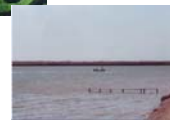


PROFEPA'S COMPETENCES ON MARINE RESOURCES ISSUES

- **Chelonia and marine mammals**
- **Marine and Coastal Natural Protected Areas**
- **Marine Species on Risk**
- **Environmental Regulation for Aquaculture**
- **Restriction on forbidden fishing arts, methods and gears**
- **Environmental Marine Contingences**



COASTAL AND MARINE NATURAL PROTECTED AREAS IN MEXICO

- **36 Coastal and Marine Natural Protected Areas:**
 - **14 Biosphere Reserves**
 - **13 National Parks**
 - **5 Wildlife Protection Areas**
 - **4 Areas on classification Process**
- **16 Sanctuaries (Sea Turtles Protection Areas)**



PRIORITARY MARINE REGIONS

- **70 Priority marine regions for the coastal and oceanic biodiversity conservation on Mexico:**
 - **43 on Pacific shores (more than 39% of total area on this region).**
 - **27 on Gulf of Mexico and Caribbean Sea (almost 50% of total surface)**



ARRIAGA CABRERA, L., E. VÁZQUEZ DOMÍNGUEZ, J. GONZÁLEZ CANDI, R. JIMÉNEZ ROSENBERG, E. MUÑOZ LÓPEZ, V. AGUILAR SIERRA (COORDINADORES). 1998. REGIONES MARINAS PRIORITARIAS DE MÉXICO. COMISIÓN NACIONAL PARA EL CONOCIMIENTO Y USO DE LA BIODIVERSIDAD, MÉXICO.

MARINE THREATENED SPECIES NOM-059-ECOL-2001

MARINE THREATENED SPECIES BY GROUP

Invertebrates	17
Mammals	44
Fishes	16
Reptiles	7



CAREY TURTLE
ERETMOCHELYS
IMERICATA (P)



SEA LION
MIROUNGA ANGUSTIROSTRIS
(A)



SEA CUCUMBER
STICHOPIUS
FUSCUS (Pr)



ESTURION
SCAPHIRHYNCHUS
FLATORYNCHUS (E)

MARINE SPECIES ON RISK NOM-059-ECOL-2001

MARINE SPECIES BY CATEGORRY EXTINCTION

Threatened (A)	6
Special protection (Pr)	62
Endangered (P)	15
On risk of extinction (E)	1



CARIBBEAN MONK SEAL
MONACHUS TROPICALIS (E)



BLACK CORAL
ANTIPATHES ULEY (Pr)



BASKING SHARK
CETORHINUS MAXIMUS (A)



VAQUITA
PHOCOENA SINUS (P)

CORAL SPECIES ON RISK



7

Common Name	scientific name	Category
Staghorn Coral	<i>Acropora cervicornis</i>	Pr
Elkhorn Coral	<i>Acropora palmata</i>	Pr
Black coral	<i>Antiphatas bichitoea</i>	Pr
Black coral	<i>Antiphatas grandis</i>	Pr
Black coral	<i>Antiphatas ulex</i>	Pr
Double-forked sea rod	<i>Plexaurella dichotoma</i>	Pr
Black sea rod	<i>Plexaura homomalla</i>	Pr

NATIONAL LEGAL FRAMEWORK



Political Constitution of Mexican United States



General Law for Environmental Protection and ecological balance (LGEEPA) and its regulations on natural protected areas.



General Law for Wildlife



General Law for Sustainable Development on Forestry and its regulations .



Fisheries Law and its regulations



Federal Penal Code.



Official Mexican Technical Regulations (NOM's).



INTERNACIONAL LEGAL FRAMEWORK



Convention on Fishing and Conservation of the Living Resources of the High Seas.



United Nations Convention on the Law of the Sea.



Convention on International Trade in Endangered Species of Wild Fauna and Flora.



Interamerican Convention for the Protection and Conservation of Sea Turtles.



Convention on biological diversity.



Program "The Yacarta Mandate on Marine and Coastal Biological Diversity".



Agreement on the International Dolphin Conservation Program



Agenda 21



The RAMSAR Convention on Wetlands



Protocol to Amend the Convention on Wetlands of International Importance Especially as Waterfowl Habitat



Memorandum of understanding on North American Wetlands Conservation Act

GROUNDING OF VESSELS ON CORAL REEFS



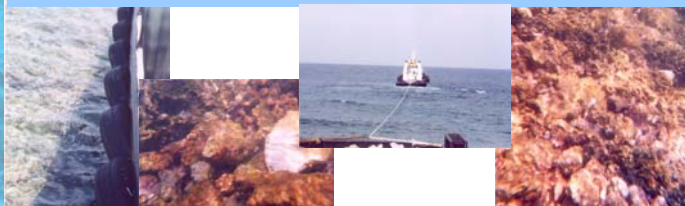
GROUNDING OF VESSELS ON REEFS 2001-2003

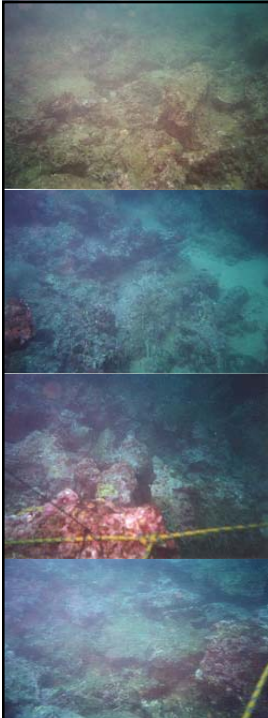
Vessel Flag	Afected area location	date	damage surface (m ²)	restoration payment (US Dollars)
Germany	P.N. S.A. Veracruzano.	28/02/2001	5.241	Pending
Mexico	P. N. Arrecife Alacranes, Yuc.	17/02/2001	550	250,000
Mexico	Isla Espiritu Santo, B. C. S	22/09/2001	1,594 y 1,814	1,200,000
Bahamas Nassau	P. N. Costa Occidental de Isla Mujeres, Punta Cancún y Punta Nizuc, Q. Roo.	11/03/2002	100	50,000
Mexico	Bajos de Tuxpan, Ver	27/03/2003	176.99	353,980



PREVIOUS EVENTS

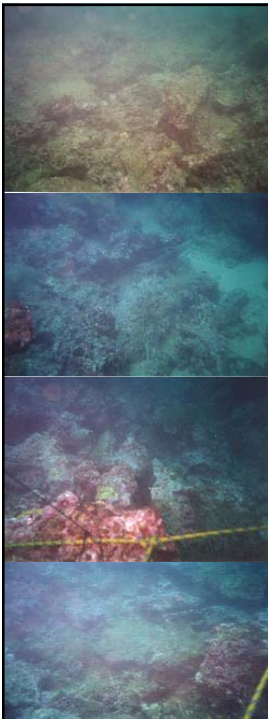
Vessel flag	Place	year	Damage Surface (m ²)	Indemnification
Panama	Sistema Arrecifal Veracruzano (VERACRUZ)	1997	2,400.0	23.6
Norway	National Marine Park Costa Occidental Isla Mujeres, Punta Cancún y Punta Nizuc, Q. Roo	1997	465.0	2,148.0
United States	El Bajito, Q. Roo	1998	59.0	55.2
United States	"Banco Chinchorro", Q. Roo	1998	215.0	1,397.0
British Virgine Islands	Arrecifes de Cozumel, Q. Roo	1998	32.0	1,515.0
Japan	Playa del Carmen, Q. Roo	1999	40.0	3,438.0





RUBIN VESSEL CASE

- **Vessel: B/M Rubin**
- **Company: Mc Reederei GMBH & Co MS Rubin KG**
- **Owner's legal representative: Matthias Dabelstein, Hamburg, Germany**
- **Date of the event: February 28, 2001**
- **Place: "Pájaros" Reef, in Sistema Arrecifal Veracruzano**
- **Surface affected: 5,241 m²**
- **Agreement signed on May 5th, 2001, to appoint experts with a mandate to evaluate damages and establish restoration and compensation costs**



RUBIN VESSEL CASE

- **Law firm: Holman Fenwick & Willan**
- **Insurance Company:**
Antra Niederelvetrampfhartversicherungs_Aktiengesellschaft
- **Status: Expert appointed by insurance representatives refuses to sign the final report assessing costs of damages and compensation, which would enable the appointment of a third party expert**
- **Government of Germany refused to provide information on the company on the basis of protecting business information according to the federal legal framework of that country**
- **Name and flag of vessel were change and her whereabouts are unknown**

RESTORATION PROCEDURES

● **In order to guarantee damage restoration on fragile ecosystems, which are sustained on environmental legal framework, Mexico has established the following procedures:**

- **Administrative legal actions, agreements for restoration and damage compensation.**
- **Sanctions: fines, seizures of vessels, products, subproducts and gears; suspensions; administrative arrest or licenses and permits revocation and cancellation.**

REEF DAMAGE CASES AND SETTLEMENT AMOUNTS

Vessel	Year	Location	Damaged Area M2	Claim USD	Claimant	Settlement USD	Cost/m2 USD
WELLWOOD	1984	FL Keys	1,282	Unknown	NOAA	\$6,000,000	\$4,680
MINILAUREL	1986	Key Largo	524	Unknown	NOAA	\$32,000	\$61
ELPIS	1988	FL Keys	>8,000	Unknown	NOAA	\$2,780,000	<\$347
DREGDE LONG ISLAND	1988	Dade FL	>8,006	Unknown	Florida	\$1,100,100	<\$137
MAVRO VETRANIC	1989	FL Keys	16,800	Unknown	Florida	\$3,300,00	\$196
USS MEMPHIS	1993	Broward FL	1,205	\$2,394,947	Florida	\$750,000	\$622
DANG DILEMA	1994	Pohnpey Micronesia	8,830	\$1,000,00	Pohnpei	Unknown	\$113*
COLUMBUS	1994	Loe Key FL	338	Unknown	NOAA	\$3,700,000	\$10,946
FIRAT	1995	Ft. Lauderdale	30,991	Unknown	Florida	\$390,000**	\$12.58
FORTUNA REEFER	1997	Puerto Rico	7,500	1,500,000	NOAA	\$1,250,000	\$167
Average Cost/m2							\$1,728

* Based on claim and not settlement

** Damaged area includes totally and partially destroyed areas and has not been differentiated between one type of damages or another.



CRITERIA TO BE CONSIDERED FOR FRAGILE ECOSYSTEMS PROTECTION BY MULTILATERAL ORGANISMS

- **Biological and ecological evaluation of coral reef system status and non use values**
- **Fragile ecosystems information exchange**
- **Diplomatic assistance and legal cooperation between countries for resolution of those cases regarding to affections on fragile ecosystems caused by foreign flag vessels**
- **Technical assistance for sea charts elaboration**
- **Development of economic assessment techniques, both for restoration and non-use values**



CRITERIA TO BE CONSIDERED FOR FRAGILE ECOSYSTEMS PROTECTION BY MULTILATERAL ORGANISMS

- **Compilation of an international directory of qualified experts allowed to evaluate coastal an marine ecosystems affectation**
- **Strengthening of legal procedures to enforce insurance companies and individuals to assume liabilities for damage restoration.**