

## **The Final Act of the Conference of Plenipotentiaries Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region**

Kingston, Jamaica, 15-18 January 1990

1. The Conference of Plenipotentiaries on Specially Protected Areas and Wildlife in the Wider Caribbean Region was convened by the Executive Director of the United Nations Environment Programme (UNEP) in pursuance of Decision No. 18 of the Fourth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and First Meeting of Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Guadeloupe, 26-28 October 1987).
2. The Conference met at the Jamaica Conference Center, Kingston, Jamaica, from 15 to 18 January 1990 at the invitation of the Executive Director of UNEP and with the kind support of the Government of Jamaica.
3. The Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region were invited to participate in the Conference: Antigua and Barbuda, Barbados, Colombia, Cuba, France, Grenada, Guatemala, Jamaica, Mexico, the Kingdom of the Netherlands, Panama, Saint Lucia, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela.
4. The following States and regional economic integration organizations were also invited to attend as observers: Bahamas, Belize, Costa Rica, Dominica, Dominican Republic, Guyana, Haiti, Honduras, Nicaragua, Saint Kitts and Nevis, St. Vincent and the Grenadines, Suriname and the European Economic Community.
5. The following States and regional organizations accepted the invitation and participated in the Conference: Antigua and Barbuda, Barbados, Colombia, Costa Rica, Cuba, France, Guatemala, Guyana, Jamaica, Mexico, the Kingdom of the Netherlands, Saint Lucia, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and the European Economic Community.
6. Representatives of the following United Nations bodies and specialized agencies, intergovernmental organizations were also invited and attended the Conference as observers:

### United Nations

- The United Nations Office for Ocean Affairs and Law of the Sea (UNOALOS)
- Intergovernmental Oceanographic Commission (IOC) of UNESCO
- Economic Commission for Latin America and the Caribbean (ECLAC)
- United Nations Children's Fund (UNICEF)

### Specialized agencies

- International Maritime Organization (IMO)
- Pan-American Health Organization (PAHO)
- International Atomic Energy Agency (IAEA)

### Intergovernmental organizations

- Inter-American Development Bank (IADB)
- Caribbean Community (CARICOM)
- Caribbean Conservation Association (CCA)
- Caribbean Environmental Health Institute (CEHI)

7. Representatives of the following Non-governmental organizations were also invited and attended the meeting:

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| • American Oceans Campaign                      | • The Panos Institute                                 |
| • Chelonia Institute                            | • Pro Vita Animalium                                  |
| • Greenpeace                                    | • Regional Conservation Research                      |
| • Humane Society of United States of America    | • Univeristy of the West Indies                       |
| • International Centre for Ocean Development    | • Wider Caribbean Sea Turtle Recovery Team (WIDECAST) |
| • Monitor International                         | • Woods Hole Oceanographic Institution                |
| • National Environmental Societies Trust (NEST) | • World Society for the Protection of Animals (WSPA)  |

8. During the course of the inaugural ceremony, the welcoming addresses were presented by His Excellency Ambassador Don Mills, Chairman of the Natural Resources Conservation Authority of Jamaica and His Excellency Ambassador Yves Rodrigue (France), President of the Bureau of the Contracting Parties. The Conference was formally opened by Mr. Sálvano Briceño, Co-ordinator of the Caribbean Environment Programme on behalf of the Executive Director of the United Nations Environment Programme who served as the Executive Secretary of the Conference.

9. The Conference adopted *mutatis mutandis* the Rules of Procedure of the Governing Council of UNEP (UNEP/GC/3/Rev.3).

10. The Conference unanimously elected Ambassador Don Mills (Jamaica) as its President.

11. The Conference also elected the following officers:

**Vice-Presidents:** Amb. Yves RODRIGUE (*France*)  
Mr. Oscar BIRD (*Antigua and Barbuda*)  
Mr. Andrew SENS (*United States of America*)

**Rapporteur:** Mr. Percival McDONALD (*Saint Lucia*)

12. Drafting Committee:

**Chairperson:** Mr. Jean François PULVENIS (*Venezuela*)  
**Members:** Delegates from each of the Contracting Parties.

13. Credentials Committee:

**Chairperson:** Mr. Vincent LASSE (*Trinidad and Tobago*)  
**Members:** Delegates of Antigua and Barbuda, Jamaica, Saint Lucia  
United States of America and Venezuela.

14. The Conference adopted the following agenda:

1. Opening of the Conference
2. Organization of the Conference.
  - a. Adoption of the Rules of Procedure;
  - b. Election of the officers of the Conference;
  - c. Election of the Chairpersons of the Drafting and Credentials Committees, as well as the appointment of their members.
3. Adoption of the Agenda.
4. Proposal for the Extension of the Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region to include other Hazardous Substances.
5. Draft Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region.
6. Report of the Drafting Committee.
7. Report of the Credentials Committee.
8. Adoption of the Final Act of the Conference.
9. Signature of the Final Act.
10. Closure of the Conference.

15. In conformity with the Rules of Procedure, the Conference established the Drafting and Credentials Committees.
16. The proposed formal extension of the Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region to include other hazardous substances (UNEP(OCA)/CAR IG.5/4) and the revised draft Protocol Concerning Specially Protected Areas and Wildlife (UNEP(OCA)/CAR IG.5/3) served as the basis for the deliberations of the Conference.
17. Additional documents were presented by the Secretariat to support the deliberations, and are contained in UNEP(OCA)/CAR IG.5/INF.1/Rev.1.
18. With respect to the proposal for the formal extension of the Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region to include Regional Co-operation to Combat Spills of Hazardous Substances other than Oil, the Conference discussed the two options available in order to extend the Protocol, that is, either by means of an ammendment or by an annex. It was decided to defer the formal extension to a later date. In the interim, it was agreed that the existing Protocol should continue to apply provisionally to hazardous substances.
19. With respect to the Protocol Concerning Specially Protected Areas and Wildlife, the Conference in plenary debated each of the Articles, making ammendments where necessary, and identifying those Articles requiring the attention of the Drafting Committee.
20. The Drafting Committee carefully examined the texts in each of the three working languages (English, French and Spanish) and made such ammendments as were necessary to ensure conformity.
21. In keeping with the Rules of Procedure, the Credentials Committee examined the credentials of the representatives and submitted its report to the Conference. The Conference approved the recommendation of its Credentials Committee that the credentials of the representatives of thirteen States should be recognized as being in order.
22. The Drafting Committee presented its report and, after a general debate, the following instrument was adopted by the Conference:

**Protocol Concerning Specially Protected Areas and Wildlife to the  
Convention for the Protection and Development of the Marine  
Environment of the Wider Caribbean Region**

23. The Protocol which is annexed to this Final Act, will be open for signature at Kingston from 18 January to 31 January 1990 and at Bogotá from 1 February 1990 to 17 January 1991 by States invited to participate in the Conference and by any other State that becomes a Contracting Party to the Convention during this period.
24. The Conference also adopted a resolution, the text of which is appended to this Final Act.

# CONFERENCE OF PLENIPOTENTIARIES CONCERNING SPECIALLY PROTECTED AREAS AND WILDLIFE IN THE WIDER CARIBBEAN REGION

## RESOLUTION OF THE MEETING (1990)

### Formulation and Adoption of Annexes to the Protocol

In order to apply the provisions of Article 26 of the Protocol, the Contracting Parties have agreed to adopt these Annexes at a forthcoming Conference of Plenipotentiaries. The Parties have agreed on the following measures:

The Parties to the Convention agree to bring into existence an *Ad Hoc* Group of Experts to function as an interim Scientific and Technical Advisory Committee on Protected Areas and Wildlife until the Protocol comes into force. In the meetings of the Group of Experts, each Party shall be represented by a qualified expert who may be accompanied by other experts and advisers designated by the Party. Representatives of international, intergovernmental and non-governmental organizations may be invited as observers.

Within six weeks of the conclusion of the Conference of Plenipotentiaries Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region, the Organization shall request the National Focal Points to submit a list of species for possible inclusion in the Annexes to the Protocol. The Governments shall submit to the Organization tentative lists of species before 31 March 1990.

For the implementation of this responsibility, it is recommended that each Contracting Party designate an appropriately qualified expert to serve as a contact person and to participate in the *Ad Hoc* Group of Experts.

By 30 April 1990, the Organization will compile the proposed lists of species which will be submitted to all Parties for consideration. The lists should not contain reference to the Parties which have proposed inclusion of one or more species.

By October 1990, the first meeting of the *Ad Hoc* Group of Experts shall be held. This Group shall consider the draft lists in the light of the definitions contained in Article 1 of the Protocol. It shall also prepare the three draft lists required for the Annexes of species for consideration by the Parties.

By 15 November 1990, the Group shall present the Organization with the three lists required for the Annexes. Within two weeks of receiving the lists, the Organization will distribute them to the Parties for consideration and adoption by a Conference of Plenipotentiaries as provided for in Article 26 of the Protocol.