosystems, as well as the habitat of depleted, threatened, or endangered species.¹⁰ They are also required to develop contingency plans for responding to pollution emergencies or threats, as well as environmental guide-lines for major development projects.¹¹ States are expected to work co-operatively in scientific research and monitoring, and in the establishment of rules and procedures in conformity with international law regarding liability and compensation for pollution damage.¹² The Cartagena Convention is a framework convention establishing general guide-lines, and it depends on protocols to facilitate its effective implementation.¹³ All Contracting Parties to the Convention have to be at the same time a Contracting Party to at least one protocol.¹⁴

Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region

Like the framework Convention, this Protocol entered into force in 1986. Parties are expected to take preventive and remedial measures to deal with oil-spills.¹⁵ There are provisions for information exchange, as well as for prompt notification in the event of a spill.¹⁶ When possible, Contracting Parties should help other parties to respond to oil-spill incidents.¹⁷

Protocol concerning Specially Protected Areas and Wildlife

The SPAW Protocol was adopted in January 1990 and its annexes adopted in June 1991. It will enter into force after ratification by nine Contracting Parties. The Protocol identifies some general and some specific objectives. It requires that states establish protected areas within their own jurisdiction.¹⁸ They are to conserve, maintain, and restore marine and coastal ecosystems and habitats, as well as areas of special biological, ecological, educational, scientific, historic, cultural, recreational, archaeological, aesthetic, or economic value.¹⁹ The Protocol would regulate dumping, tourist, recreational, and industrial activity to the extent that they affect protected areas or species; however, exemptions are made for traditional activities.²⁰ The Protocol has provisions for the following: the regulation or prohibition of non-indigenous species; the regulation or prohibition of trade in threatened or endangered species and their parts; a programme to support the listing of protected areas; the establishment of buffer zones; and public awareness and

education.²¹ States are to encourage and develop scientific, technical, and management research, and provide mutual assistance.²² The SPAW Protocol has explicit requirements for periodic reports by all Parties.²³

Proposed Protocol on Land-Based Source Marine Pollution

Negotiation of the LBSMP Protocol has been a high priority for the region since the adoption of the Cartagena Convention in 1983. But because of the implications for a wide range of interests, the process has been difficult and dilatory, and changes in the target date reflect this. In 1994 the target date for finalization and adoption was changed to 1996.²⁴

Institutional Mechanisms for the Caribbean Environment Programme

The Programme's Action Plan was adopted in 1981, five years before the Cartagena Convention came into force. In 1987, at the Fourth Intergovernmental Meeting on the Action Plan and the First Meeting of the Contracting Parties to the Cartagena Convention, the decision was made to recognize the Convention as the legal framework of the Action Plan, and to designate the Action Plan as the instrument for the implementation of the Convention. The Action Plan's operational success depends on the following institutional mechanisms: the Intergovernmental and Contracting Parties meetings; the monitoring committee; the focal points; the Caribbean Trust Fund; and the Regional Co-ordinating Unit.

The Intergovernmental Meetings can include all the states participating in the Caribbean Environment Programme, while the Contracting Parties meetings include only Parties to the Cartagena Convention. Because the Action Plan serves the broader needs of the Caribbean Environment Programme, as well as the more specific needs of the Convention, joint Intergovernmental and Contracting Parties meetings are held. At these biennial forums, the ministers responsible for the

management of marine and coastal resources review regional priorities and exchange information. These meetings provide the overall authority for the Programme, including the determination of its course and oversight of financial and institutional arrangements. When the meetings deal with issues that relate specifically to the Convention, states that are not Contracting Parties participate as observers.²⁵ The Monitoring Committee meets on a yearly basis to supervise the Programme's development and to provide overall policy guidance to the Regional Co-ordinating Unit in the interim between the biennial Intergovernmental and Contracting Parties meetings.²⁶

The Caribbean Environment Programme recognizes a variety of focal points at the international, regional, and national level. At the national level, the focal points are the organizations designated by the states to participate in the Programme's Action Plan. Crucial to the Programme's success is the ability to co-ordinate the efforts of the many focal points, and to reduce duplication.²⁷

The Programme's basic funding source is the Caribbean Trust Fund, which receives contributions from the constituent states and territories. The objectives of the Action Plan have also been supported by funding from a variety of other sources, including other UN agencies, other international organizations, governments, and non-governmental organizations.²⁸ In recent years, contributors have included extra-regional governments such as Sweden and Canada,²⁹ and private sources such as the MacArthur Foundation³⁰ and the Rockefeller Foundation.³¹ Resources have also been augmented by proceeds from a debt-for-nature swap³² and from the Global Environment Facility (GEF).³³ The Action Plan is also partially funded by national counterpart contributions to projects implemented at the national level. Table 1 indicates that counterpart contributions represent about 62 per cent of the resources available for the 1990–1995 period. However, since counterpart contributions are usually contributions in kind or in local currency, the declared value is often inflated.³⁴

Table 1. Funding for the Caribbean Environment Programme, 1990–1995 (\$US)

Funding source	1990	1991	1992	1993	1994	1995	1990–5
Caribbean Trust Fund	749,200	911,000	984,500	964,000	2,477,500	2,239,500	8,325,700
UNEP Environment Fund	159,000	278,000	440,000	385,000	340,000	613,000	2,215,000
Counterpart contributions	716,700	1,663,500	5,146,000	4,779,500	2,255,305	2,931,450	17,492,455
TOTAL	1,624,900	2,852,500	6,570,500	6,128,500	5,072,805	5,783,950	28,033,155

Source: United Nations Environment Programme (1991), *Ninth Meeting of the Monitoring Committee on the Action Plan for the Caribbean Environment Programme and Special Meeting of the Bureau of Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region*, Kingston, 12–14 June; and UNEP (1994), *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fourth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean*, Kingston, 12–14 Dec.

Co-ordination among all the Programme's institutional units is the primary responsibility of the Regional Co-ordinating Unit, which is responsible for programme development, project co-ordination, and administration.³⁵

Strategy for the Development of the Caribbean Environment Programme

The following set of mutually reinforcing regional programmes make up the Action Plan for the Caribbean Environment Programme:

- Integrated Planning and Institutional Development for the Management of Marine and Coastal Resources (IPID);
- Specially Protected Areas and Wildlife (SPA);
- Information Systems for the Management of Marine and Coastal Resources (CEPNET);
- Assessment and Control of Marine Pollution (CEPPOL); and
- Education, Training and Public Awareness for the Appropriate Management of Marine and Coastal Resources (ETA).

Table 2 indicates how Programme funds are divided among the various activities. In the Strategy for the Development of the Caribbean Environment Programme, regional actors focused their efforts by establishing both long-term and short-term (1990–5) objectives for each of the five programme areas.

Specially Protected Areas and Wildlife (SPA). The SPA programme targets the development of a comprehensive regional programme for the research, assessment, and

management of protected areas and wildlife. Important short-term objectives include the management of national protected areas and species, and the development of strong regional capabilities for information exchange, training, and technical assistance. Specific management plans for endangered, threatened, or vulnerable species, such as sea-turtles, the West Indian manatee, and the black coral, are also to be developed.³⁶

Assessment and Control of Marine Pollution (CEPPOL). The CEPPOL programme was jointly developed by the Intergovernmental Oceanographic Commission and UNEP. Its long-term objective is to provide regional governments with the information they require for establishing and enforcing pollution control and reduction measures. Consequently, CEPPOL is involved in formulating proposals and promoting marine monitoring and research. It is also involved in supporting governments' efforts to implement global and regional laws addressing the marine environment, as well as in the strengthening of national and regional institutions.³⁷ The major short-term goal for this programme is the formulation of a protocol on land-based sources of marine pollution, and most of the other objectives are an integral part of this protocol development process. These objectives include identifying the major marine and coastal pollutants, setting specific standards, and making investment plans to address the major pollution problems.³⁸

Integrated Planning and Institutional Development (IPID). IPID's focus is on regional and national development of legislative, administrative, policy, and technological measures, as well as increased co-ordination among national and regional institutions.³⁹ IPID's work is therefore crucial to the implementation of the Protocols. By the end of 1995 the IPID programme proposed to have in place 'national

Table 2. Budget of the Action Plan for the Caribbean Environment Programme, 1990–1995 (\$US)

Activity	1990	1991	1992	1993	1994	1995	1990–5
Co-ordination and common costs	561,400	805,000	996,500	1,007,500	1,059,650	1,145,450	5,575,500
SPA	129,500	148,000	580,000	640,000	440,255	746,500	2,684,255
CEPPOL	781,500	841,500	997,000	1,015,000	926,000	864,000	5,425,000
IPID	30,000	704,000	2,211,000	1,887,000	1,143,400	1,448,000	7,423,400
CEPNET	52,500	200,000	750,000	770,000	773,000	778,000	3,323,500
ETA	70,000	154,000	1,036,000	809,000	730,500	802,000	3,601,500
TOTAL	1,624,900	2,852,500	6,570,500	6,128,500	5,072,805	5,783,950	28,033,155

Source: United Nations Environment Programme (1991), *Ninth Meeting of the Monitoring Committee on the Action Plan for the Caribbean Environment Programme and Special Meeting of the Bureau of Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region*, Kingston, 12–14 June; and UNEP (1994), *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fourth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean*, Kingston, 12–14 Dec.

institutions and policies reflecting a coherent integrated approach for the effective management of marine and coastal resources⁴⁰ in at least half of the participating states and territories. It also wanted actors within the region to understand and prepare for the impact of global climate changes.⁴¹

Information Systems (CEPNET). CEPNET's objective is the development of an information management system to strengthen the coastal and marine resource management capabilities of member countries. The system will manage country specific environmental data and include international environmental databases such as GEMS, and INFOTERRA.⁴² CEPNET's short-term objective is the creation of an open, decentralized, regional information network, as well as stronger national capabilities for the management of environmental information.⁴³

Education, Training, and Public Awareness (ETA). ETA, the remaining programme, deals with information, too, but on a different level. Its objectives include transforming the educational systems, strengthening training programmes, and supporting the public awareness efforts of the media and community-based and non-governmental organizations. Its short-term objectives include two regional outputs: an integrated regional system of institutions providing environmental education at the tertiary level; and a regional capability to generate information and to produce the relevant materials for media and non-governmental organizations. At the national level, ETA wants the states to formulate policies and plans for the inclusion of integrated environmental approaches in their educational systems.⁴⁴

Non-governmental Input into the Caribbean Environment Programme

Implementation of the Programme's strategy depends on a co-operative approach among the member governments and the relevant intergovernmental organizations (IGOs). But it also involves a wide range of non-governmental organizations (NGOs) and institutions, such as academic and other scientific institutions, professional and technical organizations, private-sector bodies including foundations and corporations, and national, regional, and international environmental interest groups.⁴⁵ These organizations are involved in the development of regional regulations and institutions,⁴⁶ as well as in the programme review process.⁴⁷ Some of these NGOs also share responsibility with the Regional Co-ordinating Unit for the implementation of some programme components. For example, the Caribbean Conservation Association is one of a number of NGOs and IGOs that share responsibility with the Regional Co-ordinating Unit for several aspects of the SPAW programme.⁴⁸

Assessing the Action Plan

An assessment of the Caribbean Environment Programme's Action Plan is in essence an assessment of the five regional programmes that were developed to assist in the implementation of the Cartagena Convention and its Protocols. The programmes' short-term objectives represent necessary steps—at both the national and regional levels—towards the eventual achievement of the programmes' overall objectives. Therefore, an assessment of the progress towards meeting these objectives will give some preliminary indication of the Action Plan's effectiveness.⁴⁹

The programme on Specially Protected Areas and Wildlife (SPAW) has made some limited progress toward fulfilling its short-term objectives at the national level. While there are already more than 100 legally established marine protected areas in the Caribbean Region, many of them still have no management arrangements. At the regional level, SPAW has made scant progress towards supporting national efforts at species and habitat protection with information exchange, training, and technical assistance.⁵⁰ However, there has been significant progress on the development of specific management plans for two of the three species named in SPAW's short-term objectives. Nine states and territories already have management plans for sea-turtles.⁵¹ In addition, a regional management plan for the West Indian manatee is under way.⁵²

For the programme on Assessment and Control of Marine Pollution (CEPPOL), the major short-term objective, the finalization of the Protocol on land-based sources of marine pollution (LBSMP), will not be achieved on schedule. The accomplishment of some of the supporting short-term objectives are also behind schedule; however, much of the basic task of identifying sources, levels, trends, and effects of pollutants has been done,⁵³ and environmental quality criteria have been presented.⁵⁴ CEPPOL's progress has been constrained by inadequate participation and commitment by participating countries, unrealistic time-frames for scheduled activities, and inadequate and delayed funding.⁵⁵ CEPPOL, and other regional programmes, suffer from the Caribbean Environment Programme's practice of approving programme proposals in the absence of specific funding commitments.⁵⁶

The goals for the programme on Integrated Planning and Institutional Development (IPID) have not been met. While the programme has produced studies addressing the implications of and responses to climate changes in the Wider Caribbean Region,⁵⁷ there are no concrete indications of improved readiness for these changes. A more pressing concern for IPID is the work on national institutions and policies, and this is significantly behind schedule. UNEP and IPID have sponsored workshops focusing on the formulation of environmental legislation,⁵⁸ and institutional

changes have also begun to take place in selected countries,⁵⁹ but the region is still a long way from the desired 'coherent, integrated approach' to national institutions and policies.

Work on the Information Systems programme (CEPNET) is in the preparatory stages, with the focus on workshops and studies.⁶⁰ As a result, its short-term national and regional objectives will not be achieved.

For the Education, Training, and Public Awareness (ETA) programme, preliminary work has begun at both the regional and national levels, but ETA is still a long way from meeting its short-term objectives. Some tertiary-level institutions now include environmental education, but the task of increasing public awareness is likely to be more challenging. While citizens do react when their interests are threatened by either environmental degradation or environmental protection measures, in much of the Caribbean the environment is not a political issue. National and local elections do not hinge on the resolution of environment-related matters; consequently, communicators face the challenge of trying to interest people in environmental issues without trivializing and sensationalizing the information.

Implications for the Cartagena Convention

The failure of the Caribbean Environment Programme to meet the timetable for its short-term objectives means that the ratification and implementation process for the Cartagena Convention and its Protocols will be further extended. Effective implementation of the Protocols will depend on ratification by the regional states and on the actions of each government to develop and implement national legislation and create relevant institutions. Here the work of the Integrated Planning and Institutional Development programme is crucial, because of its focus on the development of national institutions and policies.

Even in a non-controversial area such as the oil-spills Protocol, progress on implementation has been slow. Although many regional states have acts related to this issue, few of them have implementing legislation. For example, if we target the Commonwealth Caribbean subgroup, we find that ten of the twelve states have enactments addressing oil-spills,⁶¹ all of which were in place before the development of the oil-spills Protocol. However, these acts lack implementing legislation. Although this protocol has been in force since 1986, oil-spills response capability in the region is still very limited, and it is inhibited by legal and administrative problems. Initiatives to amend the Protocol include a United States' suggestion to offer oil-spill response organizations immunity from liability for simple negligence while they are engaged in authorized response operations. The reasoning is that such a change would enhance response capability.⁶²

Progress on both the ratification and implementation of the Protocol on Specially Protected Areas and Wildlife has also been slow. In the Commonwealth Caribbean subgroup, eleven of the twelve states have enacted legislation to protect species or specific areas,⁶³ although all of these enactments preceded the Protocol. Again, these acts have very little impact on policy. Few of the states have established marine protected areas. Even when this is done, the protected area is often no more than a 'paper park', without budget, staff, management plan, and institutional support.

Achievements and Remaining Challenges

The major achievements of the Caribbean Environment Programme, so far, have been the establishment of a regional institutional infrastructure and the conduct of the scientific studies that will inform the institutional and regulatory changes at both the regional and national levels. The Programme's decision-making mechanisms are well-established and they fulfil their task of providing authority and an ongoing review of the Action Plan. The adoption of long-term and short-term objectives has focused the Programme's work, and this work has resulted in increased attention to the marine environment by organizations at the national level.

Although regional institution-building can count as a Programme achievement, its translation to the national level will be a major challenge for the Action Plan. The Caribbean Environment Programme wants to harmonize three levels of regulations and institutions—the national, regional, and global. Its goal is to have more of the regional states ratify the Cartagena Convention and its Protocols, and also to encourage their participation in relevant global instruments.⁶⁴ But this description of the institution-building challenge overlooks a major problem for many of these states—the lack of co-ordination apparent within their own regulatory and institutional systems. For some states, the existing environmental legislation is a legacy from colonial times, and it is not applicable to their present circumstances. In other cases, the perceived political cost of some required environmental enactments has led to the purposeful omission of implementing instruments. For many states, environmental legislation is fragmented among a wide range of enactments, and responsibility for its administration is distributed among several different government departments. These factors make implementation and enforcement difficult. Without remedying this situation, the ratification of regional and global instruments will mean little in real terms.

A related issue is the fact that the environment is not yet a first-order concern for many of these states and territories. This affects the pace of ratification. Six eligible states have

yet to ratify the Cartagena Convention. This lack of commitment is also reflected in the attendance level at the biennial joint Intergovernmental and Contracting Parties meetings. At the 1994 meeting, sixteen of the region's thirty-six states and territories were not represented.

The influence of domestic economic interests is another challenge for the Action Plan, particularly with regard to the proposed Protocol on Land-Based Sources of Marine Pollution. If the Protocol is developed to reflect the intent of UNCLOS, its implementation would mean that major economic interests, such as tourism, agriculture, industry, and fishing, would have to change their methods of operation. Reaction to these changes is likely to vary, depending on the affected economic sector. With the current embrace of ecotourism, some sectors of the tourism industry are likely to view the changes positively. On the other hand, activities which regard the ocean either as a sink or as an inexhaustible resource may resist the changes, unless alternative sinks or resources are provided. Both alternatives mean that the states would have to secure the requisite financial resources.

Limited financial resources continue to challenge the Action Plan, impeding progress at both the national and regional levels. The Programme has been hampered by the late payment of pledges by some countries and long-standing arrears by others. These concerns were addressed at the 1994 biennial meeting, which considered amending the Programme's financial mechanism to provide for suspension of the voting rights of states that do not pay their contributions in full.⁶⁵ Current pledge levels are inadequate for the Action Plan's needs. States' reluctance to increase contributions could be a reflection of flaccid political commitment. An interesting development is the fact that, for the 1994–5 biennium, the largest pledge to the Trust Fund was made by an extra-regional government. Sweden pledged \$US1,284,934, about 45 per cent of the Trust Fund pledges.⁶⁶ A significant portion of Sweden's contribution will be used by the Integrated Planning and Institutional Development programme 'to strengthen mechanisms for the integrated planning of coastal and marine resources'.⁶⁷

Counterpart contributions and contributions from other organizations play important roles in supporting the work of the Action Plan, but in spite of their significance, they do not necessarily represent an unmixed blessing. The contributions sometimes have to be targeted to satisfy the interests of the donor rather than the immediate concerns of the Caribbean Environment Programme. This has been the case even with UNEP Environment Fund contributions, which are primarily targeted towards activity consonant with UNEP's global programme.⁶⁸

The Caribbean Environment Programme is adversely affected by the financial crisis facing the United Nations itself. This has meant a reduction in travel by staff and

consultants. As a consequence, the convening of special meetings requires special approval from UN headquarters. The conflict between the approval timetables and the short deadlines for finalizing meeting arrangements with hotels and host countries led to the postponement of three meetings in 1993.⁶⁹ These schedule changes have certainly delayed the work of the regional programmes. Limited financial resources also present a barrier to the implementation of the Cartagena Convention's protocols by individual states. This can be clearly seen with regard to the SPAW Protocol, where lack of resources means that many of the marine protected areas remain 'paper parks'. The Montego Bay Marine Park's change in status from a 'paper park' to a managed park was only possible because of the proceeds from a debt-for-nature swap.

Organizational changes within UNEP itself might present a short-term problem for the Action Plan. As a result of UNEP's 1994 decentralization programme, all UNEP co-ordinated projects in the Latin America and Caribbean region have been integrated into one regional programme. The Caribbean Environment Programme will be responsible for all the activities relevant to the management of marine and coastal resources in the Wider Caribbean Region, as well as a number of additional functions in the island states.⁷⁰ In theory, this improved regional co-ordination should benefit the Action Plan, but, in the short-term, the reorganization could retard progress on the primary objectives identified in the Plan's five regional programmes. Significantly, the Programme has received additional responsibility at a time when the Regional Co-ordinating Unit is understaffed.⁷¹

The Caribbean Environment Programme is also faced with its own organizational problems. Because not all of the state participants in the Programme are contracting parties to the Cartagena Convention, parallel arrangements have to be made to satisfy the interests of both contracting parties and the non-contracting parties. This situation has made the task of co-ordinating the work of the Action Plan challenging. It has also created a problem regarding the adoption of rules of procedure for meetings and conferences convened by the Programme. This situation is unlikely to be satisfactorily resolved until all the eligible states are parties to the Convention.

Conclusion

In designing its Action Plan, the Caribbean Environment Programme has identified and accounted for most of the factors crucial to a successful management programme: it is laying the groundwork with scientific studies; it is addressing concerns regarding regulations and institutions; it is establishing the requisite information network; and it is attempting to support the institutional edifice with a

programme of education, training, and awareness. However, the Action Plan has to face the challenges of scarce resources, conflicting interests, organizational constraints, and the institutional disarray of individual states.

Resolving these challenges is necessary for the successful resolution of the Action Plan, but it is by no means sufficient to guarantee an effective management regime. Because of the imperative to harmonize policies and institutions across the region, national institution-building is likely to be a top-down process. At the implementation stage, local and community actors who have had no input into the process come into play. Environmental education can help them interact more responsibly with the environment, and it can help them place a value on what they regard as public goods, but the Education, Training, and Public Awareness programme might not be enough to mitigate the impact of the Caribbean Environment Programme's top-down approach. If the new institutions are perceived as further enclosure of the commons, primarily benefiting small, privileged sectors of society, implementation and enforcement of rules might be difficult. Environmental protection cannot be assured by a narrow focus on environmental protection. It is not enough to target production methods, pricing policies, taxation strategies, institutions, and educational systems. It is also crucial to focus on individual life-styles, as well as relationships within and between communities. A stable environmental management regime needs more than the inputs of the regional actors, state actors, and the corporate sector. Community-level inputs are necessary for the development and maintenance of systems that are ecologically sound, economically efficient, and socially stable.

Notes and References

- United Nations (1983), *Final Act of the Conference of Plenipotentiaries on the Protection and Development of the Marine Environment of the Wider Caribbean Region* (Geneva: UN), Article 2.
- The 25 states are Antigua and Barbuda, Bahamas, Barbados, Belize, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, St Kitts–Nevis–Anguilla, St Lucia, St Vincent and the Grenadines, Suriname, Trinidad and Tobago, USA, and Venezuela.
- France participates on behalf of its overseas departments.
- Council on Ocean Law, *1990 Annual Report* (Washington: Council on Ocean Law), 26.
- 'Poor Waste Management Threatens Caribbean Waters,' *CEPNEWS*, 6: 1 (March 1992), 2.
- Nineteen states have ratified the Convention.
- United Nations Environment Programme (1994), *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fourth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region*, Kingston, 12–14 Dec., Annex V, 6.
- United Nations (1983), *Conference of Plenipotentiaries on the Protection and Development of the Marine Environment of the Wider Caribbean Region* (Geneva: UN), Final Act, Article 4 (1).
- Ibid.*, Articles 5–9, respectively.
- Ibid.*, Article 10.
- Ibid.*, Articles 11–12.
- Ibid.*, Articles 13–14.
- Ibid.*, Article 4 (3).
- Ibid.*, Article 24 (1).
- United Nations (1983), *Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region* (Geneva: UN), Article 3.
- Ibid.*, Articles 4–5.
- Ibid.*, Article 6.
- UNEP(OCA)/CAR (1990), *Conference of Plenipotentiaries Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region*, Final Act, 15–18 Jan., Article 4 (1).
- Ibid.*, Article 4 (2).
- Ibid.*, Article 14.
- Ibid.*, Articles 5 (2), 7 (2), 8, 9, 16.
- Ibid.*, Articles 17, 18.
- Ibid.*, Article 19.
- 'Meeting of Experts on Land-Based Sources of Marine Pollution', *CEPNEWS*, 8: 2 (June 1994), 1.
- United Nations Environment Programme, *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme*, 1.
- United Nations Environment Programme, *Conference of Plenipotentiaries concerning Specially Protected Areas and Wildlife*, 11–12.
- Ibid.* 12.
- Ibid.* 12–13.
- See 'Sweden Contributes US\$1.7 Million to CEP', *CEPNEWS*, 6: 1 (Mar.), 4; 'Caricom Countries Move to Increase Co-operation in the Management of Fisheries Resources', *CEPNEWS*, 6: 1 (Mar. 1992), 4; and 'The Green Fund', *CEPNEWS*, 8: 2 (June 1994), 6.
- 'MacArthur Foundation Funds Marine Research and Environmental Education Programmes at UWI', *CEPNEWS*, 6: 1 (Mar. 1992), 5. The Foundation provided \$US300,000 to support the Caribbean Coastal Marine Productivity Programme at the University of the West Indies. The regional programme will measure ecological variables affecting various marine habitats, and it will also provide training for scientists in the region. The foundation has also provided \$US250,000 to the Centre for Resource Management and Environmental Studies (CERMES) for a regional teacher-training programme.
- 'Integrated Ocean Management Course', *CEPNEWS*, 5: 4 (Dec. 1991), 5. In this instance, in Aug. 1991, the Rockefeller Foundation funded a workshop on resource management. The workshop was organized by the Consortium of Caribbean Universities for Natural Resource Management.
- 'Debt-for-Nature Swap', *CEPNEWS*, 5: 4 (Dec. 1991), 4. Resources from a debt-for-nature swap were used for the management of the Montego Marine Park.
- 'Planning and Management of Heavily Contaminated Bays in the Wider Caribbean', *CEPNEWS*, 8: 4 (Dec. 1994), 6. In 1994 the GEF earmarked \$US2.5 million for the studies of four heavily contaminated bays in the Wider Caribbean.
- United Nations Environment Programme (1993), *Evaluation of Projects and Activities Implemented within the Framework of the Caribbean Environment Programme (1988–1991)*, CEP Technical Report No. 19, UNEP Caribbean Environment Programme (Kingston: UNEP), 30.
- United Nations Environment Programme, *Conference of Plenipotentiaries concerning Specially Protected Areas and Wildlife*, 12.

36. Ibid. 7.
37. Editorial, *CEPNEWS*, 6: 1 (Mar. 1992), 1.
38. United Nations Environment Programme, *Conference of Plenipotentiaries concerning Specially Protected Areas and Wildlife*, 9.
39. Editorial, *CEPNEWS*, 5: 4 (Dec. 1991), 1.
40. United Nations Environment Programme, *Conference of Plenipotentiaries concerning Specially Protected Areas and Wildlife*, 7.
41. Ibid.
42. 'CEP Information Management Project', *CEPNEWS*, 9: 1 (Mar. 1995), 2. The following 17 countries will benefit from the project: Bahamas, Barbados, Belize, Colombia, Costa Rica, Dominican Republic, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Suriname, Trinidad and Tobago, and Venezuela.
43. United Nations Environment Programme, *Conference of Plenipotentiaries concerning Specially Protected Areas and Wildlife*, 8.
44. Ibid. 10.
45. Ibid. 2, 5–6.
46. See e.g. *ibid.*, *passim*. NGOs represented at this meeting were: American Oceans Campaign, Chelonia Institute, Greenpeace, the Humane Society of United States of America, International Centre for Ocean Development, International Wildlife Coalition, Monitor International, National Environmental Societies Trust (NEST), the Panos Institute, Pro Vita Animalium, Regional Conservation Research, University of the West Indies, Wider Caribbean Sea Turtle Recovery Team, Woods Hole Oceanographic Institution, and World Society for the Protection of Animals.
47. See e.g. United Nations Environment Programme (1991), *Ninth Meeting of the Monitoring Committee on the Action Plan for the Caribbean Environment Programme and Special Meeting of the Bureau of Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region*, Kingston, 12–14 June, Annex I, 10–16. The following NGOs were represented at this meeting: International Ecotechnology Research Centre, Caribbean Conservation Association, Environmental Solutions International, Greenpeace International, Monitor International, National Environmental Societies of Jamaica Trust, Sierra Club, Smithsonian Institution, and Wider Caribbean Sea Turtle Conservation Network.
48. Ibid., Annex VIII, 2–3.
49. This assessment is being made in Aug. 1995, four months before the end of the short-term period (1990–5), but still late enough in the period to assess progress in the various programmes.
50. 'Second Meeting of SPAW/ISTAC', *CEPNEWS*, 7: 3 (Sept. 1993), 3.
51. 'CEP Technical Reports', *CEPNEWS*, 9: 2 (June 1995), 11. The nine are Antigua and Barbuda, Aruba, Barbados, Belize, British Virgin Islands, the Netherlands Antilles, St Kitts and Nevis, St Vincent and the Grenadines, and Suriname.
52. 'Conservation of the West Indian Manatee in the Wider Caribbean', *CEPNEWS*, 8: 2 (June 1994), 3.
53. See United Nations Environment Programme (1994), *Regional Overview of Land-Based Sources of Pollution in the Wider Caribbean Region*, CEP Technical Report No. 33 (Kingston: UNEP).
54. See United Nations Environment Programme (1992), *Environmental Quality Criteria for Coastal Zones in the Wider Caribbean Region*, CEP Technical Report No. 14, UNEP Caribbean Environment Programme (Kingston: UNEP).
55. United Nations Environment Programme and Intergovernmental Oceanographic Commission (1994), *Second Meeting of the CEPOL Group of Experts*, San José, Costa Rica, 11–13 Apr., Annex IV, 12.
56. United Nations Environment Programme, *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme*, 6.
57. UNEP (1989), *Implications of Climatic Changes in the Wider Caribbean Region—Preliminary Conclusion of the Task Team of Experts*, CEP Technical Report No. 3, UNEP Caribbean Environment Programme (Kingston: UNEP); and UNEP (1993), *Ecosystem and Socioeconomic Response to Future Climatic Conditions in the Marine and Coastal Regions of the Caribbean Sea, Gulf of Mexico, Bahamas, and the Northeast Coast of South America*, CEP Technical Report No. 22, UNEP Caribbean Environment Programme (Kingston: UNEP).
58. 'UNEP/Caribbean Law Institute (CLI), Workshop on Environmental Legislation', *CEPNEWS*, 8: 3 (Sept. 1994), 6; and 'Workshop on SPAW Protocol', *CEPNEWS*, 8: 1 (Mar. 1994), 2.
59. United Nations Environment Programme Regional Office for Latin America and the Caribbean and UWI Caribbean Law Institute (1994), *Environmental Law Workshop*, 26–7 May, Barbados, Final Report, 19. Of particular note are the consequences of the National Resources Conservation Authority Act 1991 (Act 9 of 1991) of Jamaica and the Environmental Protection Act 1992 (No. 22 of 1992) of Belize.
60. See e.g. 'Electronic Information Exchange', *CEPNEWS*, 7: 1 (Mar. 1993), 4.
61. Duke Pollard (1991), *The Environmental Laws of the Commonwealth Caribbean* (Barbados: Caribbean Law Institute, UWI). The two exceptions are Dominica and Guyana.
62. United Nations Environment Programme, *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme*, Annex 5, Appendix IX, 1–2.
63. Pollard, *The Environmental Law of the Commonwealth Caribbean*. The single exception is Guyana.
64. 'Legal Development of CEP', *CEPNEWS*, 9: 2 (June 1995), 2–3.
65. United Nations Environment Programme, *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme*, Annex 5, Appendix II, 2.
66. Ibid., Appendix XI, 1.
67. 'Sweden Contributes US\$1.7 Million to CEP', *CEPNEWS*, 6: 1 (Mar. 1992), 4.
68. United Nations Environment Programme, *Ecosystem and Socioeconomic Response to future Climate Conditions*, 31.
69. Editorial, *CEPNEWS*, 7: 4 (Dec. 1993), 1.
70. 'Advisory Panel Meeting—The New Face of UNEP—A New Action Plan for CEP', *CEPNEWS*, 8: 3 (Sept. 1994), 2–3.
71. United Nations Environment Programme, *Seventh Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme*, Annex IV, 1.

