



Catalysing Implementation of the Strategic Action Programme for the Sustainable Management of shared Living Marine Resources in the Caribbean and North Brazil Shelf Large Marine Ecosystems (CLME+ Project)

# Report on the Survey of National Intersectoral Coordination Mechanisms

P. McCONNEY, I. MONNEREAU, B. SIMMONS AND R. MAHON



Centre for Resource Management and Environmental Studies  
University of the West Indies, Cave Hill Campus, Barbados

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## EXECUTIVE SUMMARY

Many social and economic sectors, and thus government agencies together with their multi-stakeholder partnerships, have an interest in marine affairs. The mix of agencies will vary by country, and within country, over time as responsibilities shift and issues change in nature, priority or prominence. The importance of national inter-sectoral coordination mechanisms (NICs) is highlighted in the CLME+ Strategic Action Programme.

Since NICs for marine affairs play key roles in national and regional ocean governance processes they should be permanent assets of regional ocean governance arrangements. They should be valued as permanent multi-stakeholder components of these processes: connecting the national to local levels vertically and connecting sectors laterally within countries in transboundary matters. Countries can monitor governance by assessing how well their NICs (if present) perform. When, as is often the case, regional policy decisions require national level implementation, NICs will be an important vertical link between the regional (including sub-regional) and national levels of the complete policy process. Nationally, they also serve to scale up from, and scale down to, the local level.

The approach to NICs must be carefully crafted if the CLME+ Project is to contribute to establishing and/or strengthening these mechanisms in a way that will serve both the needs of the CLME+ Project and the countries more broadly. A prescriptive approach is unlikely to be suitable given the diversity of country size, modes of governance, wealth and culture. The approach that is more likely to be sustainable will be to: (i) outline the functions that an integrating committee is expected to carry out, drawing on existing documentation of governance in the CLME; (ii) determine what mechanisms are in place, or have been tried in CLME+ countries and territories to carry out these and related functions; (iii) develop generic summary guidelines to establish/strengthen mechanisms; and (iv) use a participatory approach to lightly monitor progress with the establishment, strengthening and operation of these mechanisms over the duration of the CLME+ Project.

The report is divided into two parts. Part 1 contains a global rapid survey of NICs in a selection of LMEs. Evidence was gathered through review of LME project documents and email communication with LME project leaders. Ten LMEs were surveyed. Part 2 presents the results of the survey of NICs in the CLME+ region. A practical approach based primarily on the principles of good governance was utilised to design a survey instrument that was administered largely through 115 Skype and telephone interviews with contacts associated with or knowledgeable about NICs in 41 CLME+ project countries and territories. Online searches and web documents supplemented the information from interviews. There were many limitations to the survey that resulted in incomplete data for countries and for NICs. The root reason is that in the majority of cases there is little public information on NICs and information from NIC members tends to be highly variable on specific matters. About two-thirds of the countries had NICs of some type. The survey identified 35 NICs to investigate. Most concerned fisheries or marine governance, but some addressed coastal zones, environment or broader topics. Interviews asked about mandate, membership, processes and principles of good governance. Lessons, successes and best practices were extracted.

Information on the establishment of NICs was difficult to obtain or put in sequence for the global rapid survey of LME projects. Regarding NICs specifically, there are few instances of clear reporting on their performance and lessons learned. Often all that can be determined is that NICs were required and whether or not they were established. Process related information that would assist with assessing performance and challenges are scarce. Available documents suggest NIC implementation has been highly variable. However, the reviews indicate that the importance of NICs has increased through time,

both within successive LME Projects (e.g. Benguela Current LME) and across the range of projects, but they appear to have been a relatively low priority in several projects. It appears that when difficulties were encountered with establishing and operating them, not much pressure was applied to proceed. This may have been for a variety of reasons such as: lack of appreciation of their importance, more interest in technical aspects of the project, recognition that NICs were a burden on already overworked national staff, unwillingness to pressure countries, belief that it should be the role of national actors to establish NICs, and so on. All GEF International Waters projects are supposed to have some form of national inter-sectoral coordinating mechanism as international waters also covers transboundary rivers, lakes and aquifers. Therefore, there may be lessons to be learned from NICs in other GEF IW projects for these other IW categories in addition to LMEs.

In the CLME+ region no existing NIC was a perfect fit to the ideal type, but the prevalence of legal mandates and increasing interaction among economic sectors and stakeholder interests reveals future potential. Awareness of the need to design these institutions to be adaptive has grown, and administrative NICs can be more flexible in some cases. Leadership is an area that has received insufficient attention. More consideration is being given to inclusivity and the dynamics of stakeholder interactions within the NICs and between them and other interests in the policy domains. Increasing use of subordinate groups within NIC structures were found to extend their reach and promote diverse participation. Policy influence is an important feature of NICs that is very variable across the region. Geographical and jurisdictional scales are important considerations in determining which NICs align adequately with the marine governance requirements of the CLME+ project. Mis-matches must be avoided.

Processes within NICs are poorly documented and consequently institutional memory is often also poor. Operating cost is a concern that appears not to be systematically addressed. This concerns not only simple financial costs but also the more complex transaction costs of sustaining large quantities and high quality of interactions among diverse stakeholders under changing internal and external conditions. The tools of institutional analysis are perhaps not easily accessible or known to parties seeking to establish or manage NICs. There was a high level of positive response concerning adherence to the principles of good governance, and particularly participation. Responsiveness scored lowest with middling averages for transparency and accountability. It was uncertain whether existing NICs contributed significantly to enabling environments for ocean governance. However, some promising examples were provided.

The recommendations arising from the investigation can be summarised as follows:

1. Clarify the specification of NICs to determine more precisely what are or are not NICs
2. Set out the several types and stages of NICs that are of interest and potential for CLME+
3. Obtain more detailed information from countries to identify successes and best practices
4. Provide activity incentives for CLME+ project countries to establish or strengthen NICs
5. Promote NICs as critical mechanisms for marine governance beyond the CLME+ project
6. Assist progressive countries to advance their NICs as models of success to be replicated
7. Develop a handbook of guidelines for establishing and operating NICs in CLME+ countries

## ACRONYMS AND ABBREVIATIONS

ASCLME	Agulhas-Somali Current LME
BCC	Benguela Current Commission
BCLME	Benguela Current LME
BOBLME	Bay of Bengal LME
BSLME	Black Sea LME
CCLME	Canary Current LME
CFMC	Caribbean Fisheries Management Council
CIRM	Inter-ministerial Commission for Sea Resource
CLME+	Caribbean and North Brazil Shelf Large Marine Ecosystems Project
CONAMAR	Comisión Nacional del Mar
CZMAC	Coastal Zone Management Advisory Committee
DAP	District Advisory Panels
EBM	Ecosystem-based management
EEZ	Exclusive Economic Zone
FAC	Fisheries Advisory Committee
GCLME	Guinea Current LME
GoMLME	Gulf of Mexico LME
HCLME	Humboldt Current LME
ICZM	Integrated Coastal Zone Management
IMC	Inter-ministerial [or Inter-Ministry] Committee (often synonymous with NIC)
IW	International Waters
MEA	Multi-lateral environmental agreement
MOU	Memorandum of understanding
MPA	Marine protected area
MSLME	Mediterranean Sea LME
NAP	National Action Plan
NCU	National Coordination Unit
NFP	National Focal Point
NGO	Non-Governmental Organization
NIC	National Intersectoral Committee/Coordination Mechanism (synonymous with IMC)
NPFP	National Project Focal Point
NTC	National Technical Coordinator
OGC	Ocean Governance Committees
PIF	Project Identification Form
ProDoc	Project Document
PSC	Project Steering Committee
RPC	Regional Project Coordinator
SAP	Strategic Action Programme
SCLME	South China Sea LME
TDA	Transboundary Diagnostic Analyses
TE	Terminal Evaluation
ToR	Terms of reference

# 1 INTRODUCTION

The combined region of the Caribbean and North Brazil Shelf Large Marine Ecosystems (CLME+) is one of the geopolitically most diverse and complex in the world. Twenty-six independent States and eighteen dependent or associated territories are located within, or border, the CLME+ region. Shared living marine resources have become increasingly impacted by habitat degradation, unsustainable fisheries practices and pollution in the CLME+ region (CLME Project 2013). These threats severely impact the sustainability of the region's fisheries and tourism potential. They increase the region's vulnerability to climate variability and change. During the CLME Project, a "10-year CLME+ Strategic Action Programme for the Sustainable Management of the shared Living Marine Resources of the Caribbean and North Brazil Shelf Large Marine Ecosystems" (the CLME+ SAP) was developed and politically endorsed in 2013 by over 20 States in the CLME+ region (Figure 1).



Figure 1. CLME+ refers to the combined Caribbean and North Brazil Shelf Large Marine Ecosystems of 4.4 million km<sup>2</sup> (Source: CLME Project 2013)

The 5-year UNDP/GEF CLME+ Project supports implementation of the 10-year CLME+ SAP. In order to ensure sustainable ecological and societal benefits, at regional, national and local levels, it is important that stakeholders in the region implement an integrative, multi-level, regional governance framework (RGF) for shared living marine resources (Figure 2), based on an ecosystem approach. National multi-sector consultation, integration and coordination, linked to sub-regional and regional policy cycles, is critical for the success of the CLME+ Project and hence the SAP (CLME Project 2013).

Outcome 1 of the CLME+ Project is 'Integrative governance arrangements for sustainable fisheries and for the protection of the marine environment'. Under this, Output 1.2 is 'National Inter-sectoral Coordination (NIC) mechanisms (including science-policy interfaces) in place' (See the CLME+ Project Results Framework for fuller context and details). A first step towards this output is to determine: (a) the best practices related to NICs in LME projects globally and (b) the trends and status of NICs in the

countries<sup>1</sup> of the CLME+ region. The Centre for Resource Management and Environmental Studies (CERMES) was contracted to provide this information. The work plan is provided in Appendix 1.

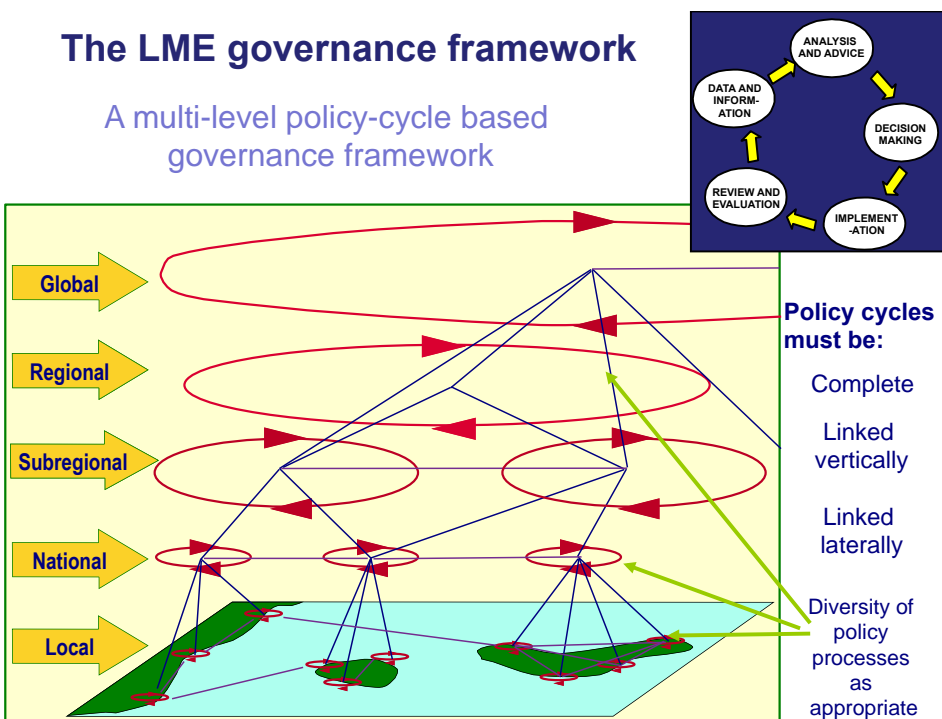


Figure 2. LME Regional Governance Framework (RGF)

## 1.1 Significance of, and approach to, developing NICs

Many social and economic sectors, and thus government agencies with their multi-stakeholder partnerships, have an interest in marine affairs. Typically the most prominent are agencies responsible for fisheries, pollution, biodiversity, foreign affairs and tourism. However, others as diverse as rural development, social welfare, shipping, culture, sports, finance, energy and statistics may also have roles relating to the marine environment. The mix of agencies will vary by country, and within country, over time, as responsibilities shift and issues change in nature, priority or prominence. The importance of these national integrating mechanisms is highlighted in the CLME+ SAP.

Since NICs for marine affairs play key roles in national and regional ocean governance processes they should be permanent assets of regional ocean governance arrangements. They should be valued as permanent multi-stakeholder components of these processes: connecting the national to local levels vertically and connecting sectors laterally within countries in transboundary matters. Countries can monitor governance by assessing how well their NICs (if present) perform. When, as is often the case, regional policy decisions require national level implementation, NICs will be an important vertical link between the regional (including sub-regional) and national levels of the complete policy process. Nationally, they also serve to scale up from, and scale down to, the local level (Figure 3).

<sup>1</sup> 'Countries' here includes all categories of dependent territories within the region that are not nation-states

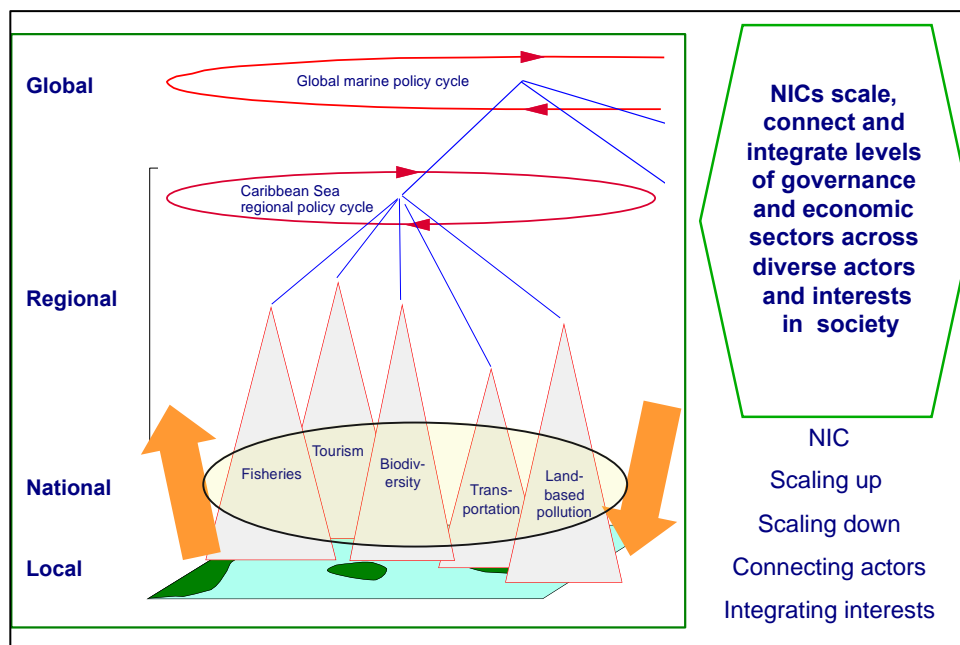


Figure 3. NICs are critical in integrating and scaling in governance

The establishment of NICs is identified in the SAP as a target at the national level for implementing ecosystem-based management (EBM) and an ecosystem approach to fisheries for shared living marine resource governance in the CLME+. Target participating countries should have:

- Sustainable national inter-sectoral/ministerial committees or equivalent mechanisms established or operational in at least 75% of the countries within the first five years of the SAP;
- Sustainable national inter-sectoral/ministerial committees or equivalent mechanisms established and operational in at least 90% of the SAP participating countries within the 10-year SAP implementation period.

NICs, which have been called a variety of names, are generally a required feature in GEF International Waters (IW) Projects. Around 1998 the GEF Evaluation Office adopted the formation of national Inter-Ministerial Committees (IMCs), essentially another term for NICs, as one of the initial process indicators (Pernetta and Bewers 2013).

The approach to NICs must be carefully crafted if the CLME+ Project is to contribute to establishing and/or strengthening these mechanisms in a way that will serve both the needs of the CLME+ Project and the countries more broadly. A prescriptive approach is unlikely to be suitable given the diversity of country size, modes of governance, wealth and culture. The approach that is more likely to be sustainable will be to: (i) outline the functions that an integrating committee is expected to carry out, drawing on existing documentation of governance in the CLME; (ii) determine what mechanisms are in place, or have been tried in CLME+ countries and territories to carry out these and related functions; (iii) develop generic summary guidelines to establish/strengthen mechanisms; and (iv) use a participatory approach to lightly monitor progress with the establishment, strengthening and operation of these mechanisms over the duration of the CLME+ project. A rapid screening of readily available best practices and lessons learnt from similar initiatives conducted in other LMEs can be used to inform the best approach for the CLME+ outlined above.

## 1.2 Ideal features and functions of a NIC

Before we can proceed further, however, we must have a shared image of what a NIC is, and what can reasonably be expected from a NIC. Foremost, the features and functions of NICs should exemplify accepted international principles for good governance (accountability, effectiveness, efficiency, equity, inclusivity, legitimacy, participation, responsiveness and transparency). The features of NICs are also to some extent situation-specific as NICs provide national level interaction that is required for integrated coastal management, ecosystem approaches, Exclusive Economic Zone (EEZ) management, marine spatial planning and more. We have already alluded to the diversity and complexity of the region. As a result of this, the establishment and characteristics of NICs can be expected to differ across countries in the region. A well-designed and led NIC for marine affairs, based upon principles of good governance would, within a range of possible arrangements:

- Involve stakeholders comprehensively:
  - State actors - government agencies, parastatal bodies
  - Non-state actors - NGOs, CBOs and academia
  - Private sector - from small to large enterprises
- Promote an enabling environment that ensures opportunity and support for stakeholder participation and encourages change agents such as individual leaders and champions
- Have a clear mandate that is at least administrative (politically endorsed) but preferably legal (for legitimacy, accountability)
- Have well documented processes that are available to all stakeholders (for transparency, accountability) to ensure:
  - Internal communication among stakeholders; provision of national input to regional projects and organisations; receipt and distribution of input from regional projects and organisations; appropriate national representation at regional level;
  - A system for documentation of activities, contributing to institutional memory, with outputs easily available to all stakeholders (for transparency and responsiveness);
- Have an institutionalised mechanism for regular review, evaluation, learning and adaptation (for efficiency, effectiveness and responsiveness);
- Serve to integrate sectors and actors involved in marine affairs at the national level;
- Function as a two-way linkage between national and regional governance processes;
- Address other functions specific to their scope and mandate including, *inter alia*, using marine ecosystem-based approaches, social-ecological system frameworks, risk analysis and resilience or vulnerability concepts, the details of which will differ by circumstance and change over time.

We return to these features and functions of NICs in more detail further into the report.

## 1.3 Organisation of this report

The report is divided into two parts. Part 1 contains a global rapid survey of NICs in a selection of LMEs. Part 2 presents the results of the survey of NICs in the CLME+ region. Both parts are laid out to describe the methods used, followed by the results and a discussion. Combined learning from both parts provides recommendations for follow-up action. References and appendices can be consulted for further details.

## PART 1: RAPID SURVEY OF MECHANISMS FOR NATIONAL INTERSECTORAL COORDINATION (NIC) IN OTHER LME PROJECTS

This Part contains a global rapid survey of NICs in a selection of LMEs.

### 2 METHODS

The CLME+ Project sought to benefit from experiences and lessons learned with the development and operation of NICs in other LME Projects. This was approached by emailing key individuals responsible for other LME projects as well as reviewing the documentation: Strategic Action Programmes (SAPs), Project Identification Forms (PIFs), Project Documents (ProDocs), Terminal Evaluations (TEs), etc. of those projects as available. The ten LME or LME-like projects considered are as shown in Figure 4.

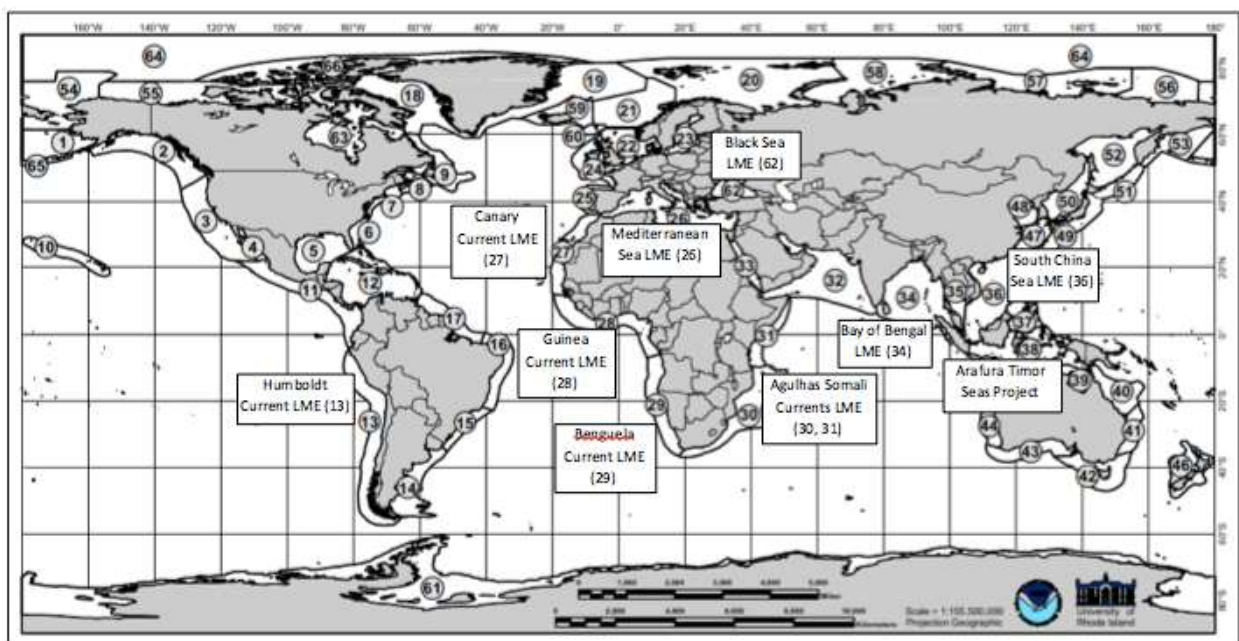


Figure 4. The Large Marine Ecosystem (LME) or LME-like projects selected for analysis

- |                               |                          |
|-------------------------------|--------------------------|
| 1. Agulhas-Somali Current LME | 6. Canary Current LME    |
| 2. Arafura Timor Seas         | 7. Guinea Current LME    |
| 3. Bay of Bengal LME          | 8. Humboldt Current LME  |
| 4. Benguela Current LME       | 9. Mediterranean Sea LME |
| 5. Black Sea LME              | 10. South China Sea LME  |

There are other LME projects that could be considered but were not, e.g. the Gulf of Mexico (GoM) LME Project and the Yellow Sea LME Project. They were omitted because sufficient information could not be found or in the case of the GoMLME because the participating countries are also in the CLME+ Project. This rapid survey did not attempt to investigate NICs that may exist in LME project countries without having links to the LME projects investigated. However, if such NICs were functioning, it is likely that they would have engaged the LME project as part of their mandate. This difference distinguishes Part 1 from Part 2 since the latter focuses instead on NICs existing in countries, or planned, prior to the implementation of the CLME+ project.

## 3 RESULTS

### 3.1 Agulhas-Somali Current LME

The first phase of ASCLME Project (2008-2014) invested considerable effort in assessing regional level governance arrangements (ASCLME 2011). However, the regional analysis did not focus on the regional-national interface, which would have included NICs (ASCLME 2011) and the first phase of the ASCLME Project did not place much specific attention on NICs (David Vousden, Regional Project Coordinator (RPC), ASCLME Project, *via email*). Although the ProDoc mentions IMCs, stating that they will be used as necessary to achieve national inter-sectoral cooperation, they are not further developed in the document and do not reappear in the section on institutional arrangements (GEF 2008). Establishment of NICs was discussed during the project, but some resistance to them was shown by the countries (David Vousden, *via email*).

The RPC indicated that NICs are firmly embedded into the next phase of ASCLME (the SAPPHERE Project) and the countries seem to have accepted them. This is reflected in the SAP that describes the following under 'SAP Management Arrangements at the National Level'<sup>2</sup>: A long-term SAP National Scientific and Technical Advisory Panel<sup>3</sup>; and a national SAP Steering Committee<sup>4</sup>. The next phase of the project will include a review of national level inter-sectoral committees with a view to rationalising the respective roles of these bodies and adjusting the proposed ASCLME Project arrangements accordingly (ASCLME 2014, David Vousden, *via email*).

### 3.2 Arafura Timor Seas

The SAP for the Arafura Timor Seas Project (2010-2014) includes development of National Action Programmes for Indonesia and Timor Leste (Arafura and Timor Seas Ecosystem Action Program 2012). For Australia, actions will be taken up under existing national plans. There is no indication of the approach for Papua New Guinea, but it only covers a small part of the project area. However, the SAP does not indicate what mechanism will be used at the national level for developing and promoting implementation of National Action Programmes or engaging with the Project. Nor does national level integration emerge as an issue in the governance analysis developed for the Transboundary Diagnostic

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<sup>2</sup> "For this SAP management process to be effective at the regional level, it will need to be anchored at the national level. Fortunately, the TDA drafting and SAP development process has naturally evolved expert groups within each country that have, at the technical level, worked with the projects to develop and finalise the MEDAs and the TDAs, and at the management and policy level steered the development of this SAP.

The most expeditious way forward therefore in ensuring that the SAP management process and the scientific and technical alliance are actively represented in each country would be to maintain these national working and steering bodies."

<sup>3</sup> The expert technical groups in each country that have driven the MEDA-TDA process would therefore continue to act as a long-term SAP National Scientific and Technical Advisory Panel. The same multi-sectoral government and NGO representatives would make up the core of such a body and would invite further members and observers as they feel appropriate.

<sup>4</sup> Each country also nominated a multi-sectoral management/policy group to develop and finalise the SAP document for endorsement by the countries. This same body could be constituted into a national SAP Steering Committee (effectively an Inter-Ministerial Committee for LME SAP Management) where such a body does not already exist at policy level. The same multi-sectoral representation could sit on this Committee but it would also be able to expand its representation, as it deemed necessary.

Analyses (TDA) (ATSEA 2011) or in the TDA itself (ATSEA 2012); perhaps because there are so few countries. No information was received from the project in response to an enquiry email.

### 3.3 Bay of Bengal LME

Thus far in the BOBLME Project (2009-2015) there has been minimal focus on NICs. The emphasis has been on interacting with National Focal Points (NFP). The ProDoc does not indicate that NICs will be established (GEF 2006); which is unusual. Although it does state that interventions will be supported at the national inter-ministerial level, it does not explain what this means. The importance of establishing NICs was recognised, but considered to be unrealistic given the technical focus of the project and the stage of development of the process of developing regional-national governance arrangements (Rudolph Hermes, Chief Technical Advisor, BOBLME Project, *via email*; Chris O'Brien, RPC, BOBLME Project, *via email*).

The Project was aware that mechanisms similar to NICs existed in many countries, but did not get as far as intended in connecting with these mechanisms. An example given was Indonesia, which has a Coordinating Ministry for the “maritime/ocean” sectors. In some cases the mechanisms were thought to be at too high a level for the Project staff to make connections. In the case of India, which is large and only part of the country borders the Bay of Bengal, it was thought that the establishment of a national level NIC would be an unrealistic objective. The closest arrangement to NICs was India's Mainstreaming Ocean Research for Resource Management where the different research agencies came together, and the BOBLME India Project Task Force was established by a National Coordinator and attracted a range of national and local government agencies. At a BOBLME workshop on governance, countries examined the extent to which there were clear processes in place for interaction with regional process, some of which were connected with national inter-sectoral mechanisms (BOBLME 2015).

In the BOBLME SAP, objective 4.A.9 is to ‘Promote the establishment of multi-sectoral platforms for the implementation of the SSF Guidelines’ (BOBLME 2015). It goes on to say that successful implementation of the SAP will require improvements in several areas of governance of which the following four would normally be the responsibility of a NIC:

- Stronger coordination between fisheries and environment agencies, including research organisations;
- Stronger coordination between enforcement agencies;
- Integrated planning across different levels of governance – central, state (provincial) and local government;
- Improved local stakeholder participation in planning, decision-making, implementation and monitoring.

However, although the SAP indicates that national work plans will be prepared, it does not indicate that NICs will be pursued.

### 3.4 Benguela Current LME

Although GEF IW projects require the establishment of NICs, these were not established in the first two phases of the BCLME Project (2002-2007; 2007-). This was a deliberate decision made to streamline the governance arrangements for the projects (UNDP 2008, David Vousden, *via email*). Given that there

were only three countries in the project and that most relevant ministries were represented on the Project Steering Committee (PSC), the NICs were thought to be unnecessary<sup>5</sup>.

While NICs were not established by BCLME, certain NICs exist independently in participating countries. These are thought to have benefited from the influence of BCLME, including national committees on integrated coastal zone management (ICZM) and marine pollution in Angola and inter-ministerial committees on aquaculture and marine biodiversity (NACOMA) in Namibia. Both Namibia and South Africa have various other inter-ministerial committees concerned with marine ecosystems benefiting more or less from BCLME influence (UNDP 2008).

The TE of Phase 2 (UNDP 2008) concluded that NICs might indeed have added value to the Project<sup>6</sup>. Consequently, NICs were included in the third phase of the Project<sup>7</sup>. Implementation of priority national policy reforms is a component of the revised SAP in which it states, “National Inter-sectorial Committees established and operational to form recommendations to the respective Cabinets and Benguela Current Commission regarding issues related to improved and balanced utilisation of marine resources (e.g., tuna fishing and seismic survey, horse mackerel fishing and marine phosphate mining)”. This revised approach was based on the observation that the BCLME project did not get as far with mainstreaming transboundary management into national policies and management as planned.

### 3.5 Black Sea LME

The Black Sea LME Project (1992-1996) ended with the development of a SAP in 1996, followed by transition of responsibilities to the Black Sea Commission. The SAP states that inter-sectoral committees for ICZM shall be established at the national, regional and local levels of public administration, where appropriate, by the end of 1997 (GEF 1996). It further states that the inter-sectoral committees would design and implement national plans for ICZM through participatory approaches. It is not explicitly discussed in the TE, but it does appear that these committees were established or that National Action Plans (NAPs) were produced (GEF 1997).

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<sup>5</sup> “GEF IW project experience has confirmed the importance of coordination between sectors to achieve the integrated ecosystem approach. BCLME has been innovative in this respect by building this integration into the PSC and the BCC, rather than relying upon single representatives from each country to secure such integration “second hand” at the national level through National Inter-ministerial Committees (NICs), the more usual approach advocated by the GEF IW guidelines. While integration at the highest level has undoubtedly been effective for BCLME, it must be recognised that the small number of countries in the BCLME and the ample funding enjoyed by the project made this possible.” (UNDP 2008)

<sup>6</sup> “However, it also needs to be noted that the lack of NICs at the national level may deprive countries of the opportunity of discussing issues between themselves outside a regional forum where they may feel themselves less free to express their national interests in a unified manner. No such concern was expressed by BCLME stakeholders, most of whom considered that national-level integration had been promoted by the project.” (UNDP 2008).

<sup>7</sup> “National Inter-sectoral Committees (NIC) will enhance the multi-sectoral coordination capacity and their ability to form multi-faceted, more holistic recommendations to the Cabinet and BCC on matters with national and transboundary implications.” (BCLME PIF 2014).

### 3.6 Canary Current LME

The ProDoc of the Canary Current LME Project (2010-2015) states that each country will have a National Project Focal Point (NPPF) and a National Technical Coordinator (NTC) who will serve as the main liaison persons between the project, the national technical experts and the broad range of stakeholders (FAO 2010). For the Project Development Facility -B, each participating country established a National Interministerial Committee<sup>8</sup>. The operation of these continued into the Full Project. The RPC indicated that the NICs continued to function throughout the project (Birane Sambe, RPC, Canary Current LME Project, *via email*). The Terms of References (ToRs) for the NICs indicate that they are aimed primarily at promoting implementation of project activities in participating countries (downward linkage). The role of providing collective representative national feedback up to the regional level (upward linkage) is not stated in the ToRs although it may be intended. See the box below.

#### **Canary Current LME National Inter-Ministry Committee Terms of Reference**

##### *Status and composition of NICs*

National Inter-Ministry Committees (NICs) are officially constituted committees comprising functionaries of the key ministries concerned by the CCLME project, such as the departments responsible for fisheries, environment, research, petroleum exploitation, planning, finance, maritime transport etc. (to be judged country by country). The precise composition of the NICs will depend on the national context. The national GEF Operational Focal Point must be included as a member of the Committee. The NICs will not integrate non-governmental stakeholders, whose interests will be represented in specific national stakeholders' fora as part of the stakeholders' participation strategy. However, non-governmental resource persons can be called upon to assist the NICs.

##### *General role of NICs*

The general role of the NICs is to support the conduct of national project implementation activities. The Committee must ensure that the NPPFs and NTCs are sufficiently briefed and mandated to ensure the national interests at CCLME Steering Committees and other CCLME project meetings.

Specific roles of the NICs include:

- Support national participation in the project implementation process and ensure an integrated approach across sectors
- Support and assist the NPPFs and NTCs as necessary in carrying out their functions
- Approve the annual national project work plan
- Facilitate the provision of official data as required for project implementation
- Facilitate official participation in national implementation
- Ensure government feedback on project activities and outputs (TDA, SAP, EcoQOs)
- Help development, approval and adopt National Action Plans under the SAP
- Structure, functioning and meetings of NICs
- Ensure adequate communication on national and regional activities to all stakeholders.

The precise structure and functioning of the NICs is a matter for official preference. However, it is strongly recommended that the NICs should be streamlined and limited to those key ministries directly concerned with the issues addressed by the project (e.g. fisheries, environment, research, energy and petroleum, water). Chairmanship could be permanently held by one member, rotated between

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<sup>8</sup> "The main roles of NICs were to approve plans for the national consultations and approve the national assessment report. For the purposes of the main project the NICs will be maintained and extended to include additional ministries as appropriate. The main task of the NICs is to promote and give validity to the cross-sector approach implied in the LME concept at the national level" (FAO 2010).

ministries or chosen at the start of each meeting. The NICs should meet approximately twice a year.  
Source: Birane Sambe, *via email*

National Coordination Units (NCUs) will be established in each country, housed in a government building, where the NPFP and/or NTC will be located<sup>9</sup>. The NCUs will coordinate activities at the national level including acting as secretariat to the National Interministerial Committees and for organising stakeholder consultations. NCUs may also contribute to coordinating demonstration projects at the national level. Funding is provided for the incremental cost of operating NCUs.

The ProDoc indicates that identified stakeholders will be directly involved in various ways. As a first step, representatives of users of CCLME goods and services will participate at national level meetings, either at special forums or as resource persons at National Interministerial Committee meetings. Sector ministries and other government actors will be involved primarily through the National Interministerial Committees which are designed to ensure that the different sectors are consulted and that an integrated approach is taken to stewardship of the CCLME. Monitoring included operation of NICs via NIC documentation.

### **3.7 Guinea Current LME**

The Guinea Current LME Phase I (1991-1998) and Phase II (2004-2007) were examined. NICs were not envisaged in the first phase of the GCLME (then GoGLME) Project (GEF 1992). However, the TE noted that although stakeholder involvement was critical it had not been achieved to the extent needed (El-Sayed and Williams 1999). No response to an email of inquiry was received from the project, although it should be noted that it is in a hiatus.

The ProDoc for the second phase refers to the establishment of national IMCs and also refers to the development of NAPs (GCLME 2004). The functions of the IMCs are to “promote and give validity to the cross-sectoral approach implied in the LME concept at the national level will meet on an as-needed basis to be informed of the work of the Steering Committee, to review the progress of national Scientific/Technical Advisory Committees charged with the implementation of project activities at the country level and to facilitate important country political level commitment to the implementation of the project including sourcing for donor support” (GCLME 2004). The IMCs are subsequently incorporated into the SAP (GCLME 2007).

The role of the IMCs is reflected throughout the ProDoc for the second phase as might be expected given the range of functions assigned to them. Stakeholder engagement is a major aspect of their role. Their establishment and operation was to be monitored through process indicators.

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<sup>9</sup> “National Focal Points and Coordinators will be mandated to establish in their respective countries a NCU in order to provide a single center for coordinating national project activities. The NCU will be composed of the NPFP, the NTC and resource persons from different Ministries involved in the project’s activities. Each NCU will be equipped with a desk top and one laptop computer, office furniture, telephone and internet connection. NCUs will be located in a suitable government or official building, and basic services provided by the country in question (which will represent a part of the national in-kind contribution to the project). The NCU should be permanently staffed by either the NPFP or the NTC. A budget will be provided to cover the incremental cost associated with establishment of the NCUs” (FAO 2010).

The TE report reviewed the function of the IMCs (Humphrey and Gourdon 2012). They noted the following:

- Participation in IMCs included technical staff in the focal institution and other relevant Ministries. Experts have participated for specific activities. Overall there appears to have been limited systematic NGO or private sector participation, though a wider range of stakeholders were involved in larger meetings such as those related to NAP development.
- It proved difficult to maintain consistent participation with contact persons in other ministries often delegating meeting participation to different and poorly briefed staff. It was uncertain to what extent reporting back to line Ministries was effective but this lack of engagement and continuity was thought to have affected progress towards mainstreaming activities under components 2-4 of the project.
- The IMCs were thought to have delivered on key foundational outputs, but these reflected that the structures had not been adequately resourced or empowered to take on a proactive role. This was reflected in shortcomings in delivery of 'mainstreaming' activities that were anticipated.

### **3.8 Humboldt Current LME**

There are two National Inter-sectoral Committees (NICs) in the Humboldt Current LME Project (2009-2013), one each in the two participating countries - Chile and Peru – with around 50 institutions represented in each (GEF 2014) (Michael Akester, RPC, Humboldt Current LME Project, *via email*). They were established in 2011 by the respective NFPs immediately after the start of the Project (Humboldt Current LME Project 2012). They meet, on average twice a year, to be informed about progress on major project developments or milestones in those developments: TDA-SAP process, economic valuation of the HCLME, risk analysis, innovative techniques to count seabirds (use of drones), Marine Protected Area (MPA) management planning, Coastal Marine Spatial Planning and training related to EBM and Ecosystem Based Fisheries Management. The NICs were instrumental in the stakeholder led design of the 2012-13 project work plan (GEF 2014).

Participants at the NIC meetings are selected to form smaller technical working groups (10-15 people) for specific topics like the TDA-SAP, risk analysis, Ocean Health Index and evaluator training of trainers work. These groups are multisectoral, public-private, mainly centrally based (but at least one local actor) and not remunerated. They work together with contracted specialists guiding the delivery of key project deliverables like the NOAA modular assessments for sustainable development as the start-point for the TDA-SAP process, etc. The groups are dedicated, well informed and report back to their colleagues in the wider NIC groups. A binational group of 15 was selected from the two national working groups to make decisions on the TDA-SAP and other important Project products. This group meets face to face as necessary (typically three times a year) with the venue alternating between the two countries. Virtual meetings also take place a couple of times a year. Overall, the system is considered to have worked well (Michael Akester, *via email*).

### **3.9 Mediterranean Sea LME**

Assessing the role of NICs in GEF IW projects in the Mediterranean is difficult because these projects are integrated in the overall implementation of the Barcelona Convention to which they play a supporting role. The GEF currently supports the Strategic Partnership for the Mediterranean Large Marine Ecosystem project (2008-2013) which was aimed at implementing the two Strategic Action Programmes

on pollution and biodiversity developed by previous GEF initiatives (SAP-BIO and SAP-MED). This support is for GEF eligible countries in the Mediterranean.

The SAP-BIO and SAP-MED refer to National Action Plans but do not indicate the formation of NICs or similar bodies (UNEP 1998, UNEP no date). The Strategic Partnership Project Document does indicate that National Inter-ministerial Coordination mechanisms will be established in all participating countries (GEF 2007)<sup>10</sup>. It will be the role of the NFPs to establish these IMCs. One role of the IMCs stressed in the ProDoc is the engagement of NGOs and CBOs (GEF 2007).

There appears to be some resistance among countries in setting up NICs specifically for projects (UNEP 2014). However, there is support for NIC creation and strengthening for long-term processes such as for the Barcelona Convention and ICZM Protocol implementation. Countries also indicated that such NICs should be coordinated at the presidential level rather than by a sector ministry (UNEP 2012, Virginie Hart, Mediterranean Marine and Coastal Expert, MedPartnership, *via email*). These views are also reflected in the reports of the Third and Fourth Meetings of the MedPartnership Steering Committee which indicate that the project is actively working towards getting NICs in place and running (UNEP 2012, 2014). Financial support is being provided for these NICs (UNEP 2014).

### 3.10 South China Sea LME

The South China Sea LME Project (mainly 2002-2008) was another early LME Project. Given the political tensions among countries in the region particular care was taken with setting up the arrangements for project implementation (Chen 2013). There was the need to promote cooperation on environmental issues facing the South China Sea while ensuring that the treatment of these issues had no political implications for the countries, in particular for China's claim to most of the area. These arrangements have recently been documented and evaluated by Pernetta and Jiang (2013). They provide an account of the national level arrangements in the project upon which this summary is based. There were three types of national committee in this project.

The first type was the National Component Committee. These were established by Memorandum of Understanding (MOU) with an agency in each country responsible for implementing a particular project component in that country, for example mangrove restoration. "At the national level, the national co-ordinators or focal points for each component were responsible for convening regular meetings of a national committee or sub-committee with membership drawn from the government and national level stakeholder groups having interests in, or responsibilities for, the habitat or issue at the national level" (Pernetta and Jiang 2013).

The second type was the National Technical Working Groups. "In each country, a government designated senior official served as the National Technical Focal Point with responsibility for convening and chairing meetings of a National Technical Working Group, comprising representatives of the National Committees or Sub-Committee, together with additional experts and representatives drawn

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<sup>10</sup> "Inter-ministerial committees will be established in all countries and will monitor and support all activities within the project" (GEF 2007). Effective national inter-ministry coordination: Interministerial Committees/national coordination mechanisms established in all participating countries and advises national authorities and PMU for long term implementation of regional plans such as ICZM, IWRM, protected areas etc. (Virginie Hart, Mediterranean Marine and Coastal Expert, MedPartnership, *via email*).

from the public and private sectors and civil society. This working group was intended to provide sound scientific and technical advice to the Inter-Ministry Committee regarding national priorities and actions as the basis for national level decisions regarding project activities” (Pernetta and Jiang 2013). These committees corresponded to the regional technical committee of the Project.

The third type was the National Inter-ministry Committees. “The primary role of the Inter-Ministry Committees in each country was to function as the national equivalent of the regional PSC and to ensure co-ordination across sectors and stakeholder groups at the national level. The Chairperson of the Inter-ministry Committee served as the Government representative on the regional level PSC, thus ensuring that decisions taken by all participating countries accorded with the priorities and requirements at the national level” (Pernetta and Jiang 2013).

The IMCs had the National Technical Focal Point and the NFPs for the project as members with the latter serving as Chairperson of the IMC. The IMC was made up of high level representatives of other sectoral ministries and government agencies having interests in, and responsibilities for, the management of the marine environment and resources.

The relations between these national committees and the regional ones are illustrated in Figure 5. The two-tiered structure was designed to provide separation between technical and policy discussions within the Project. The arrangement was determined by the TE to have worked well. It was evident that participants in the various committees were clear on their roles vis-à-vis the other committees.

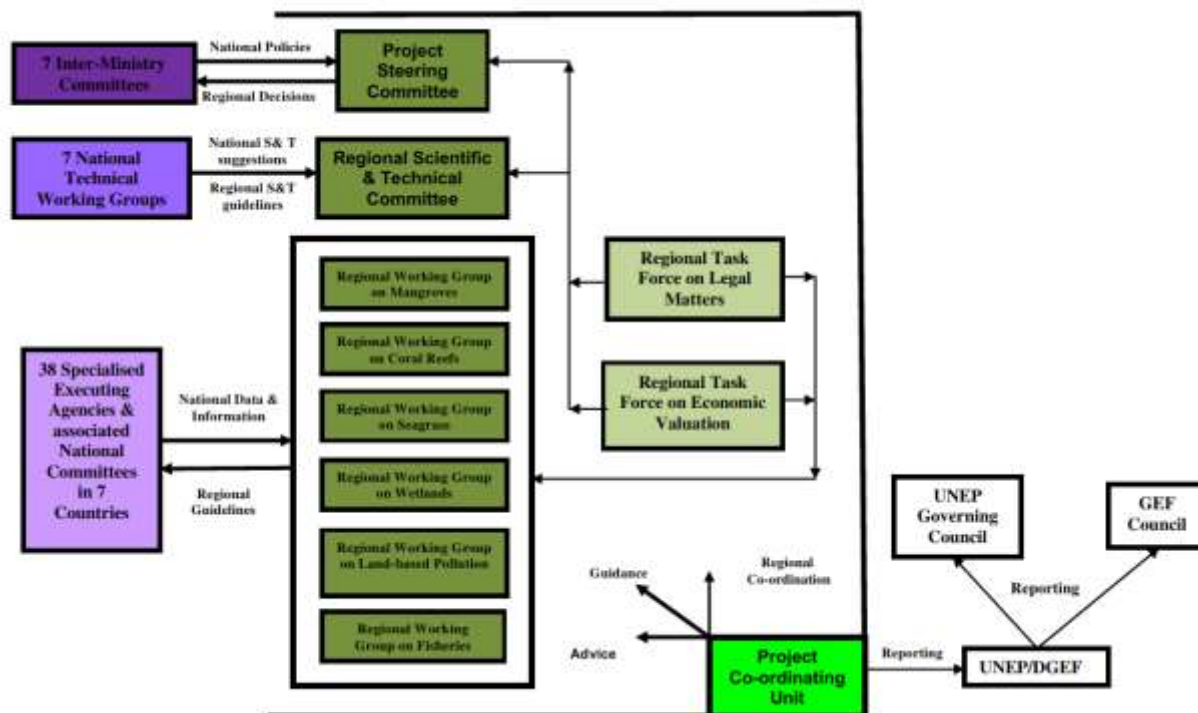


Figure 5. Arrangements for the South China Sea Projects showing the relations between national and regional committees (Source: Pernetta and Jiang 2013)

## 4 DISCUSSION

The findings for the ten projects selected for review are summarised in Table 1.

**Table 1. Summary of key points relating to NICs in the selected International Waters systems**

IW system	Key Points
Agulhas-Somali Current LME	<ul style="list-style-type: none"> <li>• Not much specific attention on NICs</li> <li>• Gentle but persistent resistance</li> <li>• More firmly embedded in next phase</li> <li>• Will start with survey of what exists</li> </ul>
Arafura Timor Seas	<ul style="list-style-type: none"> <li>• No indication of intention to have NICs</li> <li>• NAPs will be developed</li> </ul>
Bay of Bengal LME	<ul style="list-style-type: none"> <li>• Minimal focus on NICs in Phase 1, establishment of NICs considered unrealistic given stage of development</li> <li>• SAP identifies need for national coordination/integration but does not indicate NICs will be pursued</li> </ul>
Benguela Current LME	<ul style="list-style-type: none"> <li>• Initially NICs were deliberately not pursued</li> <li>• Due to few participating countries, integration was thought possible via the PSC</li> <li>• Evaluations concluded NICs were needed for separate national level deliberation</li> <li>• NICs now required in Phase 3</li> </ul>
Black Sea LME	<ul style="list-style-type: none"> <li>• SAP indicated NICs would be established to design/implement national ICZM plans</li> <li>• TE does not report on the above objective, but apparently NICs were not established</li> </ul>
Canary Current LME	<ul style="list-style-type: none"> <li>• ProDoc indicates that NICs would be established in all countries</li> <li>• Standard ToRs for NICs prepared. Indicate a role that is mainly one-way; project to country</li> <li>• Stakeholders to be included in NICs</li> <li>• NICs to be monitored via process indicators</li> <li>• NICs were established and operational in all countries</li> </ul>
Guinea Current LME	<ul style="list-style-type: none"> <li>• NICs not envisaged in Phase 1</li> <li>• TE indicated that stakeholder involvement not achieved as desired</li> <li>• ProDoc for Phase 2 indicates NICs to be established</li> <li>• NICs were also indicated in the SAP</li> <li>• TE reviewed NICs and noted difficulties with maintaining participation</li> <li>• Problems thought to be due to inadequate resources and empowerment</li> <li>• Mainstreaming of project activities at national level thought to have suffered as a consequence</li> </ul>
Humboldt Current LME	<ul style="list-style-type: none"> <li>• NICs were planned in ProDoc</li> <li>• They are in place in both countries and meet about twice a year</li> <li>• They are large, about 50 members each</li> <li>• NIC members form smaller technical working groups (10-15 people) around various issues (TDA-SAP, risk analysis, Ocean Health Index, etc.)</li> <li>• A group of 15 selected from NICs for technical oversight and decisions</li> </ul>
Mediterranean	<ul style="list-style-type: none"> <li>• Mediterranean Sea Project integrated with implementation of UNEP Regional</li> </ul>

IW system	Key Points
Sea LME	<ul style="list-style-type: none"> <li>Seas Convention</li> <li>SAP-Med or SAP-BIO indicate NAPs but not NICs</li> <li>Strategic Partnership ProDoc does indicate that NICs should be formed</li> <li>Countries against project specific NICs but support NICs for long-term efforts</li> <li>Countries think NICs should be at presidential not MOE level</li> <li>Project provides some support for NICS</li> </ul>
South China Sea LME	<ul style="list-style-type: none"> <li>This early Project thought to be a model for organisational structure</li> <li>National component committees formed for specific project components</li> <li>National technical working groups national equivalent of regional STC</li> <li>Inter-Ministry Committees national equivalent of regional PSC</li> <li>This structure thought to be instrumental in successful implementation</li> </ul>

Information on the establishment of NICs in the projects reviewed was difficult to obtain. There is a series of documents and reports that can be consulted in a GEF IW Project ranging from PIFS (formerly Project Concepts), TDAs, SAPs, ProDocs, Mid-term reviews (MTRs) and TEs. In addition there are internal project documents such as Steering Committee and other meeting reports as well as technical reports some of which relate to governance. Unfortunately, these documents are not always readily accessible on the project, GEF or IW-LEARN websites. Documents are often undated, making it difficult to follow activities through time, and named in ways that make it difficult to know exactly what they are. These shortcomings make research on GEF IW projects difficult and a significant opportunity to understand and learn from these transboundary governance initiatives is compromised.

Regarding NICs specifically, there are few instances of clear reporting on their performance and lessons learned. Often all that can be determined is that NICs were required and whether or not they were established. Process related information that would assist with assessing performance and challenges are scarce. One could conclude that governance lessons learned were not a priority, either for the GEF or the Projects (management, country representatives and organisation participants).

Whereas NICs (variously called National Inter-sectoral Committees or Inter Ministerial Committees) are required by the GEF for its IW projects, their implementation has been highly variable. In some cases they are the only national level committee, in others they are a high-level oversight committee together with a national technical committee. In some cases they have a direct role in implementing national level project activities including pilot projects.

The reviews indicate that the importance of NICs has increased through time, both within successive LME Projects (e.g. Benguela Current LME) and across the range of projects. The South China Sea Project is an exception in which considerable attention seems to have been placed on national committees. However, details of performance are still not available. Even though NICs have become an increasingly prominent project requirement, they appear to have been a relatively low priority in several projects. It appears that when difficulties were encountered with establishing and operating them, not much pressure was applied by RPCs. This may have been for a variety of reasons such as: lack of appreciation of their importance, more interest in technical aspects of the project on the part of RPCs, recognition that NICs were a burden on already overworked national staff, unwillingness to pressure countries, belief that it should be the role of NFPs to establish NICs, etc.

It is clear from the review that the establishment and operation of NICs in IW Projects has been challenging and that there has been limited success in most cases. A variety of reasons have been identified for this:

- Lack of will and/or capacity for organisation at the national level;
- Lack of funds to operate NICs;
- Perception that project specific NICs are too burdensome and that NICs should be permanent mechanisms;
- NICs not properly incorporated in project design;
- Project management unwilling to push countries to establish NICs.

Taking a broad view of GEF projects, Chen et al. (2013) noted that the large-scale IW projects usually focus on fostering formal intergovernmental cooperation processes, and that this approach may often lead to limited on-the-ground impact. In contrast, they observed that community-based IW projects are often local, individualistic and stand-alone projects, lacking regional linkages and perspectives. They emphasised the frequent gap that exists between regional and local processes and their outcomes. They stressed the need to adopt an integrated management approach to international waters management by incorporating local actions into regional and international waters management frameworks. The need to address this gap calls for project approaches that pay attention to all levels, from local to international, and their vertical and horizontal linkages as proposed in the LME Governance Framework (Fanning et al. 2007).

All GEF International Waters projects are supposed to have some form of national inter-sectoral coordinating mechanism as international waters also covers transboundary rivers, lakes and aquifers. Therefore, there may be lessons to be learned from NICs in other GEF IW projects for these other IW categories in addition to LMEs.

## **PART 2: SURVEY OF NICS IN THE CLME+ REGION**

This Part contains the survey of NICs in the CLME+ region, presenting the methods used, the results obtained and the lessons learned. Within the lessons, special attention is paid to successes and best practices. These positive aspects can ideally be replicated and built upon during the course of the current CLME+ project. Suggestions for the way forward are in the conclusions.

### **5 METHODS**

Investigating NICs is essentially an examination of institutional arrangements for governance. However, within this realm many possible conceptual frameworks can be employed depending on the purpose, investigator's discipline, required level and method of analysis, audience for which it is intended, and other criteria. These frameworks include an interactive governance approach, institutional analysis, institutional economics, game theory, network analysis and more. Several of the foregoing cut across disciplines such as political science, economics, sociology and anthropology. Higher-level frames for all of these could be complex adaptive systems and social-ecological systems including resilience thinking.

#### **5.1 Practical approach**

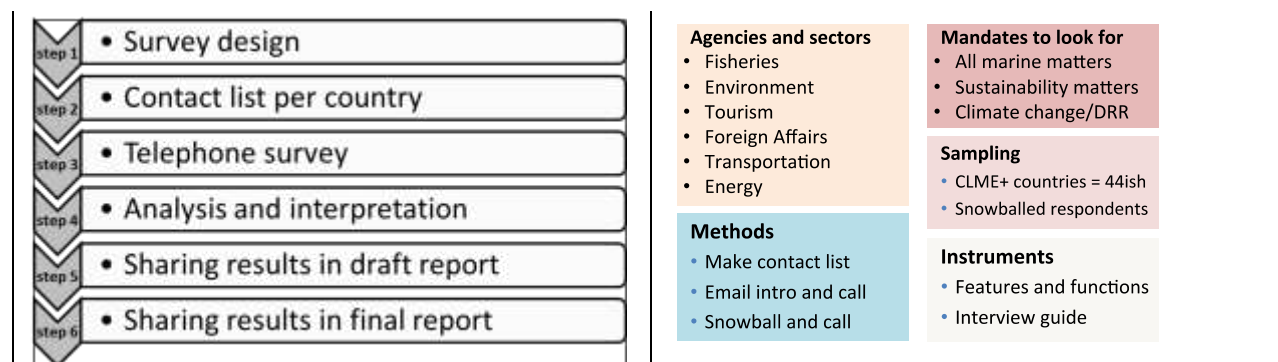
The point to be taken from the preceding introduction is that among the many options available and suitable we undertook a relatively simple applied research based upon previous studies on the CLME+

region and particularly those done under the recent CLME Project that gave rise to the SAP (e.g. Mahon et al. 2010). A practical approach based primarily on the principles of good governance was utilised as stated in the introduction and shown in Appendix 2 which was a document sent to all prospective respondents. The survey targeted all countries participating in the CLME+ Project (Table 2).

**Table 2. All CLME+ countries, including all categories of territories, were targeted in the survey**

Independent Continental States	Independent Island States	Overseas dependent territories, associated states, departments and islands with a special status
1. Belize 2. Brazil 3. Colombia 4. Costa Rica 5. Guatemala 6. Guyana 7. Honduras 8. Panama 9. Mexico 10. Nicaragua 11. Suriname 12. Venezuela 13. United States of America	14. Antigua & Barbuda 15. Bahamas 16. Barbados 17. Cuba 18. Dominica 19. Dominican Republic 20. Grenada 21. Haiti 22. Jamaica 23. St. Kitts & Nevis 24. Saint Lucia 25. St. Vincent & the Grenadines 26. Trinidad & Tobago	27. Anguilla (United Kingdom) 28. Aruba 29. Curaçao 30. St. Maarten (Netherlands) 31. British Virgin Islands (United Kingdom) 32. Cayman Islands (United Kingdom) 33. French Guiana (France) 34. Guadeloupe (France) 35. Montserrat (United Kingdom) 36. Martinique (France) 37. Bonaire, St. Eustatius, Saba 38. St. Barthélemy (France) 39. St. Martin (France) 40. Turks and Caicos (United Kingdom) 41. U.S. Virgin Islands (United States of America) was combined with Puerto Rico (United States of America)

Figure 6 sets out the sequence of the main steps in the investigation. The main elements that comprised the survey (steps 1 to 3) are shown in Figure 7.



The conceptual aspects of the survey design, previously introduced as the ideal characteristics of a NIC, are shown in Figure 8 with a panel that summarises the interview guide (Appendix 3).

<h3 style="text-align: center;">Features and functions</h3> <ul style="list-style-type: none"> <li>• <b>Involve stakeholders</b> comprehensively : <ul style="list-style-type: none"> <li>– State actors - government agencies, parastatal bodies</li> <li>– Non-state actors - NGOs, CBOs and academia</li> <li>– Private sector - from small to large enterprises</li> </ul> </li> <li>• Promote an <b>enabling environment</b> that ensures opportunity and support for stakeholder participation and encourages change agents such as individual leaders and champions</li> </ul>	<ul style="list-style-type: none"> <li>• Have a <b>clear mandate</b> that is at least administrative (politically endorsed) but preferably legal (<i>for legitimacy, accountability</i>)</li> <li>• Have <b>well documented processes</b> that are available to all stakeholders (<i>for transparency, accountability</i>) to ensure <ul style="list-style-type: none"> <li>– Internal communication among stakeholders</li> <li>– Provision of national input to regional projects and organizations</li> <li>– Receipt and distribution of input from regional projects and organizations</li> <li>– Appropriate national representation at regional level</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Have a system for documentation of activities, contributing to <b>institutional memory</b>, with outputs easily available to all stakeholders (<i>for transparency and responsiveness</i>)</li> <li>• Have an institutionalized mechanism for regular review, evaluation, <b>learning and adaptation</b> (<i>for efficiency, effectiveness and responsiveness</i>)</li> <li>• Serve to <b>integrate sectors and actors</b> involved in marine affairs at the national level; link national to local and regional governance processes</li> </ul>	<h3 style="text-align: center;">Interview guide</h3> <ul style="list-style-type: none"> <li>• Nature of the NIC; Name the NIC</li> <li>• Mandate; legal/administrative</li> <li>• Sector and/or issue coverage</li> <li>• Stakeholder inclusion (membership)</li> <li>• Documents; transparency; accountability</li> <li>• Enabling environment for participation</li> <li>• Institutionalised review (learn, adapt)</li> <li>• Scale rate: participation, transparency</li> <li>• Scale rate: accountability, responsiveness</li> <li>• NICs over time: past, present, planned</li> </ul>

**Figure 8. Summaries of the features and functions of NICs, and the interview guide**

The exploratory survey instrument comprised mainly open-ended questions to solicit information on the presence, characteristics and functioning of NICs in the countries, including those from the past and those planned, in order to pick up trends if possible. In each of the countries surveyed government offices associated with Ministries of Foreign Affairs, Environment, Agriculture/Fisheries and/or Coastal Zone Management were selected as the initial sample agencies. Suitable respondents (Appendix 4) were selected based on the list of CLME+ Project focal points, previous surveys, web sites, meeting participant lists found in documents, and the personal networks of the investigating team (Figure 9). Being aware of the low response rate to phone/internet interviews there was a clear selection bias towards individuals who would be most likely to cooperate with the least effort and delay in terms of multiple emails, repeated calls and long awaited responses. Respondents were informed that their names would not be attributed to specific statements as either quotes or information sources without prior consent. Often after initial contact (by conventional phone or Skype) there was some degree of referral (or snowball sampling) whereby the next potential respondent was selected based on the previous interviewee's recommendation as shown in Figure 9.

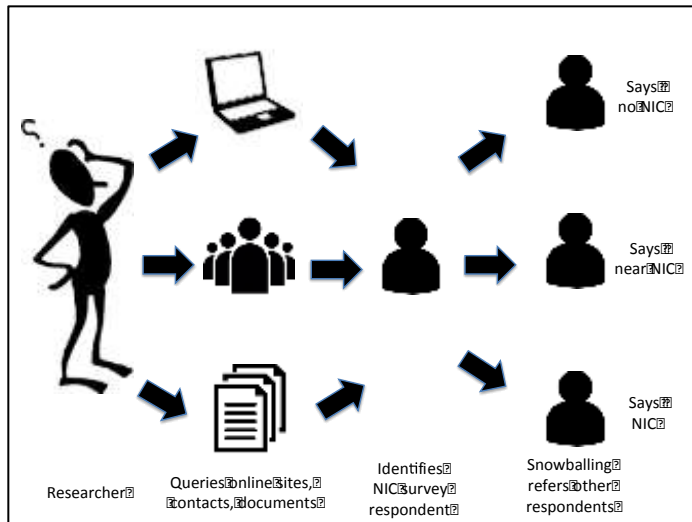


Figure 9. Schematic of survey respondent selection and responses

Since knowledge of NICs was seldom widespread, this assisted in interviewing the most knowledgeable respondents. This was a purposive sampling technique aimed at reaching specific targets, not random. Nevertheless, it was not unusual to have respondents provide different or conflicting information on the NICs that could not be confirmed by available documentation or validated through triangulation among the respondents. Country NIC summaries are in Appendix 5.

In total 115 survey interviews were conducted. Most interviews were conducted via telephone (includes Skype) in English, Spanish or Dutch and lasted on average 15-30 minutes although some lasted up to an hour. Some interviews were carried out face-to-face opportunistically at conferences, and those in Barbados were similar through appointment. For phone interviews a call log spreadsheet with states sampled, respondents, contact information, associated agency, call attempts and call responses was used. Data from the interviews were entered into an Excel spreadsheet and Word files. The individual responses per country were aggregated in order to arrive at a state level response once there was a reasonable level of consistency among responses. Data were reported through both descriptive statistics and narratives. In some cases supplementary documentation was obtained from online sources and from respondents.

## 5.2 Limitations

Interview surveys in general have several advantages and limitations that are well known and will not be repeated here. However, in this investigation the major specific inter-related limitations were:

- Unlike previous similar surveys that investigated meetings and projects for example (Mahon et al. 2010), there was little information available via internet or other public domain sources to identify and detail the NICs or their membership in order to easily target the contact list and prepare the interviewers with background information. Interviews were primarily exploratory, not for validation or gap filling. However, once one respondent indicated the existence of a NIC this information was used to guide the next interviewees and to search for information online;
- Respondents knowledgeable about NICs (many suggested by snowball sampling) were often very difficult to reach and, if reached, their time was limited. Respondents gave the impression that NICs were not as easily or often discussed as other marine governance matters;

- Lack of detail and depth of data is often a drawback in telephone surveys compared to those conducted in person for several reasons. This survey was compounded by some respondents' lack of familiarity with the topic and their limited ability to refer to relevant documentation;
- Quality of responses to the surveys can be a limitation in a topic of this sort as views can be highly political and subjective, and low accuracy or honesty may easily bias the responses;
- Respondents may have felt uncomfortable providing answers that present themselves, their agencies or their countries in an unfavourable light (in particular regarding good governance);
- Respondents did not always have an accurate recollection of past NICs or knowledge of future NICs and this was exacerbated by the lack of available reference documentation, so trends were difficult to determine and most of the responses relate to the present or very recent past;
- The research team had more experience and contacts in fisheries governance, and often used fisheries contacts in this field as a starting point. This might influence the types of NICs found;
- Although shared interpretation was enhanced by providing the features and functions document, and checking whether respondents said they understood NICs, this survey may result in unclear data because of the latitude that still remained for different interpretations versus fact surveys;
- Data analysis was challenging because of the above reasons, but especially because of variability in the interpretation of what was a NIC, or what was nearly a NIC, or what was not a NIC at all.

These limitations should be borne in mind in the following sections. They are addressed in the report's conclusions and recommendation for a way forward.

## 6 RESULTS

Up to mid-December 2015 interviews were conducted with 115 respondents in 41 countries and territories<sup>11</sup>. The three main types of organisations that participated in the survey were involved in fisheries (43%), environment (30%), and maritime affairs/marine governance (7%) (Figure 10). Respondents were from government agencies, research institutions, universities, NGOs and development organisations. Most interviews (94%) were with state agencies, and only 6% with the other types of organisations (see Appendix 4 for a list of interviews per country).

### 6.1 Overview of sample

Many social and economic sectors, and thus government agencies responsible for them with their multi-stakeholder partnerships, have an interest in marine affairs. Typically the most prominent were agencies responsible for fisheries, pollution, biodiversity, foreign affairs and tourism. However, others as diverse as rural development, social welfare, shipping, culture, sports, finance, energy and statistics also have roles relating to the marine environment. The mix of relevant agencies varied by country, within country, and over time as responsibilities shifted and issues changed in nature, priority or prominence. The situation was more complex in large countries having several levels of governance and devolved responsibility to states, provinces, districts or municipalities. In those cases NIC-like arrangements were found at the level of sub-national coastal governance such as found in Central and South America.

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<sup>11</sup> Aruba, St. Maarten and Curacao were counted as separate countries as they had different NICs, but Puerto Rico and US Virgin Islands as one country to avoid double-counting since they shared the same NICs

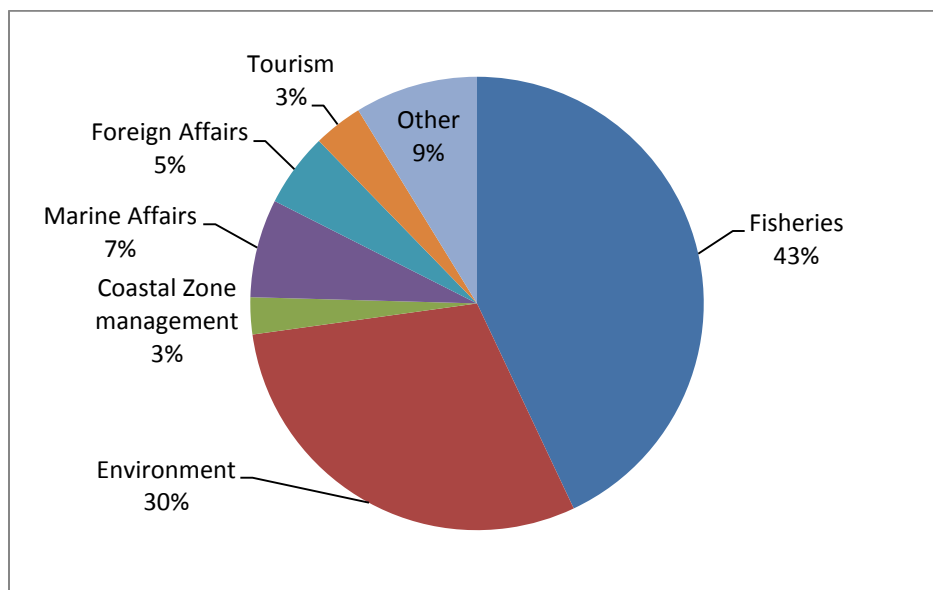


Figure 10. Agencies and sectors of respondents interviewed (n=115)

Of the 41 countries in this study (Table 3) 66% have or had NICs (now, in the past or in advanced development). The remainder (34%) have no NIC. Of the countries with no NICs, two (Guyana and Martinique) indicated that they are considering setting up a NIC but had no current development (Figure 11). We use the term 'NIC' here to include the arrangements that had all of the ideal features as well as those that came close. Later we differentiate the latter cases (majority) and use the term 'near NIC' for them.

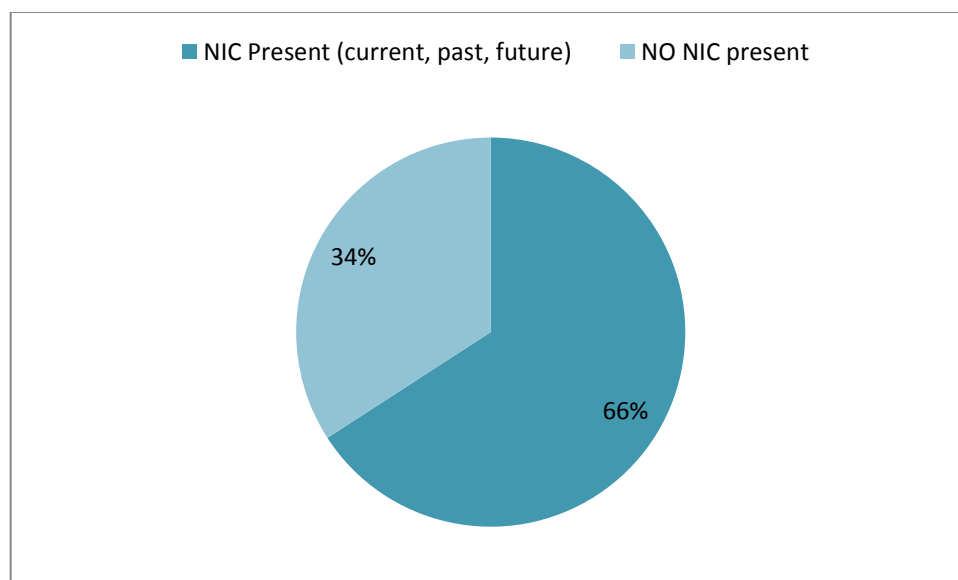


Figure 11. Percentage of countries that have a NIC (past, present, near future) or No NIC (n=41)

Of the 27 countries indicating they have or had a NIC, four countries reported having two current NICs<sup>12</sup>, although we suspect that the actual number of countries with multiple NICs is larger. Multiple NICs occur when the initiative to establish them is taken by more than one entity in the country and there has been no rationalisation or consolidation into one arrangement perhaps due to different mandates. There were two past NICs and eight developing future NICs (spread across seven countries) whereby the countries indicated these NICs will start shortly (in late 2015 or early 2016) and are in advanced stages of development.

Further analysis was based on 35 NICs for which data were available in sufficient quantity and quality from the survey and supplementary sources (Figure 12). In seeking to analyse the situation with NICs in the CLME+ region, the 35 NICs should exhibit features that can be used to distinguish among them and compare to the ideal type described in the introduction and methods sections. It was challenging to ascertain which NICs were active or inactive. Of the 25 current NICs, nine (26%) were considered to be inactive with meetings or other activities associated with them either very infrequent or non-existent according to respondents. However, since these inactive ones varied in their level of dormancy and respondents said that they should still be considered as current, they remained in the analysis along with the immediate past and immediate planned.

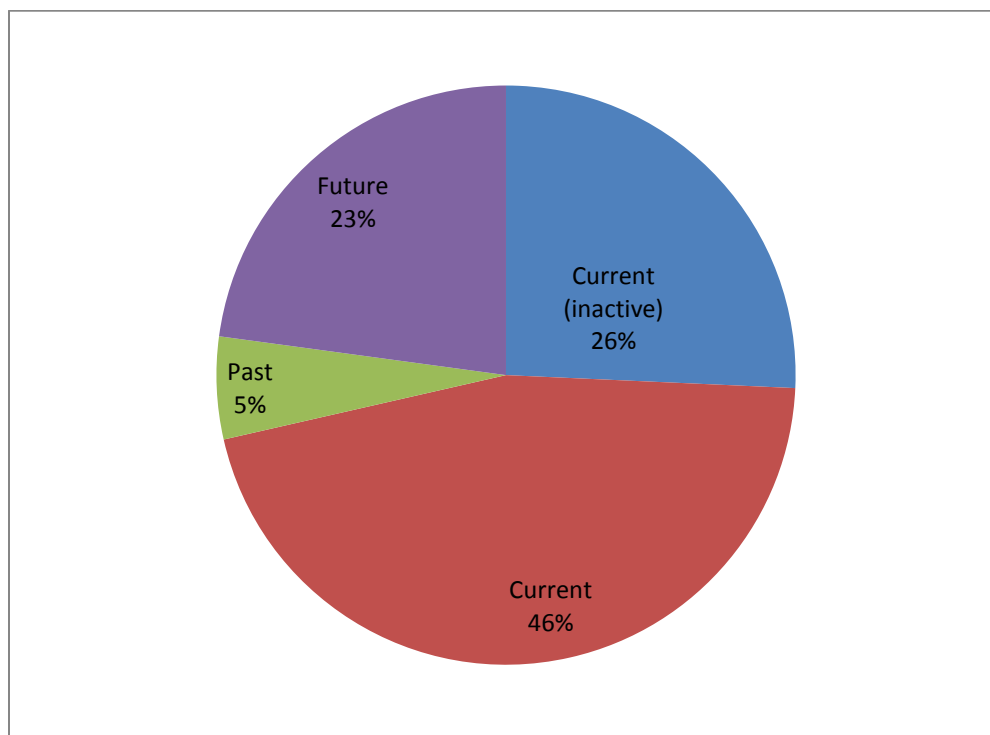


Figure 12. Distribution of NIC status regarding time (n=35)

The methods section alluded to the several ways in which to investigate NICs and the features that were selected for this survey. We examined the following attributes: a) extent of topical coverage of NICs; b) geographical scope; c) sector coverage; d) stakeholder coverage; e) legal status; f) review mechanism; g) documentation processes; and h) principles of good governance. The results suggest that currently there

<sup>12</sup> Belize, Brazil, Jamaica, Puerto Rico/US Virgin Islands

are no active NICs that are a perfect fit to the ideal scale and scope required by the CLME + Project when measured across these attributes. The results also revealed the diversity of NICs in the CLME+ region.

Some NIC attributes were nominal (e.g. fisheries or environment type). Other NIC attributes were suitable for coding and being given numerical scores to facilitate analysis. Dichotomous (e.g. 0 = absent, 1 = present) and ordinal (e.g. 0 = poor, 1 = fair, 2 = good) scores were assigned to most attributes based mainly on information from survey respondents, but also using supplementary data where available. Good governance was the only attribute that respondents rated directly on a five-point scale. Patterns of responses were examined using descriptive statistics and visually (Figure 13).

We elaborate on the survey results in the sub-sections below bearing in mind that data are typically from only a few respondents per country with often no or minimal documentary evidence to help corroborate their perceptions and experiences. The results should be treated as indicative, and are highly dependent on the interpretations of both the respondents and the researchers. Points raised in the results are returned to in the discussion section on lessons learned, successes and best practices that follows. Recommendations for follow up to obtain more and better data are also made later.

Countries	NIC (past, current, future)	Topical coverage	Geographical scope	Sector coverage	Stakeholder coverage	Legal status	Review mechanism
Anguilla	Past	One sector/marine	marine and terres	Poor	NA	Administrative	Review
Antigua and Barbuda 1: OGC	Future	One sector/marine	marine and terres	Good	Fair	Legal	No Review
Antigua and Barbuda 2: NCM	Future	Marine gov	marine	Fair	Fair	NA	NA
Aruba	Current	One sector/marine	marine and terres	Good	Fair	Administrative	No Review
Bahamas	Current	One sector/marine	marine and terres	Good	Fair	Administrative	No Review
Barbados 1: NCSD	Past	Sust/CC/DRR	marine and terres	Fair	Good	Administrative	No Review
Barbados 2: OGC	Future	Marine gov	marine	NA	NA	NA	NA
Barbados 3: FAC	Current but inactive	One sector/marine	marine	Poor	Fair	Legal	No Review
Belize 1: CAC	Current but inactive	One sector/marine	marine	Fair	Fair	Legal	No Review
Belize 2: NOCC	Current but inactive	Sust/CC/DRR	marine and terres	Fair	Good	Legal	No Review
Belize 3: FC	Future	One sector/marine	marine	Good	Fair	Legal	NA
Bonaire, St. Eustatius, Saba	Current	One sector/marine	marine	Poor	Poor	Legal	Review
Brazil 1: Shrimp and Fishery	Current	One sector/marine	marine	Good	Fair	Legal	No Review
Brazil 2 : CIRCM	Current	Marine gov	marine	Fair	Fair	Legal	No Review
British Virgin Islands	Future	Sust/CC/DRR	marine and terres	NA	NA	Legal	NA
Cayman Islands	Current	One sector/marine	marine and terres	Good	Fair	Legal	No Review
Colombia	Current	One sector/marine	marine	Poor	Fair	Legal	No Review
Costa Rica	Current but inactive	Marine gov	marine	Good	Fair	Legal	No Review
Curacao	Current	Marine gov	marine	Fair	Fair	Legal	No Review
French Guiana	Current	Marine gov	marine	Poor	Fair	Legal	No Review
Grenada	Current	Sust/CC/DRR	marine and terres	Good	Fair	Administrative	Review
Guatemala	Current	Marine gov	marine	Good	Poor	Legal	No Review
Jamaica 1: FAC	Current but inactive	One sector/marine	marine	Poor	Fair	Legal	No Review
Jamaica 2: NCOCZM	Current but inactive	Marine gov	marine and terres	Fair	Fair	Administrative	No Review
Mexico	Current	One sector/marine	marine	Good	Fair	Legal	No Review
Montserrat	Current but inactive	Marine gov	marine	Good	Poor	Administrative	No Review
Nicaragua	Current	One sector/marine	marine	Good	Fair	Legal	No Review
Puerto Rico/US Virgin Islands :CFMC	Current	Marine gov	marine	Poor	Good	Administrative	NA
Puerto Rico/US Virgin Islands: CROP	Current	One sector/marine	marine	Poor	Fair	Legal	No Review
Saint Lucia	Current but inactive	One sector/marine	marine	Fair	Poor	Administrative	NA
St. Kitts and Nevis	Future	One sector/marine	marine	Fair	Fair	Legal	No Review
St. Vincent and the Grenadines	Future	Marine gov	marine	NA	NA	Legal	NA
Suriname	Future	Marine gov	marine	NA	NA	NA	NA
Trinidad and Tobago	Current but inactive	One sector/marine	marine	Fair	Fair	Administrative	No Review
United States of America	Current	Marine gov	marine	Fair	Fair	Legal	NA

Figure 13. Screen shot of an analysis worksheet illustrating complex patterns in the data

## 6.2 Topical scope or mandate

The 35 NICs fell roughly into five main categories with significant overlaps. NICs of interest are focused mainly on marine governance generally (37%), fisheries governance more specifically (26%) and the environment (14%) (Figure 14).

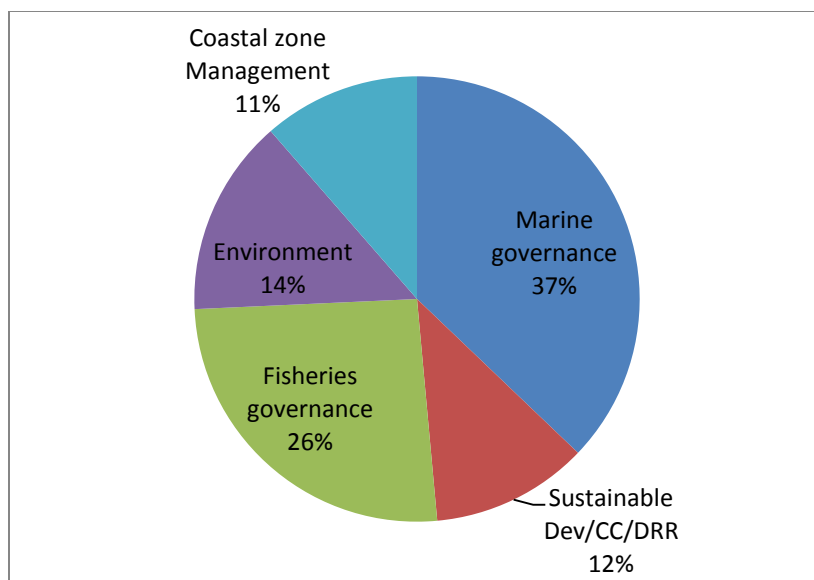


Figure 14. Main topics or mandates of NICs (n=35)

We examined the breadth of these categories. A large proportion of the NICs (18 out of 35 NICs) focused on only one sector or topic (e.g. fisheries governance, environment or coastal zone management), but each one was still rather broad. Some had their mandate or objectives enshrined in law, such as to advise the government on matters related to fisheries, but worded so as allow considerable latitude. We were told that topics covered sometimes exceeded mandates, and this reflected a change in the scope of the NIC, for which several different reasons were possible.

### 6.3 Geographic scope

NIC geographic scope was divided into three categories; 1) coastal zone, 2) marine space; 3) marine and terrestrial space. As intended through the sampling, the large majority of NICs focused on marine space (22), ten covered both the marine and terrestrial space and three were limited to the coastal zone (Figure 15).

Marine was a rather wide category as for example a near NIC, such as a Fishery Advisory Committee (FAC), in theory extended to the entire EEZ but in practice dealt only with matters specifically related to fishing activities within this space, or a small part of it, and not to maritime transport or tourist activities within the marine space generally or within the fishing area. There was little evidence that NICs had much transboundary scope or interest, even in cases of regional integration coupled with geographic proximity such as in the eastern Caribbean and Central America. The NICs focused on coastal zone management were not sector specific but could only address the coastal zone. Coastal zone management NICs were, as their name suggests, narrow in geographic focus but broad in the inclusion of sectors and stakeholders. With greater geographic scope they could become indistinguishable from ocean governance committees.

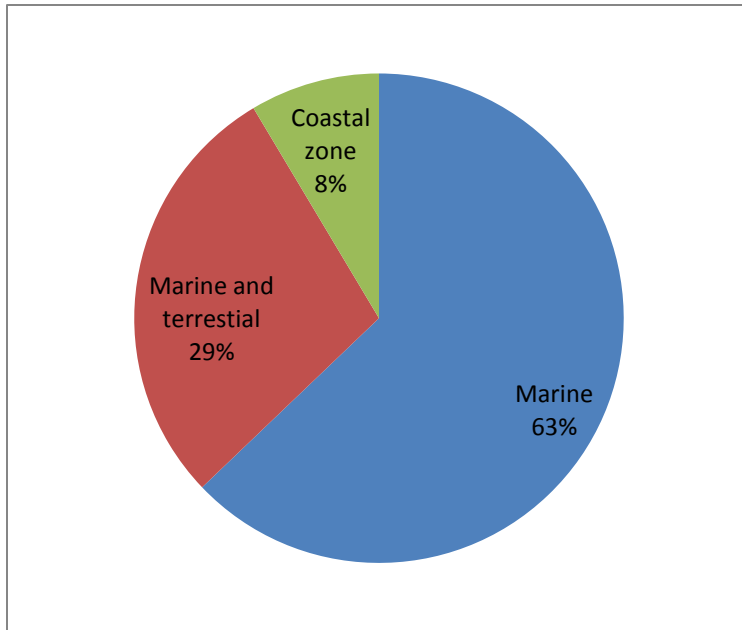


Figure 15. Geographical scope of NICs (n = 35)

#### 6.4 Integration of sectors

For NICs it is important to connect and integrate sectors laterally within countries on transboundary matters. We therefore considered the extent to which a variety of state agencies from various sectors such as fisheries, maritime transport, energy and tourism, as well as a variety of state actors such as the coast guards, customs etc. were present in the NIC. In general NICs had a fair representation of different sectors. Thirteen NICs were scored as 'good', indicating a cross-section of sectors present in the NIC whereas 10 NICs had a 'fair' representative set of sectors present from the state side. Of the 35 NICs, only eight were considered to have 'poor' representation of different sectors (Figure 16).

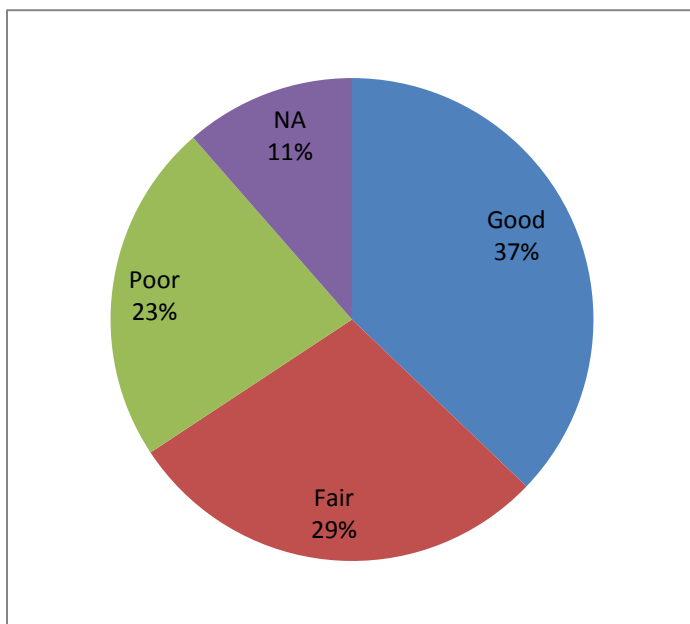


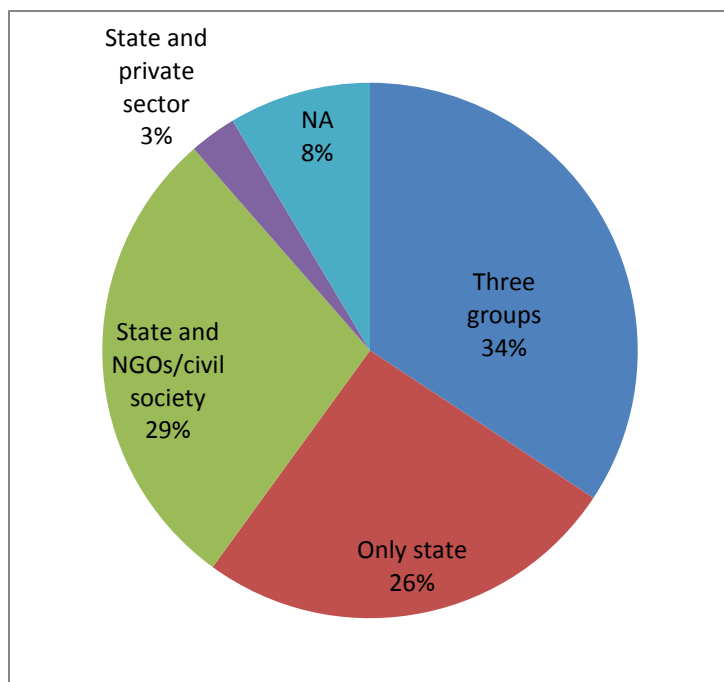
Figure 16. Sector representation within state agencies (n = 35)

Poor representation was mainly related to the objective of the NIC being rather narrow in focus (e.g. the fisheries sector) but this was not always the case. A ‘full’ or ‘ideal’ NIC must have an inter-sectoral approach such as the ecosystem approach to fisheries (EAF). Although NIC titles were generally good guides on inter-sectoral scope, this was not infallible as with the fisheries example in which the approach is what determines several features.

## 6.5 Involving stakeholders

In NICs it is considered essential to have stakeholders present from not only the state (ministry and parastatal) but also civil society (e.g. NGOs, community groups such as fisherfolk organisations and academia) and private sector interests (from small to large enterprises). We examined to what extent NICs incorporated all three groups, or only one or two. Stakeholder representation in terms of formal membership, and support for stakeholder participation within the NICs, appeared to be fairly adequate. Of the 35 NICs only 12 had representatives of all three groups on board. Nine NICs had only state actors as members. Ten NICs had state actors, NGOs and civil society partners. One NIC had only state and private sector parties in their committee<sup>13</sup> (Figure 17).

<sup>13</sup> For four results were unknown (NA) as the NICs are still in development stage



**Figure 17. Stakeholder representation in NICs (n = 35)**

NGOs and civil society actors were thus involved in 22 NICs, and perhaps fairly well represented, while the private sector was only present in 13 NICs. We further analysed representation, not only looking at whether there were three groups present, but also their numbers and where possible to see if they were able to influence the NIC. This resulted in three categories (good, fair and poor) in which three NICs scored good, 24 NICs had a fair representation of stakeholders, and four NICs were poor.

These results may imply that stakeholder groups outside of the state are often not well represented. An analysis of decentralisation, delegation and devolution showed that a large number of NICs made use of sub-committees or technical committees or working groups. These subordinate committees often did the 'groundwork', or were consulted for technical expertise or delivered the key messages of the various stakeholder constituencies. Often they comprised scientists, NGOs, industry representatives and other private sector actors. This two-tiered system worked in a variety of countries and was claimed to promote enabling environments that ensure opportunity and support for stakeholder participation. In such cases stakeholders were said to be able to influence the outputs of the parent NIC although they did not have voting power. Power dynamics within NICs were little discussed but clearly important.

## 6.6 Level of formalisation

It is important for NICs to have a clear mandate that is at least administrative (only operationally and politically endorsed) but preferably legal (for legitimacy and accountability). The large majority of NICs analysed were legal entities (22 out of 35), ten were administrative, and for three NICs (of which two are future NICs) it is still unknown whether they will be administrative or legal (Figure 18).

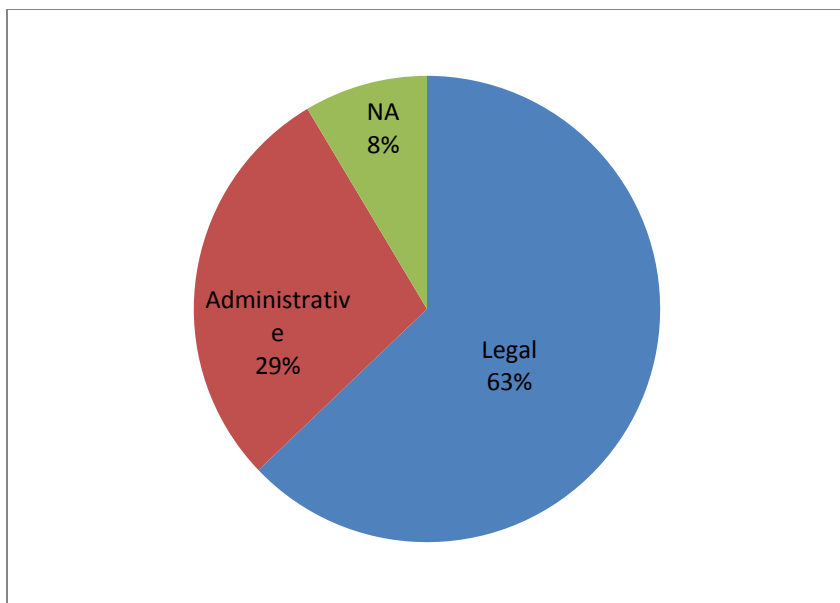


Figure 18. Status of formalisation of NICs (n=35)

In a number of cases even though the NIC was treated nationally as legal, the legislation to legalise the NIC was still in draft and had not been approved yet (which in some cases respondents indicated can be a very lengthy process).

## 6.7 Mechanism for review

NICs should have an institutionalised mechanism for regular review that can serve to evaluate, learn and adapt the functioning of the NIC (for efficiency, effectiveness and responsiveness). In only three NICs was there an official review mechanism in place (Figure 19), however, as one NIC is in the past, this effectively leaves two NICs with a review mechanism.

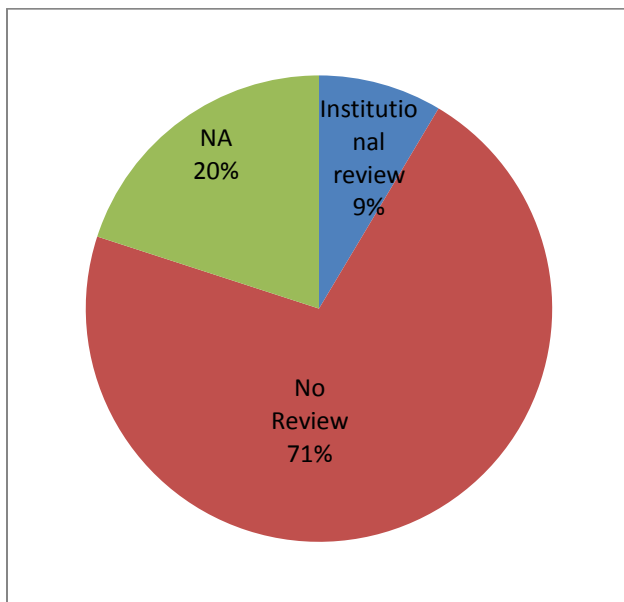


Figure 19. Mechanism for review (n = 35)

This result may arise in part from a large number of NICs being legalised entities for which review was not legislated. According to some respondents, to adapt such a NIC may require having to go through Cabinet and perhaps Parliament again, making it a lengthy and potentially political burdensome process. A number of interviewees, however, indicated that internal review mechanisms existed (e.g. by funding agencies that support the NIC if it is associated with projects or programmes).

## 6.8 Documentation processes

Respondents noted that NICs had various forms of documentation processes. Documentation available to all stakeholders aids transparency and accountability. Such processes ensure internal communication among stakeholders as a way to provide national input to regional projects and organisations, and to receive and distribute input from regional projects and organisations and to enhance appropriate national representation at regional level. Such processes build institutional memory. Interviewers asked what types of documentation existed in the NICs and whether there were systems for documenting activities. Of the 35 NICs, only 12 distributed process documents to the NIC members. Five NICs indicated documentation was available to the larger public, but only upon request. Seven had documentation available on their websites. For 11 NICs, information on what they did and how they did it was not available (most related to the fact they are in the future or in the past) (Figure 20).

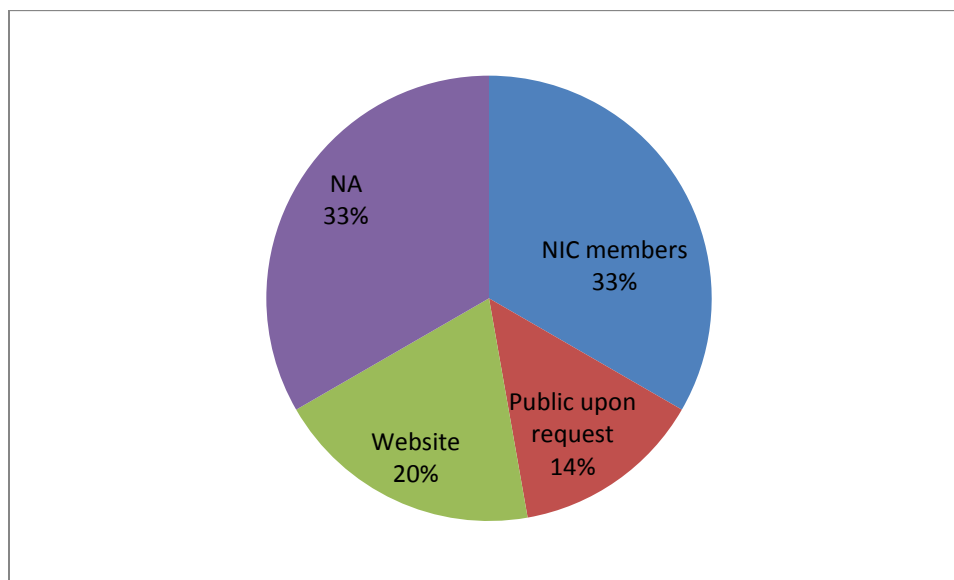


Figure 20. Documentation availability in NICs (n = 35)

There was considerable variation amongst the NICs regarding access to documents. In most cases where documents are available on websites, the products available are output documents such as newsletters (e.g. Antigua and Barbuda and Trinidad and Tobago) and final reports of activities (the Bahamas). In other countries members of the public must make an official request to receive information, and this can be perceived as a hurdle. One chair of a NIC appeared to be rather surprised by the question as to whether the public had access to documentation and responded that, “in principle I suppose they would, but it hasn’t happened,” although that NIC was in existence since 1998. There is little or no public demand for information about or from most NICs, and seldom does national legislation compel disclosure. Only in a United States and Brazil NIC were records of all the meetings found online.

Data suggest that transboundary communication is poorly developed in NICs. Generally, international and regional developments were not formally followed or incorporated into the NICs meetings unless the mandate of the NIC required this (e.g. in the case of a NIC focused on climate change adaptation or international environmental conventions). Current developments on a specific topic (e.g. on regional fisheries policies) might be brought into the discussion of a FAC if considered necessary, but generally this was more random and unsystematic than institutionalised. In a similar vein, respondents said that feedback to lower levels within agencies and industries from NIC representatives appeared to be unsystematic and not institutionalised. It depended largely on the willingness of the NIC member to distribute his/her knowledge to his/her supporters or constituency.

## 6.9 Principles of good governance:

Out of the 35 NICs, there was information on 17 NICs regarding select principles of good governance (on a scale of 1-5) (Figure 21). The average scores were Participation: 4; Transparency: 3.7; Accountability: 3.9; and Responsiveness: 3.3.

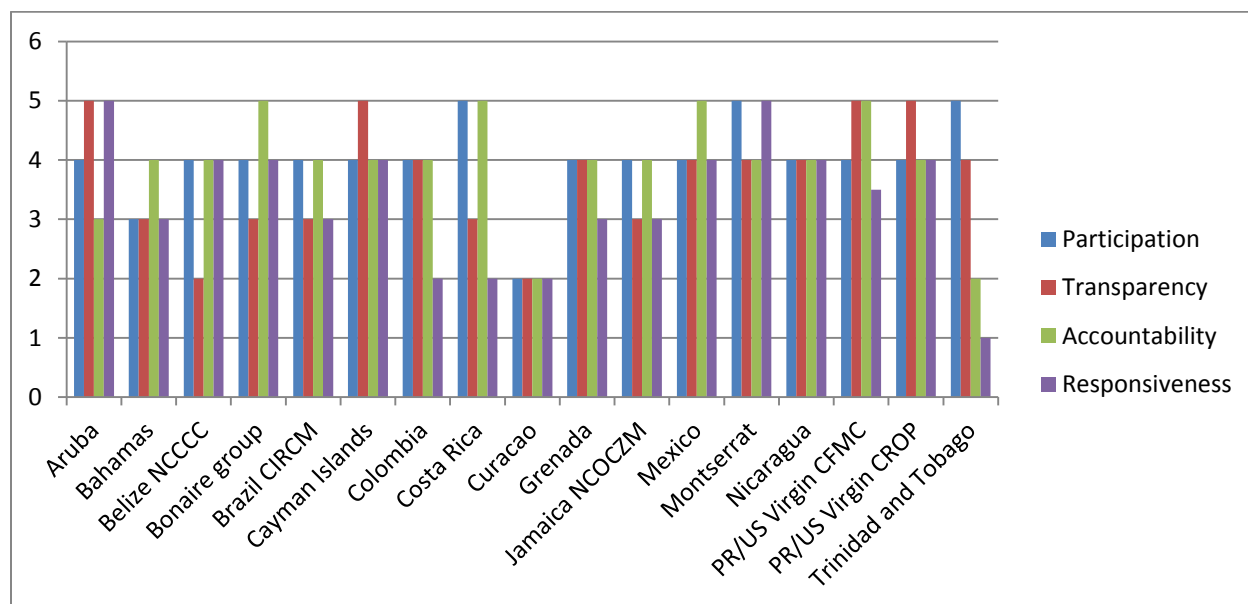


Figure 21. Principles of good governance per country per NIC (n = 17)

These results, which were often indirectly self-assessment by the NIC member respondents, suggest relatively high perceptions on average of the quality of governance in those NICs for which responses are available. Several respondents, however, declined to rate the NIC in which they were involved. It is likely that there would be greater variation from a larger number of respondents representing diverse constituencies on the NICs, especially since most of the respondents to this survey were from state agencies. In a small number of cases, where the state members did not want to rank the NIC they were in charge of, the NGO members were sought and asked to rank the principles of good governance.

## 7 LEARNING, SUCCESSES AND BEST PRACTICES

As noted in the methods section, there were limitations to obtaining and interpreting data on NICs. The results reflect those limitations, but were sufficient to provide a reasonably detailed image of NICs with marine coverage in the CLME+ region. In this discussion we focus on the main lessons learned from the

findings, especially factors that appear to favour success and best practices (presented in boxes). The sections below roughly follow the order in the interview guide. These sections overlap to some extent and reinforce each other in terms of key messages from different perspectives.

## **7.1 Establishment, clear mandate and legal mandate**

There appeared to be increasing interest in NICs focused on ICZM in the early 1980s, followed by sustainable development in the 1990s, with climate change and ecosystem-based approaches growing mainly in this millennium, along with re-casting sustainable development as blue economy. Thus it was not surprising to find NICs of various types in most countries. Across the CLME+ region the study found NICs, or institutional arrangements approaching the scope and roles of NICs (the near NICs), currently established in most countries. Combining the past, current and future, 66% of the countries have NICs.

Establishing and sustaining NICs is challenging. Inactivity of NICs was a concern. Some had not met in a year or more, while others have been operating with limited levels of activity for up to four years, but respondents maintained that they were functional. One needs to consider reasons for dormancy and poor performance of NICs when establishing new NICs or considering engaging with the currently active NICs. Given the track record of NICs becoming inactive it is important to monitor the performance and activity levels of newly established NICs. Contrary perhaps to expectations, it appears that a high number of currently inactive NICs have mandates in areas covered by a single department or ministry (e.g. environment, fisheries, coastal zone) rather than broader ones (e.g. sustainable development, climate change).

Upon establishment, expectations that the key actors would be more in tune with the objectives of the NIC, be more cohesive from sharing an interest in the same topic, and be more likely to agitate for sustainability appear to be false. Factors explaining inactivity of NICs after their establishment included: ineffective leadership; disinterest of parties involved; inability to dedicate time; lack of stipend or travel support for participants; inability to get follow-up commitment from members; disagreement on the state agency that should chair the NIC; and political interference or changes. These are also barriers to establishment. NICs in other LME regions appear to suffer similar challenges.

State representatives said that time and capacity were issues since they have many pressing issues such that participating in a NIC, and taking on the responsibilities that go with it, put increasing pressure on their performance of normal duties that were higher priority. This suggests that, when being established or once they have begun operation, more attention needs to be paid to the real costs of operating NICs. NICs established with higher status may receive stipends and other resources, suitable leadership and the political or legal-administrative power to endure, although this says nothing about performance. It appeared that external funding and interest at times assisted with the establishment of NICs and their ongoing support if linked to project implementation as is the case with the CLME+ project. The survey results were inadequate for determining whether external assistance was critical for NIC success and following establishment and a project period. We suspect that contribution to success is highly context specific and depends on the extent of ownership of the NIC by the country stakeholders.

More than half of the NICs had a legal mandate, but the number that were administrative suggests that establishment under law is not necessarily essential for success. Indeed there may be more latitude for experimenting, learning and adapting under administrative rule. On the other hand it was explained that without legal status a NIC may not be taken seriously as its mandate was informal and its decisions were not binding. In some cases, such as in St. Kitts and Nevis, there was already been a relatively successful

informal committee for five years, which has only recently been proposed to Cabinet in order for it to be legalised. Currently a new and formal Fisheries, Aquaculture and Marine Resources Advisory Council is being set up in the country building onto this informal committee which is incorporated in the new Fisheries Act. In the law it states that, “there shall be established within six months of the entry into force of this Act a Fisheries, Aquaculture and Marine Resources Advisory Council (“Advisory Council”) of no less than seven and no more than eleven members with due recognition of gender and Fisheries, Aquaculture and Marine Resources experience and proportional representation between the islands.”

***Best practice: Ensure the availability and use of up-to-date and non-conflicting legislation***

Whether or not a NIC is enshrined in legislation does not necessarily determine its success. However, NICs often make use of legislation that is important to their functions. Problems may occur when the legislation NICs draw upon is not up-to-date. For example in the case of the Bonaire, Saba and St. Eustatius, the fisheries regulations are based on 1986 legislation and similar situations were found in other countries. Reliance on outdated legislation makes executing decisions of the NIC difficult. It is therefore important to consider not only whether a NIC is formally institutionalized but also whether the legislation in use to achieve objectives is up-to-date. In the case of Trinidad and Tobago the objective of the NIC was to develop a holistic and coherent ICZM Policy. However, during the course of development it became clear there were approximately 20 pieces of legislation that could potentially address ICZM. The multiplicity of laws and policies impacting on coastal areas gave rise to as many as 29 institutions in Trinidad and Tobago having a defined legal and/or policy role. This created problems of overlapping jurisdiction and a lack of proper co-ordination of enforcement and management agencies. It is important to have modern legislation that does not overlap excessively, and does not cause conflicting mandates.

In Jamaica the mandate of the National Fisheries Advisory Council is to advise the Fisheries Division on important management measures within marine capture fisheries and aquaculture. This near NIC is a requirement in the Fisheries Act. However, this is still a draft and has not yet passed into law. The Minister of Agriculture instituted the NIC in 2008 informally, and although it has no legal status it is functioning under the Minister (although recent meetings were said to have been infrequent due to a lack of human and financial resources).

Legal status appeared to be a success factor for the first decade of the Fishery Advisory Committee (FAC), a near NIC, in Barbados. However, despite a history of functioning reasonably well (McConney et al. 2003), the FAC has not met since 2013, and the reasons for this are unclear. There could be political, administrative, leadership or other reasons, or perhaps a combination thereof. That FAC is reportedly to be reactivated in 2016, but in many countries there has been no move to establish FACs or no interest in sustainability despite legal status. It is possible that meeting the increasingly integrated obligations of multi-lateral environmental agreements and soft-law instruments such as the Sustainable Development Goals will result in more ocean NICs being formed or made functional.

Interviewees stressed that having a NIC established under law, rather than as an administrative body, was important. At the same time, a NIC, as an administrative body under a ministry, can have its advantages over a legal entity in terms of flexibility to change, in theory avoiding going to Cabinet or Parliament for modifications to be approved. Reality may reveal little difference between the legal and administrative. Costa Rica, for example, indicated they wanted to make changes to the Comisión Nacional del Mar (CONAMAR). The NIC is currently inactive, yet the Decree that established CONAMAR is still in effect. It was a high level commission — ministers or their delegates — and the request is for a

review so that CONAMAR's membership can be extended to include technical staff and experts so the commission becomes less political and acquires a new affiliation with a new chairperson. This request has not been approved yet.

***Best practice: Innovatively reduce the operational costs of holding meetings and communicating***

Cost can be a constraint in the establishment and operation of NICs. Operational costs were particularly worrisome for larger developing countries in which NIC members had to travel inconvenient distances with high costs of transport and time demands. Examples include Jamaica and Belize. The situation is similar in countries that are made of up of several islands, such as St Vincent and the Grenadines. In the case of the EEZ Commission of Bonaire, Saba and St. Eustatius, these islands are located relatively far apart and high travel costs make it difficult for the members to participate, and for inviting stakeholders to the meetings. This was partly overcome by aligning the EEZ Commission meetings with other funded meetings. Cost-saving measures such as teleconferencing, wholly or partially online meetings, using text broadcasts and otherwise investing in information and communications technology is a best practice.

In Saint Lucia the reactivation of the Coastal Zone Management Advisory Committee (CZMAC) is under discussion in relation to the Organisation of Eastern Caribbean States (OECS) Commission promoting Ocean Governance Committees in member states. The key actors are now discussing internally whether they would be better off setting up an Ocean Governance Committee (OGC), which would include the work previously done by the CZMAC. Alternatively, they suggested that the CZMAC could be reactivated and additional persons for the OGC would be contacted when necessary to expand the scope from coast to ocean. No decision has been taken on the matter, but it is a potentially practical innovative approach to improve efficiency.

The OGC is one recent form of NIC that may have a mandate of considerable interest to the CLME+ Project as a best practice. An example of ToR is shared in Appendix 6. This NIC has broadened its scope from maritime delimitation to a wide range of ocean sustainability matters. However, this process and the Saint Lucia case also reveal how there may be trends and pressure for NICs to either evolve or be replaced. Such changes may be beneficial and adaptive, but this is not so in all situations. Interventions aimed at establishing NICs, especially those with legal mandates, must be designed to take the current institutional arrangements and policy arenas into account.

***Best practice: Mobilising champions and leaders can give a NIC energy and direction***

Clear incorporation of a NIC within a Ministry or Department appears to be crucial in sustaining NICs. It was often stated that NICs need clear leadership to be sustained and develop next steps. In Barbados the demise of the National Commission on Sustainable Development (1995-2005) was argued to be partly due to the untimely death of its chair as well as the fact that after the development of the National Sustainable Development Policy no agency actively championed the responsibility to implement the policy. After two failed attempts over the past 10 years to establish an ocean-oriented NIC, it was argued in interviews that the future OGC that is currently being developed in Barbados has to have a clear institutional backing, with strong and dedicated leadership within the Ministry of Foreign Affairs. Mobilising champions and leaders therefore appears to be best practice.

## 7.2 Covering sectors and stakeholders

For NICs it is important to connect and integrate economic sectors and stakeholder interests, to the extent feasible, laterally within countries on trans-boundary matters. Most of the NICs analysed, for which membership information was available, had a majority of state members from several sectors. Our results indicate that in currently active NICs there is a good representation of state actors across sectors and this can therefore contribute to successful NICs. The presence of several sectors does not, however, guarantee that all sectors are committed at all, equally committed, or able to influence the outcome of a NIC.

### ***Best practice: Use internal problem-solving and conflict management mechanisms***

In one NIC, with a focus on marine governance and in which a large number of sectors were officially represented, one of the reasons stated for its failure (or current inactivity) was that some sector representatives (e.g. the Fisheries Department which was considered crucial) would fail to show up for meetings. While there may have been reasonable reasons for this, the case highlighted that NICs may not have adequate internal problem-solving or conflict management mechanisms to be adaptive. Here, conflict is not necessarily a dispute, but any type of interaction that serves to defeat the objective of the institution. Employing conflict management, declaring conflicts of interest and active problem-solving are all practices that help prevent a NIC from unnecessarily grinding to a standstill over small matters.

When respondents discussed envisioned future NICs, comprehensive sector representation was often considered to be important. Inclusion was seen as a factor of success. In the future NIC that Suriname is developing, for example, nine to ten different state sectors are expected to be on the committee. One caution is that governance arrangements and formal structures tend to have a situation-specific optimum size that can be determined mainly by experimentation beyond the basic principles of good governance. Size and composition should change as issues do, even if through sub-committees and working groups for temporary and non-critical matters. Rigidly specified memberships and maintenance of a centralised governance structure do not favour success.

### ***Best practice: Exert more policy influence by effectively mapping and managing networks***

In a NIC it was stated that even though a large variety of sectors were present, representatives were “low-ranking officials” such as junior fisheries officers rather than high-ranking officials better connected to policy advice or decision-making. As a result of this the committee was not able to make progress and influence decision-making with its advice. NICs cannot and should not always be at policy level, but they must legally, administratively or informally be able to exert policy influence. Policy and network mapping of their design and operation, with regular monitoring and evaluation, can serve as a best practice as was shown in some co-management studies of near NICs (McConney et al. 2003a and 2003b) and on the marine science-policy interface (McConney et al. 2012).

Respondents emphasised keeping the geographic and jurisdictional scales of countries in mind when discussing the inclusion of various sectors. For larger countries such as Brazil, Colombia, Cuba or Mexico, sector and stakeholder representation could be reflected by having a large number of separate state and non-state agencies. In smaller island states people on such commissions and committees tend to already represent various sectors and have multiple roles as either state officials or non-state actors, or

both. The likelihood of conflicts of interest and the need to clarify roles at any given time are higher. It is partly a matter of capacity constraints, but also concerns politics and patterns of networking that must be taken into account. Issues are likely to surface in the CLME+ Project as this impacts the focal points.

***Best practice: Inclusion of multiple stakeholder groups directly or through sub-structures***

In the NIC survey many respondents considered it essential to have stakeholders present from not only the state but also civil society and the private sector. Our results indicated that although a fair number (26%) only had state members, most NICs contained non-state actors. Where non-state stakeholder groups were not well represented, those NICs have sub-committees or technical committees that are heavily involved in the NIC and comprise scientists, NGOs, and private sector actors. NGOs and other civil society actors are therefore often consulted either formally, informally through sub- or technical committees or in *ad hoc* stakeholder meetings. This is more encouraging than exclusion, and *ad hoc* forums were also prevalent in the study on regional marine science meeting preparation (Mahon et al. 2010). Inclusive sub-structures within NIC governance can be a significant factor for success. They are included as best practices where more direct inclusion is not feasible.

Exclusion and segregation into groups can be for rational reasons such as reducing conflict, reducing power disparities, building capacity and more situation-specific issues. It is expected that groups and interests will move into and out of the policy domains over time as static NICs are unlikely to be sustainable. This illustrates the complexity of governance structures even at the national level and partly explains why some LME projects did not delve deeply or devote significant resources to NICs beyond project management. Related to this is the paradox of public participation (Suárez de Vivero et al. 2008) in which high levels of inclusion with many civil society participants tends to drown out the voices of the marginalised which may be exactly the opposite of what was planned.

In Mexico the Comisión Intersectorial para Mares y Costas is a NIC with seven state representatives of several economic sectors, one NGO and two private sector members. The Commission is subdivided into working groups and through the various working groups a number of NGOs, civil society organisations and private sector parties are involved. Secretariats (ministries) are in different working groups and they are made up of technical officers and experts. This ensures the participation of other stakeholders outside of the government; however, even though they are included in the working groups they do not officially have voting rights. Voting rights are often taken as a convenient measure of the potential to exercise power. Reality is much more complex.

In combining Puerto Rico with the US Virgin Islands, the Caribbean Fishery Management Council (CFMC) is responsible for fisheries management plans (FMPs). In the CFMC there are 10 state members (of which seven have voting power) but there are no NGOs, civil society actors or private sector parties in the committee. However, under the CFMC there are three District Advisory Panels (DAPs). They were established in 2014 and have included a large number of user groups representatives (estimated at 45 persons) who are mostly from NGOs, civil society actors and the private sector rather than state agencies from three key geographic areas: 1) St. John, 2) St. Croix, 3) Puerto Rico. Combining geographic with interest group representation appears to be a good practice for large or fragmented jurisdictions.

**Best practice: Understand the hidden power dynamics associated with NIC stakeholders**

Information on the membership of NGOs and other non-state actors in a NIC or its sub-committees (stakeholder identification) does not inform about the distribution of power, authority and responsibility on the NIC (stakeholder analysis). Similarly, chairmanship and other formal designations alone cannot reveal these features (especially the exercise of power) at the individual level. Understanding these dynamics requires deeper analysis. These features may be important to success in terms of change agents, champions and leadership particularly in difficult times of NIC adaptation and change management. It is unlikely that many NICs will have access to insight on their dynamics from social science as such skills are seldom present in, or acquired by, lead marine agencies such as fisheries departments (Mahon and McConney 2004). However, paying attention to the often hidden dynamics in NICs seems to be critical, and it is a good practice to understand stakeholder power dynamics.

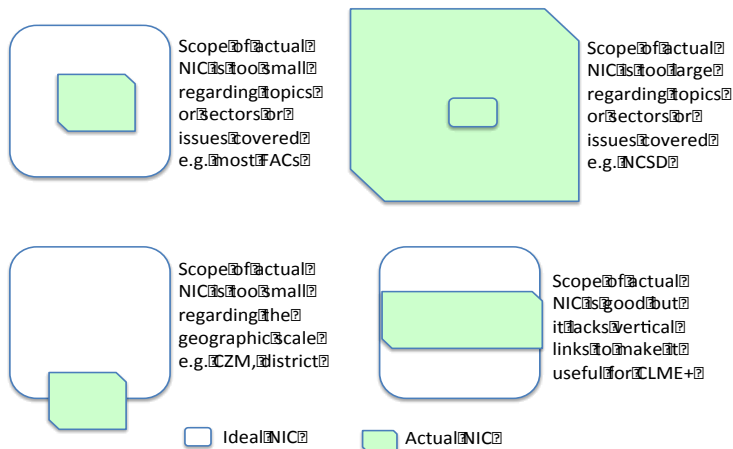
Respondents noted that civil society actors might not only be in conflict with the state (e.g. on marine governance matters), but civil society actors might not share similar visions among themselves just as state agencies are known to compete and conflict. Assumptions of homogeneity are likely to be invalid throughout the structure of NICs and their stakeholders, yet it is not unusual to find what appear to be unjustified groupings such as the presumption that non-state participation in tourism or fisheries or environment can be treated as if their representatives on NICs speak for these very diverse interests. For example, in one country an interviewee from a state agency stated that NGOs were heavily involved in sustainable development, and in the informal NIC that existed, the state was successful in promoting large-scale stakeholder participation. The spokesman for an environmental NGO that was supposed to be playing this active role had a very different opinion. He stated: *“There is no value attached to stakeholder participation [in the NIC]. From the government there is no interest to have social dialogues and involve the people. We have to be honest, though, NGOs and other groups themselves are not well organised. They do not want the same things and sometimes they might even be in conflict with each other. NGOs often have one very powerful person, the person pushing this NGO. Some people therefore might leave this NGO and set up their own. When NGO 1 then organises something, NGO 2 will not come out of principle”*.

In another case it was stated that it was often difficult to get non-state participants to participate. A few small island state respondents said that, as they were so small, only one or two NGOs could be present. The involvement of these one or two NGOs in the NIC therefore represented 100% of the NGOs present in the countries that had the capacity to participate despite the existence of others. This might or might not be different in larger or more developed countries depending on the nature and scope of the NIC. It is important to consider types and levels of scale when analysing the number of state, civil society and private sector parties involved in a NIC. It is currently not clear what features of NICs are particularly scale-dependent in CLME+ countries, but the literature warns that avoiding scale mis-matches in ocean governance is very important, even in well-resourced countries (Crowder et al. 2006).

The results suggest that currently there are no NICs that are a perfect fit to the scale and scope required by the CLME + Project. Issues of mis-matches of scale and scope have impacts on NICs in several ways. We identified the following main types (Figure 22):

- Topical scope of NIC (topical focus is too wide (e.g. Sustainable Development, CC/DRR) or too narrow (e.g. fisheries governance);

- Geographical scope of NIC too narrow (e.g. coastal zone management) or terrestrial (climate change);
- Stakeholder and sectoral scope of NIC is too narrow (e.g. few different state or non-state actors);
- Transboundary scope of NIC too limited (e.g. only national matters receive attention and few external linkages are used);



**Figure 22. Near NIC mis-matches, or potential for development**

Despite the mis-matches, and depending on the limits and approach to scaling up, several near NICs may have the potential to expand and improve, but in other cases new NICS may need to be established. We saw this in the results concerning the ICZM and OGC interplay.

**Best practice: Increase private sector participation**

In the survey results the private sector was significantly less officially involved compared to NGOs/civil society (37% versus 63%). Even where private sector actors were officially involved it was usually only one or two actors (in comparison to 8-9 state actors and often 2-3 NGO/civil society actors). Private sector membership is expected to increase, consistent with recent emphasis on more public-private partnerships. NICs with a majority of low-level government officers, and those that address technical matters removed from policy-making, are not likely to wield much influence in ocean governance. In such cases NGO and private sector members may significantly elevate the status and profile of the NIC, and hence its performance potential. Several interviewees stated the importance of improving the linkages with the private sector. As this research did not elaborate on the functioning and membership of sub and technical committees, which is most often where private sector members can be found, the extent of both involvement as well as influence and successful public-private partnerships are still largely undetermined. Nevertheless, increasing private sector engagement is likely to be a best practice and improve the functioning of a NIC.

### 7.3 Well documented processes and institutional memory

Lessons, successes and best practices on sharing information on the work of NICs at the local, national and regional/international levels were scarce in the results. Most of the respondents indicated that NICs documented their processes mainly for internal administration and communication among members. Only seven NICs had information available on a website and often these were end result products such as final reports or newsletters. Some NICs showed more inclination to share documents online than others. This may less reflect the character of the particular NIC than it does the practices of the parent organisation or the public information policy of the country. The results of the CLME investigation on consultation related to regional marine science meetings done by Mahon et al. (2010) are also relevant.

There were, however, some useful findings. The Comisión Intersectorial para Mares y Costas in Mexico, for example, provides documents online via the website of the Ministry of Fisheries and Aquaculture. These are reports, studies by the Commission, as well as the Decree establishing the commission. They are thus available to all stakeholders with internet access. Similarly, the Inter-ministerial Commission for Sea Resource (CIRM) in Brazil also has documents available online and they have been translated into English. Although not specifically from the survey, it appears that even in such cases of communication, the roles of communications brokers are likely to be best practices. This includes unbiased and clear interpretation for the benefit of stakeholders who cannot get access to or directly use the online items.

Bear in mind that the documents shared were typically final products and not minutes of NIC meetings or the documents that NICs used to reach decisions. Therefore NIC processes may remain unavailable and institutional memories suffer from gaps. Respondents argued that documents were not shared with the wider public as they contained confidential or sensitive information. This was said to often be the case when a function of the NIC was to evaluate potential environmental or other impacts of proposals and advise the government accordingly. Bahamas respondents said there was no sharing because there was no Freedom of Information Act governing disclosures. In Curaçao, on the other hand, there is the Freedom of Information Act equivalent, as specifically mentioned by the chair of the NIC, yet meeting documentation was still not available to the wider public but only to NIC members.

Persons outside of the NIC are thus unlikely to know how it operates or what it is doing. The extent to which NIC processes made provision for input from or into regional projects or organisations, or related to representation, was also unclear in many cases. Sometimes international developments are followed and incorporated into policy framework and policy development, such as the marine policy document developed by the IMO and used by the ICZM Committee in Trinidad and Tobago, or environmental treaties in the case of the National Coordination Mechanism for Environmental Conventions in Antigua and Barbuda. Respondents said that climate change NICs have to make international linkages in order to function. The Belize National Climate Change Committee, for example, is the key committee in Belize to mainstream climate change into national level policy in accordance with the commitments made by Belize to the UNFCCC. It is a near NIC with potential for high relevance to marine governance given the importance of coral reefs to that country. In other countries the marine outlook of climate change NICs was less evident. In no NIC was there a very clear mandate to represent the findings and operations of the NIC at the regional or international level.

The small number of confirmed past NICs (n=2) is not representative of the number of NICs that have actually existed. This low count is partly due to the lack of public documentation, limited institutional memory and small number of interviewees per country. The limited sharing of process documentation most likely contributed to impaired institutional memory. Respondents often were uncertain about the

performance of present or past NICs. Documentation on how they operated or what they did was not widespread. Some near NICs were short-lived and largely undocumented such as the National Maritime Inter Agency Committee (or EEZ committee) in Barbados. The Ministry of Transport reportedly led this initiative during the period 2006-2007. Forming the NIC was seen as a way to have a more cohesive approach and enable better communication on marine governance. Approximately 3-4 meetings were held at which attempts were made to formalise the arrangement by a Memorandum of Understanding, but this was never completed. It is not clear whether the establishment benefitted from examination of prior experience, but this seemed unlikely given the uncertainty of respondents about details of the NIC.

Even though one of the survey researchers was able to conduct a large set of interviews in person in Barbados with a variety of people which enabled a much more detailed picture of the past NICs in the country, the information received was still sketchy with many gaps.

Following the UN conference on sustainable development (UNCSD) in 2002 many countries established Sustainable Development Commissions to develop sustainable development policies as committed to at the UNCSD. Despite these being significant past NICs, only Barbados identified its Sustainable Development Commission as such. As documentation on NICs is often not available, the resources to conduct more interviews and the ability to do them in person would perhaps enable a larger inventory of past and present NICs. However, the costs may outweigh benefits.

#### **7.4 Principles of good governance**

Given the responses to their previous questions, respondent ratings of the good governance principles in relation to the NICs in which they participated were more positive and higher than expected. Noting that the sample size for this was smaller than for the other queries, the patterns from the results should be interpreted cautiously. Participation was generally rated highest and NIC responsiveness the lowest. However, some responses came from the same governmental agencies that were chairs or otherwise in charge of the NICs. The number of responses was low due to the limited respondent pool per country and some respondents declined answering this question as explained in the results. It would be useful to validate or correct these findings using a larger number of responses, and ensure, when applicable a fair representation of non-state actors (e.g. NGOs and private sector parties) in the responses.

Interpretations of what various principles of good governance entail in the operation of NICs might have been different across the various respondent categories, partly affecting the ratings even if interviewers explained each principle. The high score on participation and transparency may reflect the reportedly high levels of sector and stakeholder involvement. The high scoring of accountability is consistent with the number of NICs that had either a legal mandate or were at least administrative organisations. Lower rating of responsiveness could be due to the limited documentation available; lengthy process of taking action within NICs due to political, legal or other reasons; and the lack of institutionalised review that should also lead to improved effectiveness and efficiency.

More detailed information is required to properly identify successes and best practices in existing NICs related to the entire suite of principles of good governance. Other principles such as those related to ocean governance in the Wider Caribbean (Fanning et al. 2011) could also be consulted for a more comprehensive investigation. Ideally, rather than a survey, the approach should be an interactive exercise with NIC members and stakeholders such as conducted in the CLME level 2 assessments of the performance of governance arrangements (Mahon et al. 2012). Assessment outputs, of the principles and other features of NICs, could be similarly communicated (Figure 23).

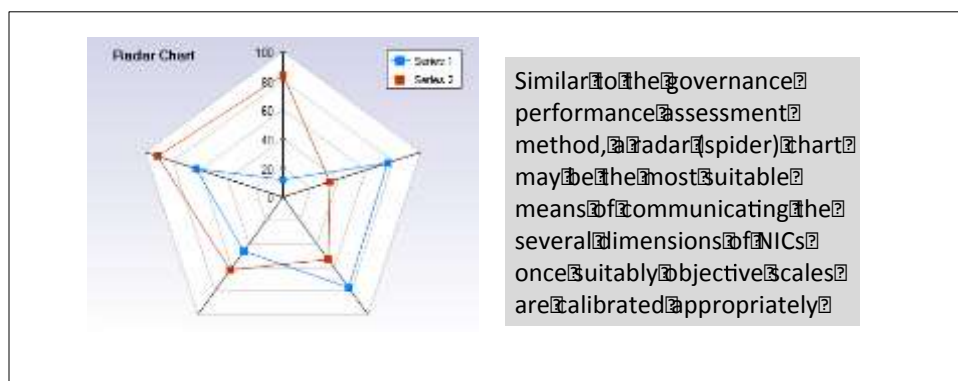


Figure 23. Communicating an assessment of the principles of good governance

It is highly likely that countries would be interested in such assessments if integrated with reporting requirements such as for the Sustainable Development Goals for which best practices advocate the use of participatory methods.

## 7.5 Enabling environment

Although coming earlier in the survey instrument, we leave the enabling environment for last here since it serves to encapsulate much of what has preceded. Detailed information was not available from the surveys on the extent to which NICs provided enabling environments for multi-level good governance. There were cases, e.g. in Colombia, in which the legal mandate of the NIC (for fishery quotas) was considered to constrain the aspirations of its members to more effectively integrate across economic sectors and utilise an ecosystem approach. The enabling functions of the NIC can also be significantly different, and could stem from internal as well as external drivers. In St. Kitts and Nevis, for example, the respondents reported how an informal NIC developed out of an existing externally-funded multi-stakeholder PSC for a marine EBM project in 2010. This committee was then used for other projects as well, and carried on functioning. The current intentions to formalise the steering committee partly stem from the fact the country has external incentives to update and improve their current marine legislation. The new legislation will now include the formation of the NIC entitled a 'Fisheries, Aquaculture and Marine Resources Advisory Council'. The foregoing example appears to illustrate the ability to self-organise, which is a critical feature of complex adaptive systems and of resilience in the enabling environment of institutional arrangements such as NICs.

## 7.6 Possible success stories

The survey results did not produce a single NIC success story that could be proposed as the model for NICs in the CLME+ region. Given the diversity alluded to many times before, it is anyhow unlikely that a single model would be useful for the region. The ideal features and functions presented at the start allow for many different situation-specific arrangements. There should be similarities in NICs among clusters of countries that are alike, and current initiatives recognise this e.g. the OECS sub-region and the Central America Fisheries and Aquaculture Organisation . A few NICs, not yet researched in full (which could require direct investigation or observation), provide examples of the majority of desirable features as set out in this section.

***Best practice example 1: Brazil Inter-ministerial Commission for Sea Resource (CIRM)***

One NIC that appears to have been successful over a long time, and may have created an enabling environment for marine governance, is CIRM in Brazil. It was initially created as an academic initiative in 1974, comprising multidisciplinary scholastic groups devoted to the governance of the ocean in Brazil. It aimed to meet the requirements of the scientific community in order to develop policies and plans for the marine and coastal environment. After five years, the commission decided it needed to create a body to implement the decisions of the CIRM. For that purpose, in 1979, the Secretariat of the CIRM – SECIRM was created ([www.mar.mil.br/secirm/ingles/secirm.html](http://www.mar.mil.br/secirm/ingles/secirm.html)). Since its inception the SECIRM was structured to articulate and implement the plans and actions of CIRM. The move to an implementation agency therefore appears to be a major factor in the success of this NIC, as the lack of implementation once policy documents were developed was stated to be a deficiency in the NICs of Trinidad and Tobago and Barbados.

Scientific research still appears to be a central component of this Brazilian NIC. It is legal in status, yet apparently flexible, in that after its creation in 1974 its governing legislation was amended in 2001, 2003, 2007, 2008, and 2009. It is a large organisation with a specialised secretariat and four official working groups. Despite the start as a scientific group, the CIRM has high-level policy-relevant representation. The members of the CIRM, recommended by the head officers of their respective agencies, are in high posts with high technical-professional capacity. They are assigned by the State Minister of Defense, through delegation of competencies from the President of the Republic, to the CIRM Coordinator. All documentation, including minutes of the meetings are available online in Portuguese but many also in English. The coordinator of the NIC is the Navy Commander, appointed as Marine Authority. The state representatives on the committee total 18 different agencies reportedly including all relevant state actors. NGOs and private sector interests are not officially members of the committee, and the NIC therefore does not score high on stakeholder involvement, yet they are closely involved through sub-committees and working groups.

***Best practice example 1: Puerto Rico/US Virgin Islands Caribbean Fishery Management Council***

The previously mentioned Puerto Rico (PR)/US Virgin Islands (USVI) CFMC also draws on a long history. The CFMC is responsible for the creation of FMPs for fishery resources in the US Caribbean EEZ off PR and the USVI. As the CFMC is focussed purely on fisheries it appears to be a rather narrow based near-NIC, yet successful with lessons to be learned. The CFMC is one of eight regional fishery management councils, established in 1976, under the Magnuson-Stevens Act as amended in 1996 and 2007, and now called the Sustainable Fisheries Act for the conservation and orderly utilisation of the fishery resources of the United States of America. FMPs are submitted to the US Secretary of Commerce for approval and implementation in the EEZ. Once implemented, local governments may adopt compatible legislation for the conservation of the fishery resources within local waters.

The CFMC has ten members, seven with vote and three with voice but no vote. All members come from state agencies and there are no NGOs, civil society actors or private sector members of the committee. However, under the CFMC there are three District Advisory Panels (DAPs) which operate at the local level. DAPs are advisory to the CFMC on the development and management of fisheries; coordination of activities; identifying potential conflicts between user groups of a given fishery resource; current trends and developments in fishery matters. The DAPs were established in 2014 and show an increasing

tendency to involve stakeholders in their processes. They have a large number of NGOs, civil society actors and private parties on board covering the three areas St. John, St. Croix and Puerto Rico.

Stakeholder participation increased since the new system was put in place (from 15-20 in total to 45 in total). Meetings of the DAPs are open to the public, and fishers and other interested persons are invited to attend and participate with oral or written statements on agenda items. The minutes (transcripts) and reports of the CFMC meetings are available on their website ([www.caribbeanfmc.com](http://www.caribbeanfmc.com)). DAP meeting minutes are only available to members. The CFMC is indirectly linked to the international level but mostly at the national level as members share information with the other regional fisheries councils within the USA.

## 8 RECOMMENDATIONS

Drawing upon the lessons from both parts of this investigation we conclude that although NICs are perceived as important for LMEs, there are few cases of clear success in establishing and sustaining NICs within the context of LME projects. Despite their expected attractiveness to countries for achieving multiple aims beyond LME projects, they do not appear to be common or high priority. In most LME projects they serve primarily as steering committees rather than fully institutionalised components of national governance structures. Consequently, expectations should be managed in the CLME+ Project, this area being more complex and diverse than other LMEs, as noted previously. Given the importance of the role of NICs in Component 2 of the CLME+ Project serving as part of the governance network (Figure 24), we recommend that further action be taken to specify and develop NICs in some participating countries.

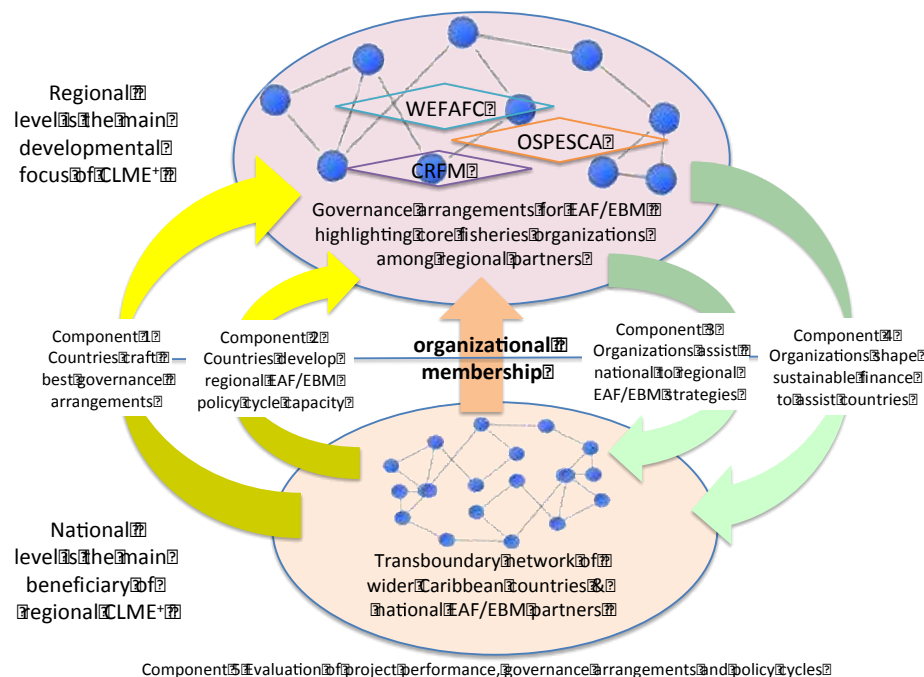


Figure 24. NICs in Component 2 play critical roles multi-level networking

Some recommendations to assist putting NICs in place and sustaining them are as follows:

1. What are or are not NICs or near NICs remains fairly subjective. Therefore, based upon the empirical findings of this study, a more objective system of NIC rating should be devised and deployed as a means of self-assessment, with a view to development. Care must be taken to ground the assessment in the realities of the region, including low capacity, rather than rely purely upon conceptual ideal types of institutional arrangements.
2. The typologies of NICs and near-NICs require further investigation and categorisation. This is crucial since not all near NICs will have the potential to develop to serve the purposes of the CLME+ Project and beyond. Resources would be wasted in developing these institutions as they may be fundamentally limited or have already reached their optimum. In the latter case well-intentioned developmental interventions could actually be detrimental and result in negative perceptions of the value of NICs.
3. Successes and best practices from NICs cannot yet be validated; some claims and descriptions of NICs require further investigation and measurement. The high level of uncertainty around some of the data collected, and the scarcity of easily available data on NICS, both point to the need for in-depth in-country investigation, if feasible. Simultaneously, the CLME+ Project and partnership should establish a database on NICs as another component of the project in the public domain.
4. The CLME+ Project will need to devise strong incentives to establish NICs. Countries will need to be convinced that NICs are obligations for the delivery of national and regional benefits to sets of stakeholders participating in the project. Activities should be channelled through NICs to the extent possible, other than simply monitoring, evaluating and reporting. For example, there is a need to find clear roles for NICs in the several RFB working groups.
5. Marketing NICs will require incentives beyond the CLME+ Project. Continuing from the previous recommendation, the links that NICs should have to other national and regional obligations and activities need to be made explicit and attractive with benefits clearly outweighing costs. Most important are the political costs and benefits since NICs are primarily political institutions. The proposed guidance on establishing and sustaining NICS, from different points of entry and of various types, will need to take into account politics as well as economic and transaction costs.
6. Immediate follow-up to this survey could be for interested countries to provide more detailed information on their NIC or near NIC arrangements that they envision will articulate with the CLME+ Project. This specific information would allow for selective follow-up at the PSC meeting in January 2016 to identify a cross-section of countries interested in developing their NICs and willing to provide information for monitoring and evaluation throughout the project lifespan. If selected to be roughly representative of the CLME+ via ecosystems, geographies, governance systems, languages and other key criteria, these countries could form the basis of a learning network under the CLME+ partnership from which lessons could be communicated to the wide diversity of stakeholders in the remaining countries. These countries would be able to replicate features of the successful NICs that are appropriate to their situations. Further learning would occur and the national level foundation required to support transboundary marine governance would be strengthened throughout the CLME+ region to the extent that the countries found sustainable.

7. Once the way forward with promoting NICs in the CLME+ Project has been determined, the Project could consider developing a handbook of guidelines for establishing and operating NICs in CLME+ countries.

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## 10 APPENDICES

### Appendix 1: Work plan

#### Activities

Under this consultancy the following activities will be undertaken to support the implementation of this approach:

1. Rapid screening of relevant, readily available results/lessons learnt from other LMEs.
2. Developing an outline of the functions related to CLME+ matters that an integrating mechanism is expected to carry out (to be agreed upon between the consultant and the CLME+ PCU)
3. Developing a survey programme (to be agreed upon between the consultant and the CLME+ PCU) for the CLME+ countries and dependent territories to determine the extent to which there have been, currently are, or are planning mechanisms addressing these functions, including critical requirements and/or constraints (e.g. financial, logistical) and lessons learned with past and current mechanisms (this includes conducting a consistency check on the translated documents; translation of the agreed upon documents will be conducted by the CLME+ PCU)
4. Conducting the survey, supplemented as necessary by other data-gathering methods
5. Monitoring and reporting on the performance of existing and/or newly established NICs, at CLME+ Project Mid-Term and End.

#### Expected Outputs

1. Report on integrating mechanism functions related to CLME+, and readily available best practices/lessons learnt from other LMEs (if available).
2. Survey and data-gathering design (survey form in English, Spanish and French; the CLME+ RCU will provide the translated versions, CERMES will conduct a consistency check)
3. Report on survey findings that will highlight any identified best practices and success stories (in English and Spanish, as a minimum; the CLME+ RCU will provide the translated versions, CERMES will conduct a consistency check)
4. Report on overall NIC existence and performance at project mid-term and end.

## Appendix 2: Features and functions

### Introduction

National Intersectoral Coordination Mechanisms (NICs) for marine affairs play key roles in national and regional ocean governance processes. They are valued as permanent multi-stakeholder components of these processes: connecting the national to local levels vertically and connecting sectors laterally within countries in transboundary matters. Thus, NICs provide mechanisms for marine governance that facilitate (1) the national level integration required for successful ecosystem based management, and (2) linkages with international entities and processes. Their features and functions should reflect accepted international principles for good governance (accountability, effectiveness, efficiency, equity, inclusivity, legitimacy, participation, responsiveness and transparency). NICs provide the national level interaction that is required for integrated coastal management, ecosystem approaches, EEZ management, marine spatial planning and more. Countries can monitor governance by assessing how well their NICs perform.

### Features and functions

A well-designed and led NIC for marine affairs, based in part upon principles of good governance, would:

- Involve stakeholders comprehensively considering gender, age, poverty, etc. by including (*for inclusivity, participation and equity*):
  - State actors - government agencies, parastatal bodies
  - Non-state actors - NGOs, CBOs and academia
  - Private sector - from small to large enterprises
- Promote an enabling environment that ensures opportunity and support for stakeholder participation and encourages change agents such as individual leaders and champions
- Have a clear mandate that is at least administrative (politically endorsed) but preferably legal (*for legitimacy, accountability*)
- Have well documented processes that are available to all stakeholders (*for transparency, accountability*) to ensure
  - Internal communication among stakeholders
  - Provision of national input to regional projects and organizations
  - Receipt and distribution of input from regional projects and organizations
  - Appropriate national representation at regional level
- Have a system for documentation of activities, contributing to institutional memory, with outputs easily available to all stakeholders (*for transparency and responsiveness*)
- Have an institutionalized mechanism for regular review, evaluation, learning and adaptation (*for efficiency, effectiveness and responsiveness*)
- Serve to integrate sectors and actors involved in marine affairs at the national level
- Function as a two-way linkage between national and regional governance processes
- Address other functions specific to their scope and mandate including, *inter alia*, using marine ecosystem-based approaches, social-ecological system frameworks, risk analysis and resilience or vulnerability concepts, the details of which will differ by circumstance and change over time.

Many other details must be considered in setting up and operating NICs (e.g. member selection, remuneration, reporting). Approaches to these will vary among countries according to customary practices and available resources among other conditions.

### Strengthening NICs for CLME+ and beyond

NICs should be permanent assets of regional ocean governance arrangements, scaling up national level benefits across boundaries. An initiative to strengthen NICs is being pursued in the context of the CLME+

Strategic Action Programme (SAP). The CLME+ SAP aims to strengthen regional ocean governance based on fully functioning policy cycles linked at all levels and across sectors, from local to regional. For this to be successful, mechanisms for integrated national input into, and uptake of outputs from, regional marine governance are essential. The CLME+ Project provides an excellent arena in which to pursue NIC strengthening in a 'learning by doing' mode in which countries share experiences and best practices. The aim is to have functional NICs that will be well established and operational for post CLME+ sustainability. Since NICs are an important component of regional ocean governance architecture and process, most countries will wish to monitor their performance. They are included in the first two indicator categories of the Governance Effectiveness Assessment Framework (GEAF) used to monitor implementation of the CLME+ Strategic Action Programme (SAP). Well functioning NICs are important to the Regional Ocean Governance Framework upon which the SAP is based. More specifically, NICs will feed directly into the regional policy cycles previously mentioned. This will be primarily at the advisory stage, but also at times at the decision making stage. When, as is often the case, regional policy decisions require national level implementation, NICs will be an important vertical link between the regional and national levels of the complete policy process. Nationally, they also serve to scale up from, and scale down to, the local level.

### Appendix 3: Interview guide

1. Are there any mechanisms that currently carry out these NIC functions for marine matters or a related area – sustainability, climate change? Name(s) of the NIC(s). Describe briefly and generally.

If more than one NIC is named, determine the one most likely to be closest to the intersectoral ideal and interview about that (first). If a described NIC is actually entirely sectoral, then seek another.

IF NIC, please describe the mechanism(s) (checking off the various functions below). IF NOT go to 2.

- a. Clear mandate? Administrative or legal?
- b. Cover all relevant sectors? Which (ref.)?
- c. Involve stakeholders comprehensively? Identify members first
  - i. State actors - government agencies, parastatal bodies
  - ii. Non-state actors - NGOs, CBOs and academia
  - iii. Private sector - from small to large enterprises
- d. Well documented processes available to all stakeholders?
  - i. Internal communication among stakeholders
  - ii. Provision of national input to regional projects and organisations
  - iii. Receipt and distribution of input from regional projects and organisations
  - iv. Appropriate national representation at regional level
- e. System for documentation of activities with outputs easily available to all stakeholders?
- f. Mechanism promotes an enabling environment that ensures opportunity and support for stakeholder participation?
- g. Institutionalized mechanism for regular review?

SKIP TO 5 IF CURRENT NIC QUESTIONS ARE ANSWERED

2. **If no current NIC in use**, has there ever been such a mechanism **in the past** or is one **planned**? IF EITHER, describe the mechanism (prompting as needed for the various functions) go back to 1a.
3. If **past** NIC, but **not current**, why? E.g. no longer perceived as important, became too costly, failed?
4. If no **past, current or planned** NIC, why? E.g. not perceived as important, perceived as too costly?
5. Extra question for 1. How does the actual functioning of the current NIC compare now to how it was intended?

Consider the four principles of good governance and share your opinion on how the NIC performs.

- |                   |        |        |        |        |             |          |
|-------------------|--------|--------|--------|--------|-------------|----------|
| a. Participation  | 1 poor | 2 fair | 3 okay | 4 good | 5 excellent | 7 unsure |
| b. Transparency   | 1 poor | 2 fair | 3 okay | 4 good | 5 excellent | 7 unsure |
| c. Accountability | 1 poor | 2 fair | 3 okay | 4 good | 5 excellent | 7 unsure |
| d. Responsiveness | 1 poor | 2 fair | 3 okay | 4 good | 5 excellent | 7 unsure |

#### Appendix 4: List of interviewees per country

Countries	Sector state (unless otherwise noted)	Countries	Sector state (unless otherwise noted)
Anguilla	FISH	Guatemala	MAR AFFAIRS
	TOUR		FISH
	ENV		FISH
Antigua and Barbuda	FISH		ENV (Protected areas)
	MAR AFFAIRS		ENV
	ENV		ENV
Aruba, Curacao and St. Maarten	NGO (ENV)	Guyana	FISH
	ENV		ENV
	ENV	Haiti	NGO (ENV)
	FISH		IDB/Agric
Bahamas	FISH		FISH
	ENV		FISH
	NGO (ENV)	Honduras	FISH
Barbados	CZM		TOUR
	FA		ENV
	FISH	Jamaica	FISH
	FISH		MAR AFFAIRS
	FISH		FISH/ACADEMIA
	ENV	Martinique	FISH/ACADEMIA
	FISH		ENV/NGO
	TRANS	Mexico	FISH
	ENV		FOREIGN
Belize	FISH		Energy
	CZM		ENV
	CC	Montserrat	FISH
Bonaire, St. Eustacius, Saba	FISH		ENV
	ECON	Nicaragua	ENV
	FISH		FISH
Brazil	FISH		FOREIGN
	FOREIGN		TOUR
BVI	FISH	Panama	FISH
	ENV/NR		ENV
Cayman Islands	FISH and ENV	Puerto Rico	FISH
	Finance		Marin GOV
Colombia	FISH		Marin GOV
	ENV	St. Barts	ENV

Countries	Sector state (unless otherwise noted)	Countries	Sector state (unless otherwise noted)
	FISH	Saint Lucia	FISH
	MINES and Energy		FISH
Costa Rica	FOREIGN		FISH
	Tourism	St. Martin	NGO/ENV
	ENV		NGO/ENV
	Min President	St. Vincent and the Grenadines	FISH
Cuba	National Aquarium		MAR ADM
	ENV	Suriname	FISH
Dominica	FISH		FISH
	ENV		ENV
Dominican Republic	ENV	Trinidad and Tobago	FISH
	FISH		FISH
French Guyana	FISH/ACAD		MAR AF
Grenada	FISH		MAR AF
	FISH	Turks and Caicos	ENV
	ENV	US Virgin Islands	FISH
	ENV		COASTAL zone
Guadeloupe	ENV	USA	FISH
	FISH		FA
St. Kitts and Nevis	FISH	Venezuela	FISH
	AGRI		ENV
			FISH

**Key:**

ACAD = academic

AGRIC = agriculture

ENV = environment

FA = fisheries administration

FISH = fisheries

FOREIGN = foreign affairs

MAR ADM = marine administration

MAR AF = marine affairs

Marin GOV = marine governance

NGO/ENV = environmental NGO

TOUR = tourism

TRANS = transport

## Appendix 5: Country summaries of NIC status

### *Anguilla*

Name: **Environmental Advisory Committee**

Time Status NIC: Past NIC

Year: 1989-1999

Legal status: Administrative

Focus: Environment

The objective of the **Environmental Advisory Committee** (EAC) is to coordinate and implement the National Environmental Policy. The aim was that the EAC should be represented at the highest level (i.e., Director), and it should be mandatory that it convene at least once a month. The attendance of the Minister and the Permanent Secretary should also be required, as the Committee will review monthly the progress of programs and activities undertaken by all relevant. The Minister or Permanent Secretary should act as Chairperson of the Committee. The EAC represented 4 different state agencies, one NGO and one private sector partner. During 1998-1999 a period of political instability resulted in the dormancy or informal dissolution of the National Environmental Advisory Committee that had been chaired by the Parliamentary Secretary (Environment). The agenda of this Committee was set by the Parliamentary Secretary and based on issues of the day, but the Committee had neither autonomy nor authority to influence conservation policy and practice.<sup>14</sup>

There are a number of other structures recommended under various pieces of legislation and policies (Fisheries Advisory Committee and a newly installed **Environmental Advisory Committee** [EAC]) that can contribute to environmental mainstreaming in Anguilla. However, it is argued that in the absence of an integrated documented approach to environmental management, it would be difficult to provide consistent guidance on environmental mainstreaming to these various structures (CANARI, 2013). The Fisheries Protection Regulations, Revised Regulations of Anguilla F40-1 provides for a **Fisheries Advisory Committee** to provide advice for fisheries management.<sup>15</sup> The FAC shall advise the Governor or the Minister (as the case may be) on the exercise of their respective functions under the Act and these Regulations and as to the management and development of fisheries. The Chief Fisheries Officer shall prepare and keep under review a plan for the management and development of fisheries. The fishery plan and each review thereof shall be submitted to the Minister for approval.

### *Antigua and Barbuda*

1 Name: **Oceans Governance Committee**

Time Status NIC 1: Future NIC

Year: 2016

Legal status: Unknown still

Focus: Marine Governance

The purpose of the **Oceans Governance Committee** (OGC) shall be to provide advice to the Government of Antigua & Barbuda on the management of the various maritime zones (internal waters, archipelagic

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<sup>14</sup> <http://www.ukotcf.org/CP/anguilla.htm> and <http://www.gov.ai/story.php?id=338>

<sup>15</sup> CANARI, 2013.

waters, territorial sea, contiguous zone, exclusive economic zone and continental shelf) over which Antigua & Barbuda exercises sovereignty, sovereign rights or jurisdiction in accordance with international and domestic law. The responsibilities of the OGC shall include issues related to maritime boundary delimitation; management and sustainable use of fisheries and other living marine resources; exploration and exploitation of non-living marine resources including hydrocarbons; protection of the marine environment; marine scientific research, maritime customs and immigration enforcement, and maritime administration including shipping. The OGC shall carry out its responsibilities in consultation with the relevant implementing Governmental Ministries, agencies and departments as well with those non-governmental entities whose functions concern ocean governance issues. The OGC has a large number different state agencies on board (11) yet there are officially no NGO/civil society organisations or private parties present in the committee. The intention is to invite officials and experts from the private and public sectors to attend meetings and provide assistance and advice where necessary, however, they will have no voting rights. It has been stated in interviews that there is currently no clear mandate by the government and there is a need for endorsement of ToR.

## 2 Name: **National Coordination Mechanism for Environmental Conventions**

Status NIC 2: Future NIC

Year: End of 2015

Legal status: L

Focus: Environment

The **National Coordination Mechanism on Environmental Conventions (NCM)** serves as an inter-ministerial committee and provides the necessary cross-sectoral coordination mechanism for integrated sustainable island resource management. The area of focus is both terrestrial as well as marine. The NCM will be responsible for reviewing and taking policy decisions and will meet as often as is necessary. The NCM reports to the Minister responsible for foreign affairs and is charged with coordinating the management and implementation of international environmental agreements. Seven state agencies are member of the NCM as well as one NGO and one private sector party. Not directly in committee but NGOs and other experts are members of the Technical Advisory Commission (TAC) which is already set up. The TAC is comprised of representatives of Government, the Private Sector, and NGOs. There is a review process but only because those who channel their funds through the Environmental Division (ED) carry out audits so it's not a legal requirement except from the donor's side. The NCM is expected to meet three times annually to review reports from relevant agencies. The reports of these meetings will be sent directly to the Cabinet of Ministers via the Minister responsible for Foreign Affairs. The reports and documents are only shared among committee members (not wider public) in the current TAC (already in existence) and this is most likely to apply to NCM as well.

### ***Aruba, Curacao and St. Maarten***

#### **Aruba**

Name: **Adhoc Stakeholder meetings** organized by the Directorate of Nature and Environment (no official name)

Status Time NIC: Current

Year: 2011

Legal status: No

Focus: Environment

There is currently no official NIC in Aruba. However, the state has initiated frequent stakeholder consultation meetings in the field of sustainable development on Aruba in order to improve and legitimize the work of the Directie Natuur and Milieu (DNM) 'Directorate of Nature and Environment'. The DNM organizes ad-hoc participatory workshops to engage stakeholders in the work on the DNM to ensure legitimization and success. These take place a few times a year. There is no formal structure as the topic, agenda and invitees differ per stakeholder meeting. All reports of the meetings can be found online and are publically available. There is no feedback loop to international level, however, they do try and use international developments (e.g. people, planet, profit concept) in their stakeholder workshops. Despite these initiatives there were critical voices in interviews on the actual influence of the different stakeholders on the work of the DNM. This was argued to be due to lack of commitment from DNM but also due to lack of cohesion among the various NGOs for example as they are not well organized. Private sector parties (e.g. from the tourism sector) are also considered very powerful and can jeopardize the voices of environmental NGOs.

### **Curacao**

Name: **Commissie Maritiem Beheer**

Status Time NIC: Current

Year: 2007

Legal status: Legal

Focus: Marine governance

The objective of the **Commissie Maritiem Beheer** (CMB) by law is to advise the government to grant or deny request for activities in maritime sphere in Curacao (often by private parties but also government itself will make requests) to ensure activities are environmentally sustainable and according to the law. It is an advisory committee for the government on marine activities. There is not strict protocol on handling procedures or criteria by which requests are measured which is considered needed. A handbook is therefore being currently being developed to standardize these procedures of the commission. The process can be very lengthy and can take up to maximum of two years to pass by Minister. This does not help the speed of the process for requesting parties and can be disheartening. There are four government agencies as members, one member from academia and one NGO. There are no private parties in the committee as they are often the requesting party. Stakeholder participation does not go beyond those in the committee, documents are only open to committee members and there are no international feedback loops.

### **Bahamas**

Name: **Bahamas Environment, Science & Technology Commission**

Status NIC: Current

Year: 1989. Functions as BEST since 1994

Legal status: Administrative

Focus: Environment

The **Bahamas Environment, Science & Technology Commission** (BEST) was created in 1989 (under a different name) to coordinate the national response to environmental, scientific, and technological matters referred to the Government of The Bahamas by international organizations. BEST serves as the Bahamas national focal point and official point of contact for all international organisations on matters relating to the environment, science and technology; coordinates matters relating to international

conventions, treaties, protocols and agreements relating to the environment to which The Bahamas is, or will become, a party or signatory; and coordinates all national effort to coordinate the national effort to protect, conserve and responsibly manage the environmental resources of The Bahamas (incl. e.g. Development of national strategies, evaluation of Environmental Impact Assessments (EIA), propose legislation etc.). As mandated, the BEST Commission is responsible for the administration of the EIA process and providing advice to Cabinet for consideration in their decision-making process and thus has no regulatory powers. BEST is the lead agency in ensuring that the Government implements its requirements under the various international Conventions on environmental matters such as biodiversity, climate change, wetlands, and land degradation. In this role, BEST works through its various subcommittees. BEST is also mandated to secure funding under the Conventions for projects that support their implementation and is the focal point for GEF in The Bahamas. The BEST Commission will consult experts for the various projects and thus engage with a larger group of stakeholders yet in the commission itself only one NGO and one private party are represented. The minutes of meetings are not freely available, only to members, however, the final reports are available. It has been mentioned in several interviews the BEST committee is very limited in human and financial resources. Their number of staff is very limited for the large number of activities they have to carry out. Within the government there have been proposals to make the BEST commission its own department. In that capacity it would still be housed under the Ministry of Environment and Housing but as a Department it would have a larger budget and more authority.

## ***Barbados***

1 Name: **National Commission on Sustainable Development (NCSD)**

Status Time NIC: Past NIC

Year: 1995-2005

Legal status: no

Focus: Sustainable Development

The **National Commission on Sustainable Development (NCSD)** was appointed by Cabinet in 1998 to advise the Government on Sustainable Development issues, develop the National Sustainable Development Policy which was launched in 2004 and oversee and evaluate the implementation thereof. The NCSD was comprised of a large number of state agencies the commission comprised of approximately (differed per year) 30 members representing Government and all major groups including NGOs, Community-Based Organisations, trade unions, Women's Organisations, the academic community and the wider private sector (only one private sector actor usually). The NCSD established 8 Steering Committees to consult on and provide recommendations. Local stakeholder participation in activities described in the National Sustainable Development Policy was encouraged. The interviewees highlighted that during the times of the functioning of the Committee there were little actual development in implementation of the National Sustainable Development Policy as after the development of the Policy there was no follow-up in terms of implementation or evaluation. This was considered partly the result of a lack of a sound Action plan. The NCSD dissolved in 2005, there are now plans to revive the Commission again.

During the period 2006-2007 another initiative was developed by the Ministry of Transport "**National Maritime Inter Agency Committee**" The forming of the National Maritime Inter Agency Committee was seen as the way forward in order to have a more cohesive unit and enable better communication. The

Committee was comprised of representatives from a large number of state agencies; The Ministry of International Transport (chair); Fisheries Division; Ministry of Commerce; Ministry of Environment; Ministry of Foreign Affairs; Ministry of Labour; Ministry of Tourism; Barbados Coast Guard; Marine Police Unit of the Royal Barbados Police Force; Barbados Port Inc.; Coastal Zone Management Unit; Customs and Excise Department; Environmental Protection Department; and Telecommunications Unit. There were no NGOs/civil society organisations or private sector parties member of this committee. Approximately 3-4 meetings were held at which attempts were made to formalize the arrangement by a Memorandum of Understanding but this was never completed. The Maritime Labour Convention and the impending audit by the IMO were among other issues discussed.

## 2 Name: **Ocean Governance Committee**

Status NIC: Future NIC

Year: 2016

Legal status: Legal

Focus: Marine governance

The interviewees expressed an interest to renew a committee such as the “**National Maritime Inter Agency Committee**” but that it should be formalized with the Cabinet’s approval, perhaps under the banner of a new ‘**Ocean Governance Committee**’ (see below). This committee should develop a policy document (TOR) and an Implementation Plan (strategy). It however needs to be clearly “housed” under an institution that takes responsibility for its functioning. The objective of the OGC is to advise the Government on Ocean Governance matters and coordinate activities taking place. The OGC will be an intersectoral interagency committee. Currently it is at the Cabinet level but has not yet been approved. They need to agree that a process should be started to design the architecture for such a committee (membership, objective etc). There should be eight state agencies on the committees but which ones are not disclosed yet. It is also not clear yet whether there will be NGOs, civil society or private parties on board the commission.

## 3 Name: **Fishery Advisory Committee**

Status NIC: Current NIC (dormant)

Year: Started in 1943 (has taken various forms since then, statutory basis was only recently introduced in 1993)

Legal status: Legal

Focus: Fisheries governance

The **Fishery Advisory Committee (FAC)** is an advisory organ on (a) the development and management of fisheries; (b) joint venture investment in fisheries, access agreements or other agreements in respect of fisheries; (c) matters concerning or facilitating the harmonisation of fisheries legislation including the licensing requirements for foreign fishing vessels; (d) the co-ordination of the policies with regard to fisheries with other departments of Government.

The FAC has three state members, a member from academia, civil society and four industry representatives. Information is brought up to Ministerial level in principle, not beyond. International developments discussed and incorporated. The FAC has not met since 2013 due to political changes at national level. It is expected to be reactivated from 2016.

There are also the CITES Scientific Authority and the Biodiversity Work Group Committee which also can be considered NICs. In these cases there are international feedback loops of information. Nearly the

same committee members on both committees and they are legal NICs. The CITES Scientific Authority this national Inter-Agency Committee was approved by Cabinet in July 2007. The Committee is made up of Representatives of the Customs and Excise Department; Veterinary Services; Plant Quarantine; Fisheries Division; Coastal Zone Management Unit; Royal Barbados Police Force; Ministry of Foreign Affairs and Foreign Trade; UWI and Natural Heritage Division. The Committee meets as needed.

## ***Belize***

### **1. Name: Coastal Advisory Committee**

Status Time NIC: Current NIC (dormant)

Year: 1998

Legal status: Legal

Focus: coastal zone management

The objective of the **Coastal Advisory Committee** is to advise the Coastal Zone Management Unit on technical and other related matters; formulate draft policies, plans and programs relating to coastal zone management; facilitate and encourage the sharing of information. The formation of CAC was part of the Coastal Zone Management (CZM) Act which was adopted in 1998. Despite the passage of amendments in 2014 to address specific issues, the CZM Act is still considered outdated and is in urgent need of a comprehensive revision. Membership and functioning of the CAC will be reviewed and revised during this revision as well. The CAC has 10 state agencies on board from a wide range of sectors (very inclusive), one NGO and one from academia, and one member from the private sector. The stakeholder participation does not go beyond those in the CAC and documentation is only available to members. It has not convened since 2013 and can therefore be considered a dormant organization. The inactivity of the Council since 2013 was attributed to several reasons including challenges in; getting quorum (and subsequent follow up/commitment) due to the size of the Council, especially due to the representatives from Government agencies (who also participate on several other committees) who form majority of the membership, as well as insufficient leadership. However, the CAC is expected to be re-installed in the beginning of 2016.

### **2. Name: Belize National Climate Change Committee**

Status Time NIC: Current NIC (dormant)

Year: 2010

Legal status: Legal

Focus: Climate change

The **Belize National Climate Change Committee (BNCCC)** is tasked with advising the government on matters relating to national responsibilities with respect to climate change, and in particular in relation to the UNFCCC and the Kyoto Protocol, implementation of appropriate policies and strategies to ensure continued economic growth given the impact of climate change on Belize. In 2011, the BNCCC was established as a broad-based multi-stakeholder committee comprised of non- state public and private sector members, to coordinate the implementation of policies and measures designed to mitigate the adverse effects of climate change on the environment and to adapt to such changes. The BNCCC should facilitate the mainstreaming of climate change policies in the various sectors and address the gaps highlighted in the National Communication to the UNFCCC. It has three subcommittees: 1) Vulnerability and adaptation; 2) Mitigation; 3) Public Awareness and Outreach. The committee also has ad-hoc working groups. The NCCC is at CEO level, the subcommittees are at department head level and also

involve various technical experts. The re-configuration and streamlining of the BNCCC (going from 25 to 11 members) is more in line with its perceived role in providing policy guidance and facilitating the mainstreaming of Climate Change adaptation and mitigation. The TOR were revised to limit the number of members as the large group was considered to large to work efficiently. There are eight state agencies in the committee from a large variety of sectors, one NGO, one member from academia and one from the private sector. Minutes are circulated as well as agenda and reports to the members and subcommittee members if needed but these are not publically available. There is a feedback loop at the international level as the NCCC is the key committee in Belize to mainstream UNFCCC into national level policy. The Government of Belize has taken initiatives to mainstream Climate Change into its national development processes and mechanisms. In principle the BNCCC shall meet at least four times per year at a place and time to be determined by the chairperson acting in consultation with the membership. However, it's been noted in the interviews that due to lack of human resources the frequency of meetings of the BNCCC was low. It was suggested this should be improved in order to adequately fulfill the mandate and objectives of the committee.

### 3. Name: **Fisheries Council**

Status Time NIC: Future NIC

Year: 2016

Legal status: Legal

Focus: Fisheries governance

The **Fisheries Council (FC)** in Belize is intended by law to advice the government on matters related to fisheries governance. The Fisheries Council is part of the New Fisheries Law which still needs approval by the Cabinet. The Fisheries Council is intended to advise and make recommendations to the Minister on matters relating to the conservation, management, use and development of fisheries resources; the development and implementation of comprehensive fisheries policies; the monitoring and review of conservation guidelines and ecosystem-based management measures; consideration and review of fisheries management plans; coordination of policies with regard to fisheries with other government departments and agencies, including joint venture agreements and investments in the fisheries sector; matters requiring coordination and cooperation. There are 8 state agencies as member of the committee from a variety of Ministries, one NGOs and one member from academia and four civil society actors (of which three are from the fishing cooperatives) and one private sector member. Documentation is not expected to be available beyond the committee members. As the FC has not been approved yet and thus not yet convened no further information is available at this point. It is expected to be installed in 2016.

***Bonaire, St. Eustatius, Saba ("special municipalities" of Holland and not listed as CLME+ participants in the ProDoc)***

Name: Committee for Marine Biodiversity and Fisheries (CMBF) (also known as **EEZ-committee**)

Time Status NIC: Full NIC

Year: 2010

Legal status: Yes

Focus:

The **EEZ committee** is established for sustainable management of the Exclusive Economic Zone (EEZ) of the Dutch Antilles; implementation of the EEZ committee strategy and coordination among

stakeholders. It is intended for joint sustainable management of marine biodiversity (the living and non-living resources) which includes the protection of species and habitats in the waters and on the seabed of the Dutch Caribbean EEZ and the zone between the borders of the island marine parks and territorial waters with a particular focus on special areas such as Saba Bank and particular species. The EEZ Committee only has representatives from the local government of each Dutch Caribbean island (Bonaire, St. Eustatius, Saba, Aruba, St. Maarten and Curacao) as well as the Kingdom of the Netherlands. The coast guard serves as an observer and one NGO is a member as well. The committee is therefore limited in scope, however, other parties are invited to the meetings such as St. Eustatius National Parks and Saba Marine Park. Minutes and reports are available to all committee members and the larger public but only upon request (there is no public forum such as internet where they can be found). The results and communications of the meetings are supposed to be further dispersed at the local (island level) by the local government representatives but to what extent this actually takes place is unclear. The findings of the committee are dispersed at a higher, regional, level but only informally. There is a review in place as after four meetings the functioning, objectives and strategies of the committee were reviewed. The challenges highlighted in the interviews are: a) the lack of involvement of the private sector; 2) legislation is outdated; 3) local representatives do not distribute findings or outcomes of the EEZ committee at local level (island level); 4) coordination among the different islands is very limited; 5) transport costs to hold meetings is very high and thus limits the number of members/stakeholders involved.

## ***Brazil***

### **1 Name: Standing Committee for Management of Shrimp and Fishery in the North & NE Brazil**

Status NIC: Current NIC

Year: 2015

Legal status: Legal

Focus: fisheries governance

The objective of the **Standing Committee for Management of Shrimp and Fishery in the North & NE Brazil** is to provide guidance to the government for making informed decision on fisheries management. In the Committee there are four government agencies, fisherfolk representatives, NGOs, and private sector parties. Thorough stakeholder participation will be enabled through *Scientific Subcommittees* with experts as well as *Technical Chambers* which will discuss specific issues related to marine resource use. Stakeholders can also request extra-official meetings, however, this will occur at the discretion of the Ministry of Fisheries and Aquaculture. As the committee has only recently been set up no further information is available.

### **2. Name: Inter-ministerial Commission for Sea Resource (CIRM)**

Status NIC: Current

Year: 1974

Legal: Legal

Focus: marine governance

The objective of the **Inter-ministerial Commission for Sea Resources (CIRM)** is to coordinate matters related to the achievement of the Natural Policy for the Resources of the Sea (PNRM). A wide variety of state agencies are present in the committee from a variety of sectors, as well as some members from academia. No NGOs or private sector parties are represented in the CIRM. The commission meets

twice a year. However, subcommittees more often, at least 4 times a year. One of the challenges the committee faces is not to just have the meetings but to translate this into actual practice. As there are a large number of stakeholders involved the process can be very lengthy.

### ***British Virgin Islands***

Name: **Natural Resources and Environment, Climate Change and Sustainable Development Authority**  
(name could change)

Status Time NIC: Future NIC

Year: 2016

Legal status: Legal

Focus: Climate Change, Environment and Sustainable Development

The objective of the **Natural Resources and Environment, Climate Change and Sustainable Development Authority** in the British Virgin islands (BVI) is to advice the government on matters related to, and coordinate all activities and information on environmental issues, climate change adaptation and mitigation and sustainable development in BVI as well as advice the government on proposals send into the Green Climate Change Fund applying for funding. Under the new Climate Change, Environmental and Natural Resource Bill there is the proposal to install a Natural Resources and Climate Change Authority. This NIC is currently being proposed in a Bill that still has to pass the Cabinet, House of Assembly and Public hearing. The intention is that in 2016 the NIC will come into practice. The constitution of members is outlined in the draft Bill but this information is not yet open to the public. It was disclosed it will contain most ministries and several department members at the highest level as it is intended to be a high level advisory organ. A number of NGOs and civil society actors and private sector partners are expected to be on board.

### ***Cayman Islands***

Name: **National Conservation Council**

Status NIC: Current NIC

Year: 2015 (but legislation passed in 2013)

Legal status: Legal

Focus: environment

The **National Conservation Council** (NCC) is established by and to facilitate the goals of the National Conservation Law 2013 (the Law, NCL), that is: to promote and secure biological diversity and the sustainable use of natural resources in the Cayman Islands; to protect and conserve endangered, threatened and endemic wildlife and their habitats; to provide for protected terrestrial, wetland and marine areas; and to give effect to the provisions of certain international conventions (the Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean region, the Convention on Wetlands of International Importance the Convention on the Conservation of Migratory Species of Wild Animals, the Global Convention on Biological Diversity and the United Nations Framework Convention on Climate Change). There are various state agencies on the committee, one NGOs as well as number of appointed individuals from outside of the state. The meetings are open to the public however it has been noted that they are not always willing to participate. Meeting documents are available online. There is no

institutionalized mechanism for review, however, there is a flexibility that permits them to meet changing circumstances i.e new or revised international treaties.

### ***Colombia***

Name: **Comite Ejecutivo de Pesca**

Status NIC: Current NIC

Year: 1991

Legal status: Legal

Focus: Fisheries governance

The objective of the **Comite Ejecutivo de Pesca (CEP)** is to define which species can be sustainably harvested, the volumes of catch thereof (e.g. by means of quota), minimum sizes and other management measures that should be in place to ensure sustainable harvest. The committee consists of members of three state agencies although they can have more than one representative. There are no NGOs or private sector parties as members on the CEP, however, both NGOs and private parties are involved through subcommittees. Prior to the CEP meeting they have the Technical Interinstitutional Committee (CTI) meetings. These are chaired by the Fishery Department (AUNAP) in different parts of the country. All the info is submitted to AUNAP HQ who then compiles and submits this to CEP. The CTI members are research institutes such as INVEMAR, technical officers from the ministries, NGOs, GOs etc. but also fisher representatives are invited. In addition, other ministries than the three mentioned above can be invited to the CEP, however, these invitees will have no voting rights. Influence of the different subcommittees is limited however. All documentation is available on the net and thus available to the public.

### ***Costa Rica***

Name: **Comisión Nacional del Mar (CONAMAR)**

Status NIC: Current NIC (dormant)

Year: 2012

Legal status: Legal

Focus: Marine governance

The **Comisión Nacional del Mar (CONAMAR)** is to develop and execute an ocean policy to ensure the sustainability and conservation of marine resources & ensure compliance with international treaties. The policy was developed by CONAMAR, unfortunately they did not manage to develop its Action Plan before the committee went dormant. The committee had seven state agencies as members from a variety of sectors. No NGOs, civil society or private sector parties were member of the committee. However, through the different subcommittees they were involved. Documents are archived but not easily available. The organisation is currently dormant and has not met for a 1 ½ years (since the new government took over the Commission). The Decree that established CONAMAR, however, is still in effect. This was a high level commission - just ministers or their delegates thereof. There is a request for a review so that CONAMAR's membership can be extended to include technical staff and experts so the commission becomes less political and also moves it out of the Ministry of the presidency with a new chairperson. However the sectors cannot agree who will be the new chair.

***Cuba: NONE***

***Curaçao***

Name: **Commissie Maritiem Beheer**

Status NIC: Current NIC

Year: 2007

Legal status: Legal

Focus: Marine governance

The **Commissie Maritiem Beheer (CMB)** has as objective to advise the government to grant or deny request for activities in maritime sphere in Curaçao (often by private parties but also government itself will make requests) to ensure activities are environmentally sustainable and according to the law. Currently there is not strict protocol on handling procedures or criteria by which requests are measured. A handbook is therefore being developed by the CMB to standardize these procedures of the commission. There are four state agencies, two NGOs but no private sector parties in the commission. There is no stakeholder participation beyond those in the committee. Level of participation of committee members considered to be low as sometimes members are non-committal. Documentation is only available to those in the committee although in principle they should be public as there is the law on Free Information Act. There is no feedback loop to international level in either direction. The CMB process is very lengthy as it has to pass by the Minister, can take up to max. 2 years. The process also takes a considerable time because various pieces of legislation are involved which all need to be evaluated.

***Dominica: NONE***

***Dominican Republic: NONE***

***French Guiana***

Name: **Commission de la Mer**

Status NIC: Current NIC

Year: 2015

Legal status: Administrative

Focus: Marine governance

The objective the Commission de la Mer is to develop a marine policy to enable sound prospective use of marine environment, to define and implement strategies towards marine development and conservation. Commission consists of three state agencies, NGOs, academia, and members from the private sector. It attempts to cooperative the various stakeholders at the meeting. There is no established meeting schedule and they meet at discretion of the chair. So far (Sept 2015) one meeting has been carried out. Minutes are to be emailed to participants however as of November 2015 the participants had not received them. No Action plan has yet developed.

## ***Grenada***

Name: **National Climate Change Committee**

Time status NIC: Current NIC

Year: First established in 2002, re-established in July 2014.

Legal status: Administrative

Focus: Climate change

The **National Climate Change Committee (NCCC)**, which had not convened since 2011, became active again in July 2014 with a new structure, assuming responsibility for coordinating the activities of the government, the private sector and non-governmental organisations. The NCCC is intended to drive the climate change agenda of integrating climate change at the national planning level, mainstreaming of climate change adaptation as well as ensure monitoring and reporting on these activities. The NCCC was reactivated in July 2014 with support from GIZ and should be meeting with frequency. The core committee meets every month, the working groups meet more than once a month (sometimes twice a month). There are three working groups: 1) adaptation; 2) mitigation; and 3) International negotiation and relations. There are seven state agencies are members of the NCCC, no NGOs but two private sector parties. NGOs are involved in the working groups, but not directly in the committee itself. The NCCC also allows for the participation of other stakeholders that are not permanently on a working group to be coopted when necessary. Within the three working groups there is NGO representation in the adaptation working group (not in other two), there is however, private party representation in the other two working groups. Minutes and written reports are not available for the public, however, the public can be informed of the work of the committee at the monthly sustainable development council meetings. Climate change guiding policy as developed under UNFCCC at international level.

## ***Guadeloupe: NONE***

## ***Guatemala***

Name: **Comisión Nacional de Administración Marítima**

Status NIC: Current NIC

Year: 2015

Legal status: Legal

Focus: marine governance

The objective of the **Comisión Nacional de Administración Marítima (CONAMAR)** is to assist with the overall development of the State in all marine issues by coordinating general collaboration and participation of all institutions involve in marine management. The CONAMAR is a high level commission, only deputy ministers. There are technical subcommittees that are active in gathering information and other more practical aspects of the work of the committee. NGOs, experts, private sector parties are active through these subcommittees. However, despite this supposed involvement of all stakeholders other interviewees from the fisheries, tourism and Environment sector declared there was no NIC present in Guatemala. This may be due to the fact that the CONAMAR is new and also because it is a high level Committee form mainly by deputy ministers and deals mostly with issues as they relate to PSMA. There are minutes and reports of recommendation after each meeting, these are housed by the Deputy Ministry of Marine Affairs and are send out to members afterwards. In order to view the minutes by the wider public they must be a formal request and the state needs to approve.

## ***Guyana***

Name: **Inter-Coastal Management Committee**

Status NIC: Future NIC

Year: 2016

Legal status: NA

Focus: Coastal zone

In the past (around 2000) there was an initiative to set up an ICMC. The committee consisted of all state agencies, one NGO, one member from the University of Guyana. It was not a statutory body but an advisory committee for Coastal Zone Management. It didn't function adequately and only a few meetings were held. Currently Environment Protection Agency has the responsibility for ICZM and is trying to resuscitate the ICMC. At this point not more information is available.

Name: **Natural Resource and Environment Advisory Committee**

Status NIC: Current/Past NIC

Year: NA

Legal status: NA

Focus: Environment

***Haiti: NONE***

***Honduras: NONE***

## ***Jamaica***

Name: **National Fisheries Advisory Council**

Status NIC: Current NIC (dormant)

Year: 2008 (but is the third FAC that has been developed in Jamaica)

Legal status: Will be once Fisheries Act has been approved

Focus: Fisheries governance

The objective of the **National Fisheries Advisory Council (FAC)** is to advise the Fisheries Division on important management measures within marine capture fisheries and aquaculture. While the Fisheries Act is still a draft and not passed yet the Minister of Agriculture has already instituted a FAC in 2008. There is thus no legal status for this body but it is functioning under the Minister. There are three subcommittees: 1) fish sanctuaries; 2) beach development (landing sites and sanitation) and 3) marketing. The fish sanctuaries working group appears to be most successful (from 0 fish sanctuaries in 2010 to 15 in 2015). There are three state agencies on board, members from academia, one NGO, various fishing cooperatives representatives as well as independent fishers, and private sector parties. Stakeholder representation is therefore fairly well. Documentation is only available to members, not to wider public. There are feedback loops to local level by members but not to the international level in an official way. Meetings of the FAC are becoming more and more infrequent. They used to be every month when the Fish Sanctuary subcommittee was still active, currently they are perhaps only twice a year. Challenges highlighted are: lack of participation because of lack of resources (some members have to come from Westmoreland which is a 4 hour drive and there is no money for their gasoline. The

money needs to come from budget of Fisheries Division but they face budget constraints); fish sanctuaries working group has done good work in mapping the best places for fish sanctuaries and designing them yet monitoring and enforcement is still facing the same challenges as other fisheries management regulations (lack of technical, human and financial capacity). The legalization of the Fisheries Act would help although some of the challenges will still be present.

Status NIC: Current NIC

Name: **National Committee on Ocean and Coastal Zone Management**

Year: 1998

Legal status: Administrative

Focus: Marine governance

The objective of the **National Committee on Ocean and Coastal Zone Management (NCOCZM)** is to advise the government, develop an integrated marine policy and coordinate activities in the marine sphere in Jamaica. The NCOCZM was established as a response to the 1990 Exclusive Economic Zone Act (last amendment 1991). The NCOCZM has facilitated the development of a Coastal Zone Management Policy, the establishment of a National Hydrographic Committee, the construction of a lighted structure on South West Rock, the finalization of Diving Regulations, installation of tide gauges and the elaboration of guidelines for marine scientific research in Jamaica's territorial waters. The NCOCZM has a large number (fifteen) of different state agencies from across multiple sectors, members from academia but no members from the private sector. Interviewees state that they wish they would better engage the private sector into the committee. Minutes and reports are available to NIC members and they could be available to outsiders but hasn't been requested or made public. International level regulations (such as from the International Maritime Organisation) are incorporated and discussed but feedback loops to local level depends on NIC members and is not institutionalized. There is no institutionalized review process officially; however, they review themselves every 3 years. One of the main challenges the NCOCZM faces was said to be low attendance. Another issue raised was the lack of high level representatives (often only technical experts were sent, not the actual director of fisheries for example) undermining the importance of the committee and the ability to influence actual outcomes of the Committee. This is partly the result it was argued of Jamaica being more focused on the land and terrestrial issues and not towards the ocean.

***Martinique: NONE but proposed***

There is a proposal for a NIC like committee as part of a larger proposal for a large MPA in Martinique. This MPA, and consequent NIC like committee, might not actually be implemented until 2017/2018. After the creation of the MPA the committee (***Conseil de gestion***) will have a legal status. The objective of the committee is to engage in daily management of the Marine Park and ensure knowledge is collected and created, adequate protection of biodiversity is ensured and sustainable use of the ocean in Martinique is guaranteed. There are wide number of government agencies involved in the Committee, as well as local state representatives, NGOs, civil society actors and private sector parties. They have had a large number of stakeholder meetings already (18 in 18 months) but it is still unclear whether the MPA will be formed and the characteristics thereof. It is intended the committee would meet 2-4 times a year and that the national Board of directors (Agence des aires marines protégées – Brest in Bretagne – France) would examine the work of the committee every year.

## ***Mexico***

Name: **Comisión Intersectorial para Mares y Costas**

Status NIC: Current NIC

Year: 2009

Legal status: Legal

Focus: marine governance

The objective of the **Comisión Intersectorial para Mares y Costas** is to develop a marine and coastal policy which will promote economic opportunities, encourage competitiveness, coordination and prepare for climate change effects protecting environmental goods and services in order to ensure continued efforts to integrate socio-economic development with conservation of the natural heritage of our marine and coastal ecosystems. There are seven state members of a variety of sectors, one NGO and two private sector members. However, through the various working groups more NGOs, civil society organisations and private sector parties are involved. The Commission is subdivided into working groups. Secretariats (ministries) are in different working groups and they are made up of technical officers and experts. The statutes ensure the participation of other stakeholders outside of the government however these are included with voice but no voting powers. Documentation is available to all stakeholders as it can be found on the net. They meet when it is needed and there can be extraordinary meeting as was the case with the BP oil spill. They came together and worked on a document of possible risks which was later presented via foreign affairs to the USA Government. In principle, however, the commission meets every 4 months. This is high level Commission and always at ministers or Deputy Minister level. The Technical Committees meet more often in order to gather information as required for the meeting of the Commission.

## ***Montserrat***

Name: **Ocean Governance Committee**

Status NIC: Current NIC (dormant)

Year: 2013

Legal status: Administrative

Focus: marine governance

The objective of the **Ocean Governance Committee** is to develop an ocean governance policy with the help of the OECS. There are seven state agencies as members, not NGOs, civil society actors or private sector parties. There are minutes to meetings but only for committee members and not publically available. There is no institutionalized review mechanism. In general the committee suffers from a lack of finances and resources (no facilities to hold data, no equipment) which limits what the committee is able to achieve. Future plans of the Committee are to engage within OECS to participate in the Hydrographic Survey and to extend their marine boundary. However, the committee has been rather dormant as there have been no meetings this year.

## ***Nicaragua***

Name: **Comite Nacional de Pesca y Acuicultura**

Status NIC: Current NIC

Year: 2005

Legal status: Legal  
Focus: fisheries governance

The objective of the *Comite Nacional de Pesca y Acuicultura (CONAPESCA)* is to serve as the Consultation forum for participation and information exchange among fisheries and aquaculture stakeholders for the protection and conservation of marine resources. It also advises on policy, legislation and planning issues for the sector. There are a wide number of state agencies in the committee, fishermen representatives (marine capture and aquaculture), two representatives and two private sector parties. However, no NGOs are present on the committee. There are minutes of meetings but these are not public. There are technical committees that come together and do the groundwork for the committee. There has been one review but it has not been institutionalized.

***Panama: NONE***

***Puerto Rico/US Virgin Islands***

Name: Caribbean Fishery Management Council  
Status NIC: Current NIC  
Year:  
Legal status:  
Focus:

The **Caribbean Fishery Management Council (CFMC)** is responsible for the creation of management plans for fishery resources (FMPs) in the US Caribbean Exclusive Economic Zone (EEZ) off Puerto Rico and the US Virgin Islands. FMPs are submitted to the US Secretary of Commerce for approval and implementation in the EEZ. Once implemented, local Governments may adopt compatible legislation for the conservation of the fishery resources within local waters. The CFM is one of eight regional fishery management councils, established under PL 94-265 (approved in 1976), now known as the Magnuson-Stevens Act (the Act) as amended in 1996 and 2007 also called Sustainable Fisheries Act, for the conservation and orderly utilization of the fishery resources of the United States of America. In the CFMC there are 10 state members (of which seven have voting power). There are no NGOs, civil society actors or private sector parties member of the committee. However, under the CFMC there are three **District Advisory Panels (DAPs)**. The DAPs are an advisory organ to the Caribbean Fishery Management Council on: the development and management of fisheries; coordination of activities; potential conflicts between user groups of a given fishery resource; current trends and developments in fishery matters. They have been installed in 2014. They have a large number of NGOs, civil society actors and private parties on board and are mostly user groups representatives rather than state agencies from the three areas 1) St. John, 2) St. Croix, 3) Puerto Rico. Stakeholder participation has increased since the new system (from 15-20 in total to 45 in total) who are now able to advice the CFMC. The meetings are also open for the public to attend. Fishers and other interested persons are invited to attend and participate with oral or written statements regarding agenda issues. The minutes and reports of the CFMC meetings are available on the net, DAP meeting minutes are only available to members. The CFMC is indirectly linked with international level.

Name: **Caribbean Regional Ocean Partnership**  
Status NIC: Current NIC  
Year: 2012

Legal status: Based on MOU  
Focus: marine governance

The **Caribbean Regional Ocean Partnership** (Marine Spatial Planning Committee) (CROP) developed out of the Interagency Ocean Policy Task Force created by Obama in 2009 (although at a local level this was already being discussed). The CROP aims to establish mechanisms that will improve regional collaboration on ocean management in order to reduce user conflicts, improve cohesive regional planning, and support healthy communities and ecosystems for present and future generations. The CROP aims to plan and identify multiple usages of coastal areas that are economically efficient for development and ecologically less vulnerable to impacts, to improve regional collaboration on ocean management, reduce user conflicts and advance cohesive regional planning. Since its initiation is appears to have been mostly focused on the development of a robust ocean data and information management system that includes a wide range of environmental, socioeconomic and regulatory data. This is intended to provide the building blocks for multi-use, regional-scale marine planning. Through the CROP, Puerto Rico and U.S. Virgin Islands aim to collaborate to reduce marine space conflicts and maximize the ocean's benefits to people, while maintaining healthy marine habitats. It is not a regulatory or management body and has no independent authority to direct government or private entities. Members consist of several representatives from the federal, state and territory government, a CFMC member, department of Natural Resources and one NGO. No private sector parties are member of the committee, however, the CROP seeks effective engagement of stakeholders through an open and transparent process and with the establishment of a Science and Technical Advisory Group and Stakeholder Advisory Group. The stakeholder advisory group represents a diverse range of interests affecting coastal and marine spatial planning, including individuals representing fishing interests, non-profit conservation organizations, recreational users, business, scientific and educational interests, and others dedicated to habitat conservation and protection of public marine and coastal resources. Actual meeting documents are not publically available but summaries of the meetings are available. Portal being launched is evidence of the information that is collected. There is no official review mechanism.

### ***Saint Lucia***

Name: **Coastal Zone Management Advisory Committee**  
Status NIC: Current NIC (dormant)  
Year: 2005  
Legal status: Administrative  
Focus: coastal zone management

The **Coastal Zone Management Advisory Committee** (CZMAC) is a multi-sectoral advisory committee to address coastal zone management related issues and is responsible for, amongst other things, proposing and formulating coastal zone related policies. The committee is/should be specifically responsible for: 1) Identifying coastal zone management and development issues; 2) Proposing and formulating policies; 3) Facilitating communication and co-ordination among key actors; and 4) Guiding and supervising the program components of the Coastal Zone Management Project (set up in 2001, funded by the EU). The CZMA has 10 different state agencies on the committee from a variety of sectors but no NGOs, civil society or private actors. However, they are contacted when needed in case of a specific demand and or topic. To an extent there are international feedback loops but this depends on the topic. If the topic is climate change or international treaties and conventions for example international information will be shared back and forth. However, no official representation at the international level exists.

Documentation is only available to committee members. There is no institutionalized review mechanism as it would also imply if changes are to be made it would have to go back to Cabinet. Meetings of the CZMAC are infrequent and they have not met since 2011. They want to start it back up again but have not taken any active measures to do so. They are also discussing internally whether they would be better off setting up an Ocean Governance Committee which would include the work previously done by the Coastal Zone Management Advisory Committee. Alternatively the CZMAC would be reactivated and OGC persons would be contacted when necessary. They hope to make a decision on this matter at the beginning of 2016.

***St. Barthélemy: NONE***

***St. Kitts and Nevis***

Name: **Fisheries, Aquaculture and Marine Resources Advisory Council**

Status NIC: Future NIC

Year: 2016

Legal status: Not yet

Focus: fisheries governance

The **Fisheries, Aquaculture and Marine Resources Advisory Council** is supposed to function as the Advisory Council to advise the Minister and make recommendations at the request of the Director on matters relating to fisheries and aquaculture conservation, management, development and sustainable use and the exploration and exploitation of non-living marine resources. The informal committee is already currently in place originated with the PSC of the scoping project carried out by CERMES on Ecosystem based Management in 2010. This committee was then used for CATS project as well and includes NGOs, and private sector but is mostly an interagency organization. Currently a new and formal “Fisheries, Aquaculture and Marine Resources Advisory Council” is being set up which builds onto this informal committee. In the law it states that “there shall established within six months of the entry into force of this Act a Fisheries, Aquaculture and Marine Resources Advisory Council (“Advisory Council”) of no less than seven and no more than eleven members with due recognition of gender and Fisheries, Aquaculture and Marine Resources experience and proportional representation between the islands of Saint Christopher and Nevis. This Act should pass in December 2015 due to requirements of the EU and within the first six months of 2016 this Council should therefore be installed. The council will consist of a large number of state agencies, three NGOs and a number of civil society representatives.

***St. Martin (France): NONE***

***St. Vincent and the Grenadines***

Name: **Ocean Coordination Committee**

Status NIC: Future NIC

Year: 2016

Legal status: NA

Focus: marine governance

Currently the **Ocean Coordination Committee (OCC)** is being proposed to the Cabinet so at this time no further information is available.

## ***Suriname***

Name: **Stakeholders of the Sea** (name not yet available)

Status NIC: Future NIC

Year: 2016

Legal status: NA

Focus: marine governance

There are discussions on erecting a 'stakeholders of the sea' committee. More information at this time is not available.

## ***Trinidad and Tobago***

Name: **Integrated Coastal Zone Management Committee**

Status NIC: Current NIC (dormant)

Year: 2012

Legal status: Administrative

Focus: coastal zone management

The objective of the **Integrated Coastal Zone Management Committee (ICZMC)** is to develop a Policy Framework, Strategies and Action Plan for Trinidad and Tobago to facilitate an integrated approach to coastal zone management aimed at maintaining, and where necessary, enhancing the functional integrity of the coastal resource systems while enabling sustainable economic development through rational decision-making and planning. In April 2012, a multi-sectoral Steering Committee was appointed by the Ministry of Housing and Environment to develop an ICZM Policy Framework, Strategies and Action Plan. The Steering Committee undertook extensive public consultations throughout Trinidad and Tobago to determine stakeholders' views on areas that should be addressed in an ICZM Policy. Based on the outcome of the consultations, a draft ICZM Policy Framework was formulated and submitted to the Ministry of Environment and Water Resources in April 2014. There are four working groups which covered different topics. Only one working group has produced significant outcomes however. The committee is mostly an interagency committee with eleven state members and one NGO. However, the Policy framework developed by the ICZM was the result of over 20 consultations with communities and businesses. The Steering Committee also worked closely with Local Government bodies to organize and conduct the consultations. The Local Government bodies provided support in certain logistical aspects e.g. provision of venues, and also helped in informing and mobilizing stakeholder interests to enable their participation the consultations. They would now need to start the consultation process again to get agreement on developed Policy Framework. In addition, there were four working groups in which stakeholders were involved. Minutes of meetings are not publically available, however, there were several newsletters which are publically available and the draft policy is publically available (on the net). International developments are followed and incorporated into Policy Framework and Policy Development (such as Marine Policy document developed by the IMO). Some of the challenges to develop a holistic and coherent IZM Policy by the ICZMC were identified as the multiple and often overlapping pieces of legislation that can potentially address ICZM. The multiplicity of laws and policies impacting on coastal areas gives rise to as much as 29 institutions in Trinidad and Tobago having a defined legal and/or policy role. This creates problems such as overlapping jurisdiction, and a lack of proper co-ordination of the work of enforcement and management agencies.

Key problems confronting State entities with responsibility for aspects of coastal zone management are the lack of sufficient resources, the most important being financial resources and the presence of little or no public awareness of the importance of coastal areas to the society. The ICZM Committee needs clear leadership by an institute to develop the next step: a Policy Document. This PD is needed to actually implement the Policy framework.

***Turks and Caicos: NONE***

### ***United States of America***

Name: National Ocean Council

Status NIC: Current NIC

Year: 2010

Legal status: Yes

Focus: marine governance

The **National Ocean Council** has been installed by President Obama in 2010. The NOC is intended to provide direction to ensure that executive departments', agencies', or offices' decisions and actions affecting the ocean, coasts, and the Great Lakes of the United States of America will be guided by the stewardship principles and national priority objectives set forth in the Final Recommendations, to the extent consistent with applicable law. The NOC has overall responsibility for 1) implementation of the National Policy, including coastal and marine spatial planning and 2) ensure execution of National Policy implementation objectives. There are a very large number of state agencies member of the NOC incorporating multiple sectors. Although NGOs, civil society and private sector partners are not in the NOC, through the different NOC subcommittees, they influence the NOC. For the Caribbean Region the NOC is of lesser importance than the regional councils working directly in US territories such as in Puerto Rico and US Virgin Islands (see CFMC and CROP described above).

***Venezuela: NONE***

## Appendix 6: Terms of reference for an Ocean Governance Committee

# Oceans Governance Committee Terms of Reference

### 1. TITLE

The name of the Committee shall be the Oceans Governance Committee

### 2. OBJECTIVE

The purpose of the Oceans Governance Committee (“the Committee”) shall be to provide advice to the Government of Antigua & Barbuda on the management of the various maritime zones – internal waters, archipelagic waters, territorial sea, contiguous zone, exclusive economic zone and continental shelf – over which Antigua & Barbuda exercises sovereignty, sovereign rights or jurisdiction in accordance with international and domestic law.

The Committee shall be a mechanism for the coordination of Government policy relating to the management of the maritime space under the jurisdiction of Antigua and Barbuda.

### 3. SCOPE

The Committee shall carry out its responsibilities in consultation with the relevant implementing Governmental Ministries, agencies and departments as well with those non-governmental entities whose functions concern ocean governance issues.

The responsibilities of the Oceans Governance Committee shall include issues related to maritime boundary delimitation; management and sustainable use of fisheries and other living marine resources; exploration and exploitation of non-living marine resources including hydrocarbons; protection of the marine environment; marine scientific research, maritime customs and immigration enforcement, and maritime administration including shipping.

### 4. MEMBERSHIP

The Committee shall be constituted as follows:

1. The Director of Marine Services and Merchant Shipping
2. The Permanent Representative to the International Maritime Organization
3. A senior representative of the Ministry of Foreign Affairs
4. A senior representative of the Ministry of Legal Affairs
5. The Chief Fisheries Officer
6. The Chief Environment Officer
7. The Chief Immigration Officer
8. The Comptroller of Customs

9. The Director of the ONDCP
10. The Chief of Defense Staff
11. Commissioner of Police

The Committee shall determine its Rules of Procedure, including the number of members who shall constitute a quorum. It is recommended that 6 persons should constitute a quorum)

The Committee acting through the Chairperson may invite officials and experts from the private and public sectors to attend meetings and provide assistance and advice where necessary. Such persons shall not have voting rights.

#### **4. CHAIRPERSON**

The Committee shall be chaired by the Prime Minister's nominee and shall elect a vice-chair, whose term of office shall be two-years subject to re-election.

#### **5. SECRETARY**

A Secretary shall be appointed by the Committee who shall be responsible for the agenda and records of the Committee.

#### **6. MEETINGS**

The Committee shall determine the frequency of its meetings. The Committee shall also approve the schedule of meetings of the sub-committees and other related administrative matters.

#### **7. SUB-COMMITTEES**

There shall be established the following standing sub-committees

- (a) Maritime Boundary Delimitation
- (b) Legislation
- (c) Marine Scientific Research

The sub-committee on Maritime Boundary Delimitation shall be responsible for the settlement of the maritime boundaries of Antigua & Barbuda in accordance with Articles 74 (1) and 83 (1) of the 1982 United Nations Convention on the Law of the Sea.

The sub-committee on Legislation shall coordinate the development of draft legislation related to the areas of competence of the Committee in collaboration with the Office of the Attorney General.

The sub-committee on Marine Scientific Research shall review and examine applications from foreign States and competent international organizations to conduct marine scientific research in waters falling under the jurisdiction of Antigua & Barbuda, in accordance with the relevant provisions of the 1982 United Nations Convention on the Law of the Sea.

The Committee may establish other sub-committees as necessary to fulfill its objectives.

Upon establishing a sub-committee, the Committee shall specify the decision making capacity of the sub-committee.

Each sub-committee shall be chaired by a member of the Committee.

## **8. ANNUAL REPORTS**

The Committee shall report to the Prime Minister or the Minister with Responsibility for Maritime Affairs. The Committee shall prepare an annual report of its activities.