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**GUIDELINES FOR ESTABLISHMENT AND OPERATION OF REGIONAL ACTIVITY
CENTRES AND REGIONAL ACTIVITY NETWORKS FOR THE CARTAGENA
CONVENTION**

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I. INTRODUCTION

1. Establishment and operation of RACs and related RANs have the potential of becoming one of the most effective ways for governments and CEP partner organizations to implement cooperative measures and programmes called for by the Cartagena Convention and its Protocols. As far back as the historic and seminal first Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme at Montego Bay in April 1981 (UNEP/CEPAL/IG.27.3, Annex IV) which is the first integration of the Action Plan for the Caribbean Environment Programme, RACs and RANs were called for and the concept briefly defined. (Paragraphs 61, 63, 65, 68, and 69 of this first CEP Action Plan) (See Attachment to Annex V of this document). Twenty-two Wider Caribbean Countries participated in the 1981 meeting and adopted the Report of the Meeting.
2. This document provides guidance on the establishment and operation of Regional Activity Centres (RAC's) and Regional Activity Networks (RAN's) under the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention). The document is intended to serve as guidelines to Contracting Parties to the Cartagena Convention, other participating governments, other organizations responsible for RACs and RANs (existing or proposed) and the Secretariat of the Caribbean Environment Programme (UNEP-CAR/RCU). The document should also provide useful guidance to all Contracting Parties to assist in the evaluation of the administration and implementation of existing RACs and RANs and to evaluate new RAC and RAN proposals as they arise. These guidelines are recommendatory in nature; nothing in this document is intended to be binding under international law.

II. DEFINITION OF REGIONAL ACTIVITY CENTRES (RAC's) AND REGIONAL ACTIVITY NETWORKS (RAN's)

3. Although the Contracting Parties designated UNEP as the Secretariat of the Cartagena Convention, Contracting Parties may use RACs for the coordination and implementation of activities and RANs for the provision of expertise.
4. RACs and RANs represent an institutional framework of Wider Caribbean regional and technical cooperation for the purpose of coordinating and implementing of activities in support of the Cartagena Convention and its Protocols in a systematic manner, facilitating the exchange of information and technical expertise and providing the resources required for implementing project activities.

Definition of Regional Activity Centre (RAC)

5. *A RAC is a financially autonomous, international or regional organization, or regional or national institution with regional focus, which has been designated by the Contracting Parties to the Cartagena Convention to coordinate or carry out specific technical*

functions and activities in support of the Convention and its Protocols or any future protocols. The objective of the RAC is to strengthen the delivery of activities in support of the Convention and its Protocols through decentralizing the work and by the addition of human and financial resources from a member country, another UN or international organization, non-governmental organization or other donors.

Definition of Regional Activity Network (RAN)

6. A RAN is *a network of regional technical institutions and individuals (including governmental, intergovernmental, non-governmental and academic and scientific organizations) that provide input, peer review, and expertise through the relevant RAC, in a specific scientific or technical area of expertise to increase the level and depth of cooperation and sharing of expertise in the CEP region. Institutions and individuals within the RAN, must be well known in their area of expertise and be willing to provide advice and input to the RAC free of charge, unless arranged otherwise.* When under a contractual arrangement with UNEP-CAR/RCU, any institution within a RAN would provide services on an “at-cost” basis. RANs will be coordinated by the RAC in their respective technical area in accordance with the MOU between the UNEP-CAR/RCU and the relevant RAC.

III. TYPES OF RACs

7. RACs can be of three types:

TYPE A: UN REGIONAL/INTERNATIONAL ORGANIZATION. This is a regional/international UN organization, with competency in watershed management and/or marine and coastal environmental protection and development, i.e. the subject matter covered by the Cartagena Convention and its Protocols, which offers its services to the Contracting Parties.

TYPE B: REGIONAL INSTITUTIONS. This is a new or existing regional institution (i.e., regional academic or regional intergovernmental institution, or regional non-governmental organization), with competency in watershed management and/or marine and coastal environmental protection and development that offers its services to the Contracting Parties.

TYPE C: NATIONAL INSTITUTIONS WITH A REGIONAL FOCUS. This RAC is a national institution (new or existing) that has a regional focus with technical capabilities and expertise in one or more areas related to the Convention and its Protocols and offers its services to the Contracting Parties.

IV. OBJECTIVES OF THE RACs AND RANs

8. The scientific and technical support to be provided to the UNEP-CAR/RCU by the RAC for the coordination of the implementation of the Convention, its Protocols and the CEP Action Plan will include the following objectives:
- (a) To establish the RAN's, and ensure their effective participation;
 - (b) To maintain regular contacts with RAN's, national and regional agencies, and institutions related to the relevant scientific and technical aspects of the Convention;
 - (c) To compile, update and disseminate data, reports and expertise in an appropriate form to the governments of States and Territories of the region, as well as to relevant partner organizations, institutions and members of the RAN;
 - (d) To facilitate the provision of technical and scientific assistance (expertise, consultancies) to Contracting Parties and other governments, and institutions as appropriate;
 - (e) To assist the UNEP-CAR/RCU with the development and the identification of potential sources of funding to ensure the achievement of Convention/Protocol objectives;
 - (f) To collect information on state-of-the-art technology required for the implementation of activities and to make this information available to governments of the region, as well as relevant partner organizations, institutions and members of the RAN;
 - (g) To foster scientific and technical cooperation with UN specialized agencies, intergovernmental, governmental and non-governmental organizations;
 - (h) To promote the implementation of specific activities individually or jointly in cooperation with UN specialized agencies, intergovernmental, governmental and non-governmental organizations;
 - (i) To promote accessibility to data sources and cooperation on research and monitoring needs of regional concern on aspects relevant to the RACs purview.

V. FUNCTIONS OF THE RACs AND RAN's

9. The RACs will provide the overall supervision, technical guidance and administrative oversight for the implementation of specific and selected activities to fulfill the Convention, its Protocols, assigned by the Contracting Parties of the RAC through UNEP-CAR/RCU. Specifically, the RACs will:
- (a) Supervise and coordinate the implementation of specific project activities approved by the Contracting Parties to the Cartagena Convention ("Contracting Parties") in consultation with UNEP-CAR/RCU, as well as assist at the scientific and technical

- levels with the coordination of the implementation of specific activities in support of the Convention, its Protocols;
- (b) Provide administrative input related to the implementation of project activities;
 - (c) Ensure the harmonious and mutually reinforcing involvement of the institutions and individuals participating in the RAN, where a related RAN exists;
 - (d) Assist in the identification of institutions and experts required for programme implementation and the development of arrangements and sub-contracts for project implementation with participating institutions or individuals;
 - (e) Provide assistance to and advise UNEP-CAR/RCU on specific technical matters and programme development through coordination with the RAN;
 - (f) Coordinate the implementation of CEP projects undertaken by NGO Partner Organization RANs as defined in Annex V, A.
 - (g) Collaborate on the implementation of CEP projects undertaken by NGO partner organization RANs as defined in Annex IV, B. This will be a function of a RAC embracing the same subject area as this type of RAN;
 - (h) Exchange information with UNEP-CAR/RCU and institutions within the network;
 - (i) Provide technical assistance, training and research inputs to the Regional Programmes of the CEP; and
 - (j) Assist with fundraising for specific activities, to fulfill the goals of the Convention and/or its Protocols, to be implemented by the RAC and as requested by its supervisory body.
 - (k) Update the Contracting Parties with regard to its relevant activities.
10. UNEP-CAR/RCU is the primary institution for the coordination of the Cartagena Convention, its protocols, and related activities, decided upon by the Contracting Parties. The resources available for the operations and activities of the CEP are the contributions to the CTF and those additional contributions and grants obtained in the course of project development and implementation. UNEP-CAR/RCU does not always have the necessary human and financial resources to implement all activities.
11. RACs should be established to enhance the technical capacity of UNEP-CAR/RCU, assist in mobilizing additional financial resources, promote activities to implement the Cartagena Convention and its Protocols, and support the CEP in general.
12. A RAC, as a technical institution, should have the capacity to implement projects using its own staff and facilities and should, in most cases not have to subcontract its activities to others. Several possible options exist with respect to the structure of a RAC and the number of RAC's. Any one of the following options may be selected depending on the RAC, the needs of the Convention, its Protocols, and a decision of the Parties:

- (a) A single RAC coordinating the implementation of several of the technical activities of a Protocol or related programme under the Convention;
 - (b) Multiple RACs coordinating the implementation of multiple activities under a single Protocol or related programme under the Convention.
13. In determining which of the above-mentioned options would be most feasible when structuring the relationship between RACs and the Convention or its Protocols, the following must be considered:
- (a) The human and physical resource base of the RAC will determine the number and types of activities that it can effectively implement. It must therefore be ensured that the RAC coordinates no more than the number of activities it is capable of coordinating.
 - (b) The level and nature of the specialization of a RAC will determine the types of activities that it can implement. Where a RAC is highly specialized then its ability to coordinate the implementation of activities will be limited to those which fit into the RAC's area of specialization. At the same time, a RAC that is highly specialized may serve functions that are not available within UNEP-CAR/RCU or other regional institutions.
 - (c) The size, nature and budget of the UNEP-CAR/RCU overall may determine the number of RACs that can be effectively managed. Where the work plan for a specific protocol (or its supporting sub-programme) is large in terms of the number and size of activities, a single RAC may be unable to coordinate the implementation of the activities. It may therefore be necessary to utilize multiple RAC's. Additionally, where the nature of the work plan for a specific protocol (or its supporting sub-programme) is such that its activities are highly varied, multiple RACs may be needed to provide the specialized inputs that may be required by the different activities.
 - (d) The Cartagena Convention has three Protocols: Oil Spills, SPAW and Land-based Sources of Pollution. A RAC should serve the Cartagena Convention and/or its Protocols, taking note of the sub-programmes utilized to fulfill the Convention/Protocol goals. (CEP has three sub-programmes: Assessment and Management of Environmental Pollution – AMEP; Specially Protected Areas and Wildlife – SPAW; and Communication, Education, Training and Awareness – CETA). It is important to designate which Protocol and sub-programme a RAC is serving.
14. As appropriate, the RAC will respect the current regulations of the United Nations System, particularly those relating to UNEP, governing the organization itself as well as the operational procedures of the RAC's.

VI. ESTABLISHMENT OF RACs AND RAN's

A. Establishment of RACs

15. It is expected that RACs will be established using the following framework. Nonetheless, the Parties should review the establishment of each RAC to determine whether some provisions of this framework may not be applied in particular cases.
- (a) A decision to establish a RAC is made by the Contracting Parties. This decision should indicate the scope of the RAC, as well as any other provisions or mandates that Contracting Parties wish to establish. The decision should also authorize the UNEP-CAR/RCU to start the negotiation of a MOU with the appropriate host government or appropriate organization. The Contracting Parties may, through decision, delegate their supervisory role to the relevant Protocol Conference of the Parties (COP), STAC, ISTAC, or Steering Committee although decisions technical committees remain subject to Protocol COP or Convention COP approval.
 - (b) UNEP-CAR/RCU should negotiate an MOU with the host government or appropriate organization that is consistent, first, with the terms of the authorizing decision, and second, in so far as they do not conflict with the authorizing decision, the legal, financial, administrative, and other requirements found in this Guidelines Paper. Although the MOU may vary from RAC to RAC, in general the MOU should specify the nature and type of contribution being offered by the host government or appropriate organization, the administrative relationship between the RAC and UNEP-CAR/RCU, the mechanisms for transfer of funding, the characteristic and funding of staff, and as appropriate, relevant privileges and immunities for international staff. This MOU will be submitted to the Contracting Parties for information.
 - (c) The RAC proposal should include any terms of reference (TOR), guidelines, or rules of procedure necessary for the effective operation of the RAC. The TOR should include financial, reporting, and oversight provisions consistent with those found in this Guidelines Paper and the authorizing decision. UNEP-CAR/RCU will design the Terms of References (TOR) for the operational procedures of the RACs for compliance with the United Nations System. Each RAC will develop its procedures and will send it to UNEP-CAR/RCU for approval. After this approval the procedures will be adopted in the RAC immediately. The RAC proposal should be submitted to UNEP-CAR/RCU for prior review and comments and later for transmission to the Contracting Parties for approval.
 - (d) The Contracting Parties may at any time terminate a RAC, if they determine that a RAC is not operating consistently with the decision establishing such RAC, or if they otherwise decide that a RAC's activity no longer further the goals and objectives of the Cartagena Convention. The Contracting Parties may not delegate their termination authority.

A. Establishment of RANs

16. Any RAC may form a RAN with the approval of the Contracting Parties. The RAC should invite relevant institutions to form the RAN. RANs may also be formed by Partner NGO's (See ANNEX V, Section B).

VII. CRITERIA FOR THE SELECTION OF RACs**A. Necessity for RACs**

17. A RAC may be constituted in the Wider Caribbean Region when the circumstances necessitate the creation of the RAC.

B. Degree of Interest and Commitment in Hosting a RAC, as well as Commitment to the Cartagena Convention

18. The institution must demonstrate a high level of interest to implementing the Cartagena Convention and achieving RAC objectives

C. Capacity to Perform the Function of a RAC**C.1. Institutional Capacity**

19. **Policy Orientation:** The institution must have a recognized policy orientation that results in organizational objectives, which are consistent with those of the Cartagena Convention, and its Protocols. Additionally, the policy orientation should encourage cooperative linkages with other institutions.
20. **Organizational Structure:** With respect to the execution of its various functions, it is important that the organizational structure be sufficiently flexible to enable the institution to fully adapt to its roles as a RAC.
21. **Human and Physical Resources:** The institution must be endowed with sufficient human resources having the requisite technical, administrative, and managerial expertise. Additionally, the institution must possess or be able to access office space, equipment and other physical resources required to carry out the activities of the RAC.

C.2. Technical Capacity

22. The institution must have expertise in the fields of project coordination as well as relevant technical, scientific or academic expertise in the particular subject area enabling it to offer specialized assistance to the implementation process of the Cartagena Convention and its Protocols.

C.3. Leadership Capacity

23. The institution must be able to provide an overall positive influence as well as foster the cooperation of participating institutions. Additionally, it is desirable that the institutions be recognized by the members of the RAN (if it exists) as a leader in its sphere of activity.

C.4. Management Capacity

24. The institution must have expertise in the use of strategic planning tools, budget tracking and financial reporting. It must also possess efficient management systems in particular oriented to short, medium and long term goals. These systems should be in accordance with established practices and procedures.

C.5. Geographic Distribution

25. The selection of a RAC must be such that the distribution of the centres allow for maximum representation of all the cultural and geographical sub-regions within the Wider Caribbean.

C.6. Language Distribution

26. The RACs should be selected so as to ensure that the three official languages of the Convention are represented. Care should be taken to ensure that the RACs have personnel who have a good working knowledge of these languages (Spanish, English and French). Working knowledge of Dutch would also be considered an asset.

C.7. Financial Capacity

27. RACs must be financially self-sustaining and have appropriate financial management mechanisms in place (see paragraph 47).

VIII. CRITERIA FOR THE SELECTION OF RAN INSTITUTIONS

A. Necessity for a RAN

28. A RAN may be constituted in the Wider Caribbean Region when the circumstances necessitate the creation of the RAN.

B. Degree of Interest and Commitment to Cartagena Convention, Protocol, and RAC Objectives

29. The institution must demonstrate a high level of interest to achieving Cartagena Convention, Protocol, and RAC objectives.

C. Capacity to Perform the Function of a RAN

C.1. Technical Capacity

30. The institution must have recognized scientific, technical, or academic expertise consistent with that of the Cartagena Convention, and its Protocols, enabling it to offer specialized assistance to the RAC. Additionally, it should have cooperative linkages with other institutions.

C.2. Human and Financial Resources

31. The institution must be endowed with sufficient human resources to provide expertise to the RAC free of charge, unless otherwise arranged.

C.3. Geographic and Language Distribution

32. It is beneficial if RAN institutions are representative of the geographic and language distribution of the region.

IX. ADMINISTRATIVE

33. Critical to the effective and efficient functioning of the RAC will be its relationship to the Convention or its Protocols. Though it may vary from RAC to RAC and no one arrangement may fit all situations, this relationship must be clearly defined in the decision of the Contracting Parties and/or Protocol COP's and through the terms of reference elaborated subsequent to a decision. The administrative relationship must clearly show linkages to the Convention or a Protocol to ensure active participation and oversight such that the RAC would not be operating on its own, but under the direction of and on behalf of the Contracting Parties.
34. The relevant organization or host government of the RAC may establish the RAC within any institutional structure that has or will develop the required physical, scientific and technical capabilities. Other institutions in the host country may be selected to provide additional technical and scientific support to the RAC.
35. The relevant organization or host government will provide equipment and will ensure the provision of funding for the operating costs of the RAC in accordance with the terms of

- the relevant MOU. Annex III contains an example of the type of in-kind contribution expected from the host government.
36. With respect to national staffing, the RAC personnel will be attached to the institution(s) hosting the RAC, in accordance with the rules of that organization or relevant national legislation of the host government. International staff can be recruited directly for the RAC by the UN, by an international or regional organization or through government secondments in accordance with the laws and regulations of that organizations and/or the host government. If appropriate, the MOU between UNEP-CAR/RCU and the RAC should address privileges and immunities for the international staff of the RAC.
 37. Each RAC will maintain its own administration for personnel, procurement, travel, and other support functions.
 38. RACs will be utilized to engage in the technical, scientific and financial aspects of project implementation only. The political and policy aspects of project development and implementation will be coordinated by UNEP-CAR/RCU. UNEP-CAR/RCU will provide direct programmatic supervision of RAC activities unless other arrangements are made by decision of the Contracting Parties.
 39. With respect to administrative communications, the following will apply:
 - communications on technical matters related to specific activities should be directly between the RAC and the relevant designated national authorities, focal points, participating institutions and members of the RAN. Information on these communications should be forwarded to the UNEP-CAR/RCU in its half-yearly progress reports.
 - the only official channel of communication on political and policy matters between the Contracting Parties or the CEP national and technical focal points and the secretariat, should be through the UNEP-CAR/RCU.
 40. Matters concerning personnel should also be clearly defined. In the case of a Type A RAC, personnel will be selected and hired by the relevant international organization. For the Type B and C RACs, the host government, regional institution or host organization, would select a RAC director in consultation with UNEP-CAR/RCU. In all cases the selection and hiring process should be specified in the terms of reference (TOR) and MOU signed between the RAC and UNEP-CAR/RCU.

Relationship to other Organizations

41. Each RAC is expected to coordinate and collaborate with the other RACs of the Convention and its Protocols. Such collaboration should be based, in particular on the exchange of experiences regarding working methods and organization toward the continuing improvement of the RAC system. To achieve that goal it is recommended

that the Directors of the different RACs hold consultations during Cartagena Convention meetings as appropriate.

42. In addition to the legal, financial and administrative arrangements with UNEP-CAR/RCU, the RACs and RANs should also initiate and maintain a working relationship with other regional institutions with mandates from other intergovernmental processes in the region (e.g., CARICOM, OECS, OAS and other global initiatives such as the sub regional centres for the Basel Convention).

X. WORKPLANS AND BUDGETS

43. Each RAC will prepare a Strategic Plan which covers a six year period, which will be presented and approved by the Contracting parties. It comprises at least four sections:
 - (a) The Mission and Vision Statement.
 - (b) The trends and developments in the subject area (e.g. oil spills, LBS) of the RAC and the related challenges for the Wider Caribbean Region.
 - (c) The strategic directions that the RAC recommends to address the trends and challenges.
 - (d) A series of performance indicators and measurable environmental results.
44. In consultation with UNEP-CAR/RCU and in accordance with the approved Strategic Plan, each RAC will prepare a biannual work plan and budget for the approval of the Contracting Parties using a prescribed UNEP format. This work plan and budget must be submitted, at least three months before the Contracting Parties next meeting, to UNEP-CAR/RCU to make comments and request amendments prior to the final submission to the Contracting Parties. UNEP-CAR/RCU will recommend whether the Contracting Parties should give their approval. The Contracting Parties will have the opportunity, during the meeting, to provide comments on the work plan prior to approval.
45. Each RAC will submit to the UNEP-CAR/RCU half-yearly progress reports following the prescribed UNEP format for this purpose. Upon completion of an activity, the RAC will submit a final report using the prescribed UNEP format.
46. The RAC will submit to the UNEP-CAR/RCU a copy of all substantive documents in draft form for approval by the Parties prior to their publication in final form by the RAC.

XI. FINANCES AND FINANCIAL REPORTING

47. **General.** RACs and RANs will not be funded by the Caribbean Trust Fund (except when funds are being provided by donors, expressly for the RAC, using the CTF as a means of transfer). Any institution wishing to participate in a RAN or to become a RAC must be

willing to do so at their expense. Moreover, because a RAC must be financially self-sustaining, any proposed RAC institution must have a demonstrated ability to raise the necessary funds to finance its running costs as a RAC and to attract donor funding for project implementation that are consistent with the objectives of the Cartagena Convention and its relevant protocols. However, the host government should demonstrate a high level of interest and substantial national commitment – including human and financial. The interested government should ensure the provision of funding for operating and recurrent costs of the RAC. Meetings of the RAC can take place within an existing Meeting of the Contracting Parties or at other times but attendance and/or additional meetings will be funded by the RAC host government, host organization or other donors as part of project funds.

48. **Finances on Establishment.** When a RAC is established, an initial investment (in cash and in kind) should be provided by the host government or host organization to establish the RAC and to serve to attract funding from other donors, including multilateral and bilateral sources, for the implementation of projects. This investment should accord with the terms outlined in the relevant MOU. Under no circumstances should funds of the CTF be used to establish or maintain the administrative costs of a RAC. If a RAC requires additional funding to establish itself as a RAC, it should identify its own donors and apply for funding. UNEP-CAR/RCU would be expected to endorse an appropriate RAC request to a donor and support its application. Costs should not be incurred by UNEP-CAR/RCU as a result of the establishment and operation of the RAC. These costs should be offset by an extraordinary contribution to the CTF by the host government into a budget line reserved for this purpose.
49. **Recurring Expenses.** The RAC or host government or host organization will provide the recurring operating costs of the RAC. However, it is not envisioned that the RAC or host government or host organization will normally provide funding directly for project implementation. Funding for project implementation will be obtained from various donors including international financial institutions, bilateral partners, regional and international development agencies, the Global Environmental Facility (GEF), foundations, non-governmental organizations (NGOs) and the private sector. Therefore, the RAC, once it has identified projects in accordance with its goals and mandate, should be prepared on its own initiative to develop projects, and solicit and apply for project funding from potential donors. The RAC should not rely on the UNEP-CAR/RCU to source project funding. Not only does this assist in building new donor relationships for the RAC, but avoids double overhead costs associated with passing funds through the administration of two institutions – UNEP-CAR/RCU and the RAC. Donor funding passing through the CTF to RACs is to occur through a UNEP-CAR/RCU project document, subcontract, memorandum/letter of agreement or other formal mechanism approved by UNEP-CAR/RCU.
50. **Financial Reporting.** In addition to the submission of biannual work plans and budgets, the RAC will submit to the Chief, Fund Programme Management branch at UNEP Headquarters and to UNEP-CAR/RCU, yearly project expenditure accounts following UNEP's format for this purpose.

51. **Final Expenditure Statements.** Within 60 days of the completion of all activities related to a specific project, the RAC will submit to UNEP-CAR/RCU a detailed final report and expenditure statement in accordance with the project budget, using the prescribed UNEP format. The expenditure statement must be certified by a chartered accountant paid under the RAC contribution. Should the cost of the activity be less than that of the cost stated in the project budget, the difference will be reinvested in the continuation of the activity or other related activities in accordance with the terms of the MOU and/or any donor agreements and approvals. Any cost overrun (expenditure in excess of the amount budgeted in each budget sub-line) is to be met by the RAC.
52. **RAN Finances.** Each member of the RAN will be responsible for the costs incurred by participating in the network, such as communication costs, staffing and costs incurred by the implementation of specific activities assigned to a member of the RAN by the RAC. The RAC can provide financial and technical support to a member of the RAN for the implementation of an activity.

XII. TRANSITIONAL ARRANGEMENTS FOR THE EXISTING RAC'S

53. As is mentioned in paragraph 33, critical to the effective and efficient functioning of the RAC will be its relationship to the Convention or its Protocols. For the existing SPAW/RAC, this relationship has not yet been defined (other than generally through its MOU with the Secretariat for its establishment). There is no body such as a Steering Committee for the SPAW/RAC, nor is its relationship established with the Contracting Parties. On the other hand, RAC/REMPEITC-Carib, while there is no STAC for the Oil Spills Protocol, the Ninth IGM /6th MOP established a Steering Committee to oversee and provide guidance to the RAC. In accordance with Decision IX, of the Tenth IGM, 7-11 May 2002, two RACs were established to support the Protocol Concerning Pollution from Land-based Sources and Activities (LBS). The Second Meeting of the Interim Scientific Technical and Advisory Committee (ISTAC) to the LBS Protocol decided to establish a Steering Committee for the LBS RACs and agreed on its composition, terms of reference and reporting requirements.
54. UNEP-CAR/RCU will prepare a document, within 90 days after the approval of this Guidelines document, which will contain the current provisions for the existing RACs on its relationship to the Convention or its Protocols and what arrangements need to be made, in order to make them follow the same coordinated and strategic approach presented in these Guidelines.
55. Once the above mentioned document with the provisions is ready, UNEP-CAR/RCU will circulate it to the Contracting Parties for review and adoption at their next meeting.

ANNEX I

HISTORY OF THE DEVELOPMENT OF SUBJECT GUIDELINES DOCUMENT

Establishment and operation of RAC's and related RAN's are an effective way for governments and CEP partner organizations to implement cooperative measures and programmes called for by the Cartagena Convention and its Protocols. As far back as the historic and seminal first Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme at Montego Bay in April 1981 (UNEP/CEPAL/IG.27.3, Annex IV) which is the first iteration of the Action Plan for the Caribbean Environment Programme, RAC's and RAN's were called for and the concept briefly defined. (Paragraphs 61, 63, 65, 68, and 69 of this first CEP Action Plan) (See Annex VI). Twenty-two Wider Caribbean Countries participated in the 1981 meeting and adopted the Report of the Meeting.

These Guidelines stands on the foundation of the first CEP Action Plan relevant paragraphs (see Attachment to ANNEX V) and is a result of the discussions and deliberations of the Member Governments of the Caribbean Environment Programme during the Thirteenth Meeting of the Monitoring Committee and Special Bureau of the Contracting Parties, San Jose, 9-13 July 2001, and the Tenth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and the Seventh Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, Montego Bay 7-11 May 2002 (Tenth IGM) and 28 September – 2 October 2004 (Eleventh IGM). In response to recommendation 10 (d) of this meeting, the secretariat, with the assistance of interested parties, undertook to revise the 1992 Concept Paper for Regional Activity Centres and Regional Activity Networks (document UNEP(OCA)/CAR WG.10/3).

A revised Concept Paper was then presented to the Tenth IGM as the *Concept Paper for Establishing and Implementing Regional Activity Centres and Regional Activity Networks for the Caribbean Environment Programme* (UNEP(DEC)/CAR IG.22/9).

This concept paper was further revised and presented to the Eleventh IGM as 'GUIDELINES FOR ESTABLISHMENT AND OPERATION OF REGIONAL ACTIVITY CENTRES AND REGIONAL ACTIVITY NETWORKS FOR THE CARIBBEAN ENVIRONMENT PROGRAMME' (UNEP(DEC)/CAR IG.24/INF.7). The Chair of the Intercessional Working Group withdrew the paper stating that it did not accurately reflect the intercessional discussions. A new intercessional open ended working group was established which produced a new draft Guidelines paper during the meeting with the same title, identified as UNEP(DEC)/CAR IG.24/CRP.9/Rev1, 1 October 2004. The Secretariat was requested to coordinate with the Intercessional Working Group on any further revisions to enable submission of a final version for consideration and possible adoption by the Twelfth IGM.

The Third Meeting of the SPAW STAC, Caracas, Venezuela, 4-8 October, 2005 discussed a Conference Room Paper introduced by the Netherlands Antilles titled "Proposed Review and Development of Possible STAC3 Revision Recommendations to Draft Paper titled Guidelines

for Establishment and Operation of Regional Activity Centres and Regional Activity Networks for the CEP, UNEP(DEC)/CAR WG 29/CRP.4". Comments from the Meeting were positive regarding CRP.4's recommendation that partnerships be formed with successful national or regional NGOs to function as RACs with associated RANs.

This recommendation is consistent with the paragraphs of the first Action Plan referenced in Paragraph 1, above; specifically Paragraph 65: "the existing sub regional and regional institutions, including NGOs, will be used to the maximum possible extent for the implementation of specific activities or for coordinating their implementation." In Recommendation V of the STAC 3 Meeting the Secretariat was requested to refer the paper (CRP 4) and the Report of the STAC 3 Meeting to the Intercessional Working Group created by the Eleventh IGM for its consideration. However, due to the late submission of CRP 4, the STAC 3 lacked the mandates from their respective governments to officially support CRP 4.

During the Twelfth IGM at Montego Bay, 29 November-2 December 2006, the Chairman of the Intercessional working group on the RAC/RAN Guidelines Document presented the group's current draft, Meeting Information Document UNEP(DEC)/CAR IG.24/CRP.9/rev1), dated 29 November 2006. He noted the changes recommended in UNEP(DEP)/CAR IG.26/CRP.1 of the 12th IGM, jointly introduced by the Netherlands Antilles, and the Secretariat, and changes recommended in a communication from the UNEP Regional Seas Coordinating Office. Following the observations of different delegations after the presentation, the secretariat was requested to continue the Working Group to consolidate the observations and comments to enable submission of a final version for possible adoption by the Thirteenth IGM. An update with regard to the finalization of the draft was made to the 4th LBS ISTAC and the 4th SPAW STAC Meetings in 2007.

The Caribbean Environment Programme, one of UNEP's Regional Seas Programmes, recognizes the integrated nature of the coastal and marine resources as well as the interdependence of the countries of the Wider Caribbean Region. The ecological realities of the marine and coastal environment are such that the management issues to be addressed transcend national boundaries. Cooperation at the regional level, therefore, is critical to the successful implementation of the activities of the Action Plan for the Caribbean Environment Programme and for the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention). In light of this, a regional management framework was developed through the Caribbean Environment Programme in the form of a Regional Coordinating Unit for the Caribbean (CAR/RCU) established in 1986.

Since 1986, CAR/RCU, as secretariat to the CEP (including the Cartagena Convention and Protocols), has been developing work plans and budgets for the CEP and its sub-programmes as well as coordinating the implementation of the projects and activities in the work plan as approved by the CEP Member Governments. The secretariat has been staffed and operated with the human and financial resources provided through the funds of the Caribbean Trust Fund (CTF), established in 1981. Nonetheless, with additional human and financial capital, additional projects could be coordinated, therefore expanding the capability of the CEP overall to produce results for the Member Governments.

Consistent with UNEP's catalytic role, and with a view towards expanding the human and financial capacity of the CEP, some of the technical responsibilities for project coordination or implementation can be delegated to institutions within the region, whose technical and managerial capabilities could be utilized for project development, fund-raising, and implementation. Given that the results of the Action Plan and Cartagena Convention are largely dependent upon strong coordination mechanisms at the national and regional levels, such an alternative could prove desirable since it could result in a strengthening of the institutional capabilities, and coordinating mechanisms of both national and regional institutions.

Some regional institutions have already been involved in coordinating or implementing the activities of the CEP. The quality of work undertaken by regional institutions attests to their potential to assist in the implementation of activities of CEP. However, these efforts have been largely on a project-by-project basis, without the benefit of an integrated and continuous involvement in the strategic planning of the CEP. The overall impact of these efforts has therefore been less than may otherwise result from an integrated, regionally coordinated and strategic approach. Therefore, a RAC, when properly structured, financed and administered, can serve to augment the work of UNEP-CAR/RCU and provide additional benefit to the Contracting Parties through additional technical and financial assistance.

Prior to the Tenth IGM in May 2002, only two CEP RACs existed. At the Sixth IGM in 1992, the Government of France proposed to host the first RAC of the CEP for the SPAW Protocol on the island of Guadeloupe (SPAW/RAC). The Sixth IGM accepted this proposal, pending an agreement with CEP that would detail the specific arrangements. Following several years of discussions and negotiation on an agreement with UNEP-CAR/RCU, the SPAW/RAC was formally established in 2000. The Government of France has funded the basic operating budget of the SPAW/RAC. The funding however rarely covers project costs, which must be borne by other contributions.

At the end of 2005, a national association entitled "Caribbean Sea Plan" comprising a wide range of local stakeholders was created to transform the Regional Activity Centre, hitherto attached to the French Administration, into an autonomous body. The Secretariat of the UNEP-CAR/RCU as well as the Secretariat of the UNEP Regional Seas Programme may attend Meetings of the Bureau of this Association. However, while contact between the SPAW/RAC and UNEP-CAR/RCU takes place on a semi-regular basis, there is no formal mechanism that establishes a relationship either with the SPAW Contracting Parties or with the Scientific and Technical Advisory Committee of the SPAW Protocol.

In 1994, the International Maritime Organization (IMO) proposed to establish a center for oil spill control and contingency planning in Curacao, under the umbrella of CEP. Operating as an informal RAC since 1995, the oil spill center (Regional Marine Pollution Emergency Information and Training Centre – REMPEITC-Carib) was modeled after a RAC in the Mediterranean on the same subject. From 1995 to 2001, REMPEITC-Carib operated in Curacao under an agreement between the IMO, the United States Coast Guard, and the Kingdom of the Netherlands and the Netherlands Antilles. As that agreement was set to expire in 2001, the Ninth IGM (February 2000) accepted a proposal from the Government of the Netherlands Antilles to establish and formalize a RAC under the CEP-RAC/REMPEITC-Carib – under the coordination

of UNEP-CAR/RCU and the IMO. The same decision of the Ninth IGM, also established the membership of a Steering Committee for the RAC. The Steering Committee is independent of the secretariat yet has within its membership, members of the secretariat and CEP Member Governments.

The RAC/REMPEITC-Carib Steering Committee was established in 2001. At the first meeting, the Steering Committee established rules of procedure and financial rules. Though the Oil Spills Protocol has no Scientific and Technical Advisory Committee, as do the SPAW and LBS Protocols, the Steering Committee provides a clear mechanism to coordinate the work of the RAC as well as to liaise directly with the CEP intergovernmental meetings.

In accordance with Decision IX, of the Tenth IGM, 7-11 May 2002, two RACs were established to support the Protocol Concerning Pollution from Land-based Sources and Activities (LBS). These were established within the existing institutions of the *Centro de Ingeniería y Manejo Ambiental de Bahías y Costas* (CIMAB) in Cuba and the *Institute of Marine Affairs* (IMA) in Trinidad and Tobago.

The Second Meeting of the Interim Scientific Technical and Advisory Committee (ISTAC) to the LBS Protocol decided to establish a Steering Committee for the LBS RACs and agreed on its composition, terms of reference and reporting requirements.

ANNEX II

MODEL ORGANIZATIONAL STRUCTURE OF A RAC

RACs must have an appropriate organization designed for the efficient fulfillment of its duties. An organizational structure with the following characteristics is recommended:

- (a) Director's Office: Director's duties
- (b) Assistant to the Director: Responsible for the secretarial duties, including personal assistance and administrative support to the Director, as well as matters related to the personnel of the RAC, liaising with other Organizations
- (c) Library and Documentation Unit: Responsible for the organization and processing of the documentation, dissemination of information, and assists the Director in carrying out information-related programmes of activities.
- (d) Finance Unit: Responsible for the financial and administrative affairs of the RAC
- (e) Technical Units: Responsible for development and implementation of national and sub regional systems, programs and projects related to the different working areas, providing technical assistance and advice to CEP entities, planning and organizing training activities, drafting and editing RACs documents, as well as advising the Director on the policy issues regarding to the activities of the RAC.
- (f) RAN Development and coordinating unit.

ANNEX III

REQUIRED IN-KIND CONTRIBUTION BY THE HOST GOVERNMENT OR HOST ORGANIZATION

The Regional Activity Centres will rely on existing national institutions. Their material and human resources, will in accordance with the need, be made available to the RAC as soon as it is established.

The RAC, as far as possible will implement its activities with the following human and material resources:

1. LOCATION, FACILITIES, EQUIPMENT AND MATERIAL

- 1.1 The main location for the RAC activities will be in the principal institution selected by the host government or organization to serve as the RAC.
- 1.2 This institution should be furnished and equipped with telephones, fax machine, photocopying machines and computers with standard software, printers and electronic mail.
- 1.3 In addition, the following should be available when appropriate:
 - (a) Similar equipment and material at all institutions supporting the RAC; and
 - (b) Scientific laboratories, documentation centres and hospitality facilities for visiting scientists, and students.
- 1.4 The following facilities at the RAC or at its supporting institutions are desirable:

Information System

- (a) Geographical information systems;
- (b) High speed internet and the possibility of an intranet;
- (c) Capability to manage large files and data bases, transfer data electronically, create CD-ROMs, etc.
- (d) Project manager system
- (e) Strategic planning tools, budget tracking and financial reporting, and management systems
- (f) Scanning capacity for documents

Facilities

- (a) Documentation centre and virtual library
- (b) Amphitheatre or meeting room for at least 30 to 50 people, with appropriate communications and audio-visual equipment.
- (c) Webpage with access to other RACs or RANs, or related institutions and organizations

Other equipment

- (a) Video equipment
- (b) Photo equipment
- (c) Slide projector
- (d) Computer projector
- (e) Overhead projector

Scientific Laboratories

- (a) As applicable: laboratories for marine biology, marine pollution, atmospheric sciences, geology-sedimentology, chemistry, statistics, sanitary engineer, environmental engineer, physical planning, environmental impact assessment, coastal zone management.

Facilities for visiting scientists and students

- (a) Temporary accommodation at the RAC or at its supporting institutions; and
- (b) Cafeteria/canteen at the RAC, its supporting institutions, or in a nearby community.

2. PERSONNEL

2.1. Full-time permanent staff

- (a) 1 RAC Director responsible for overall coordination of assigned programme activities and for day to day supervision of RAC functions as described in this document; RAC Coordinator must be completely fluent in two of the three CEP working languages.
- (b) 1 Secretary. Secretary must be completely fluent in two of the three CEP working languages.

2.2. Part-time Staff

Permanent Staff

- (a) 1 Administrator/Fund and personnel manager;
- (b) 1 Assistant Administrator
- (c) 2-3 Lectures/Researchers in the programme area of the RAC; and
- (d) 1 computer programmer/database expert.

Support staff

Staff responsible for administrative and financial management, including the accountant and the general manager of the institution hosting the RAC.

- (a) 1 Engineer responsible for the Geographic Information System; and
- (b) 1 Assistant (data processing, computer-aided design)

2.3. Non-Permanent Project Staff

Additional Lectures/Researchers/Secondments from the host and supporting institutions.

2.4. Required RAC Staff Speaking and writing Capability in official CEP Languages

In view of a RAC's responsibility to provide regional cooperative support to the Cartagena Convention and its protocols contracting parties, and as well as it can, to other CEP member governments, the RAC staff must have speaking and writing fluency in English, French and Spanish, the three working languages of the CEP. The staff will include members who have each of these three languages as their mother tongues. In addition, a staff member with fluency in Dutch is desirable. The RAC coordinator will be guided by this fluency requirement when building the staff. Fluency requirements as stated in paragraphs 2.1 and 2.2 above are only suggestions as to where this fluency requirement will be found.

ANNEX IV**FINANCIAL MANAGEMENT****A. The RAC Administrator, under the overall supervision of the RAC Coordinator:**

- (i) will take the necessary steps to ensure that proper accounts are maintained in keeping with the requirements of the RAC and CAR/RCU;
- (ii) will authorize disbursements, subject to receipt of *pro forma* invoices, and/order invoices within the limits of available resources;
- (iii) will ensure that no additional expenses are incurred until all previous obligations have been satisfied;
- (iv) will ensure that funds are expended in keeping with the approved budget; and
- (v) will be responsible for negotiating, with the national Bank, an arrangement concerning the transfer of currency.

B. UNEP-CAR/RCU:

- (i) will take appropriate action on the questions raised in the progress reports and administrative and financial reports made by the RAC Administrator.

ACRONYMS

AMEP: Assessment and Management of Environmental Pollution

CARICOM: Caribbean Community

CARTAGENA CONVENTION: Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region

CEP: Caribbean Environment Programme

CETA: Communication, Education, Training and Awareness

COP: Conference of the Parties

CTF: Caribbean Trust Fund

GEF: Global Environmental Facility

IGM: Intergovernmental Meeting

IMA: Institute of Marine Affairs

IMO: International Maritime Organization

ISTAC: Interim Scientific Technical and Advisory Committee

LBS: Protocol Concerning Pollution from Land-based Sources and Activities

MOU: Memorandum of Understanding

NGO: Non-Governmental Organization

OAS: Organization of American States

OECS: Organization of Eastern Caribbean States

RAC: Regional Activity Centre

RAC/REMPEITC-Carib: Regional Activity Centre/Regional Marine Pollution Emergency, Information and Training Centre of the Caribbean

RAN: Regional Activity Network

RCU: Regional Coordination Unit

SPA: Specially Protected Areas and Wildlife

SPA/RAC: Specially Protected Areas and Wildlife / Regional Activity Centre

STAC: Scientific and Technical Advisory Committee

TOR: Terms of References

UNEP : United Nations Environmental Programme

UNEP-CAR/RCU: United Nations Environmental Programme – Caribbean/ Regional Coordination Unit