

MEMORANDUM OF UNDERSTANDING BETWEEN

**NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION UNITED STATES DEPARTMENT OF
COMMERCE**

AND

**NATIONAL PARK SERVICE
UNITED STATES DEPARTMENT OF THE INTERIOR**

**OF THE ONE PART
AND**

**REPUBLIC OF CUBA MINISTRY OF SCIENCE, TECHNOLOGY
AND ENVIRONMENT
NATIONAL CENTER FOR PROTECTED AREAS**

**OF THE OTHER PART
ON**

**COOPERATION IN THE CONSERVATION AND MANAGEMENT OF
MARINE PROTECTED AREAS**

I- PREAMBLE

The National Oceanic and Atmospheric Administration (NOAA) of the United States Department of Commerce (DOC), and the National Park Service (NPS) of the United States Department of the Interior (DOI), of the one part; and the National Center of Protected Areas (CNAP) of the Ministry of Science, Technology and Environment (CITMA) of the Republic of Cuba, of the other part, hereinafter collectively referred to as the "Participants,"

RECOGNIZING the mutual interest of the United States of America and the Republic of Cuba in managing marine protected areas (MPAs) within their national jurisdictions for the purposes of conserving biodiversity, protecting cultural and natural heritage, and promoting the sustainable use of their natural marine resources;

UNDERSTANDING the rich ecological marine diversity and connectivity between the United States and Cuba, and the challenges that both countries face in protecting their marine resources from human and natural impacts;

CONSCIOUS of the multiple environmental, economic, and social benefits of protecting and maintaining the integrity of the marine ecosystems for both countries, and for the Wider Caribbean and Gulf of Mexico regions;

CONSIDERING the unique and distinctive marine and coastal biodiversity, the pristine conditions, the historic and cultural heritage, and the international recognition of Guanahacabibes National Park, including its offshore Bank of San Antonio, among other important MPAs in Cuba;

CONSIDERING the rich and healthy marine biodiversity of the Flower Garden Banks and Florida Keys National Marine Sanctuaries, and the Dry Tortugas and Biscayne National Parks, and their importance in sustaining key ecosystem processes and coastal economic activities in the United States and the Wider Caribbean and Gulf of Mexico regions;

NOTING the mutual interest in establishing effective sister MPA relationships and activities among these MPAs of the United States and Cuba for the purpose of scientific research, natural resource management, and education and outreach cooperation;

Have reached the following understandings:

II- PURPOSE

- A. This Memorandum of Understanding (MOU) is intended to establish a cooperative relationship to facilitate joint efforts concerning the science, stewardship, and management of MPAs overseen by the Participants.
- B. This MOU is not intended to create binding obligations under international or domestic law. Nothing in this MOU is intended to alter or affect the Participants' responsibilities or abilities to carry out their regulatory responsibilities and programs in accordance with their respective laws and regulations.

III- DESCRIPTION

- A. The United States has developed a comprehensive system of MPAs, which includes the national marine sanctuaries, units of the national park system with marine resources, and other area based conservation measures, to advance conservation and sustainable use of the nation's vital natural and cultural marine resources. MPAs in the United States are managed by multiple programs at various levels of government, and they represent many of the diverse and productive habitats in waters within the United States' jurisdiction. This includes, *inter alia*: protecting coral reef ecosystems and marine mammal habitats and sustainably managing fisheries in the Atlantic and Pacific Oceans, and the Gulf of Mexico; protecting historic shipwrecks and submerged historical sites, as well as culturally important sites for coastal communities; and promoting sustainable coastal activities.
- B. The National System of Protected Areas of Cuba (SNAP) is constituted by the most

important terrestrial and marine natural areas of the country. Its mission is to ensure the conservation of natural, historical and cultural values in the most representative ecosystems in the country and to contribute to sustainable development. Its operation is supervised by a Coordinating Board, and is structured in provincial subsystems, in a decentralized way in which protected areas are managed by different institutions.

SNAP has a system plan that runs through various strategic programs, whose implementation is directed, coordinated and controlled by the National Center for Protected Areas, subordinate institution of the Ministry of Science Technology and Environment.

IV- AUTHORITIES

- A. The legal authorities for NOAA to implement activities that may be carried out as part of this MOU include but are not limited to: *National Marine Sanctuaries Act*, 16 U.S.C. §§ 1431–1445c, *Coral Reef Conservation Act of 2000*, 16 U.S.C. §§ 6401-6409, *Marine Mammal Protection Act of 1972*, 16 U.S.C. §§ 1361–1423h, *Endangered Species Act of 1973*, 16 U.S.C. §§ 1531–1543, *Magnuson-Stevens Fishery Conservation and Management Act*, as amended, 16 U.S.C. §§ 1801–1891d, *Coastal Zone Management Act (CZMA)*, 16 U.S.C. §§ 1451-1466, *National Sea Grant College Program Act*, 33 U.S.C. Act § 1121-1131.
- B. The legal authority for NPS to conduct programs for technical exchange and cooperation with other countries in park stewardship and management is derived in part from 54 U.S.C. § 100101, 54 U.S.C. § 303902, 16 U.S.C. § 1537, and 22 U.S.C. §§ 2451-2460.
- C. The legal basis for the CITMA to carry out through the CNAP activities covered by this memorandum is reflected in the Environmental Law 81/1997, Decree Law 201/1999 System of Protected Areas and CITMA Resolution No. 17/1999 which defines the mission and functions of the CNAP and CITMA Resolution No. 159/2014, which approves the Plan of the National System of Protected Areas for the 2014-2020 period.

V- COOPERATION ACTIVITIES

Cooperation between the Participants is intended to include, but is not limited to, scientific research, education and outreach, and management activities, such as:

- Establishment of sister MPA relationships to connect specific MPA sites and personnel to better understand and conserve the interconnected ecosystems and address shared conservation challenges;
- Exchange of information, including technical and scientific data, and best practices and experiences regarding MPAs, including staff exchanges and site visits;
- Development of common "best practice" guidelines and methodologies for natural and cultural resource protection within MPAs;
- Development, coordination, and evaluation of complementary activities related to:
 - research and monitoring,
 - outreach and education,
 - enforcement methodologies,
 - performance assessments, and
 - community involvement mechanisms for MPAs; and
- Joint publications on the results of collaborative research and management by the Participants.

The initial sister MPA relationship is expected to focus on Guanahacabibes National Park, including its offshore Bank of San Antonio in the Republic of Cuba, and the Flower Garden Banks and Florida Keys National Marine Sanctuaries, and the Dry Tortugas and Biscayne National Parks in the United States. Additional sister MPA relationships may be developed in the future.

The Participants intend to develop a biennial work plan to identify the specific priority activities for their cooperation.

VI- FUNDING ARRANGEMENTS

- A. Any activities carried out in furtherance of this MOU are subject to the availability of funds.
- B. Each Participant intends to arrange funding for the costs associated with any travel or other activities for its own staff. Any cost-sharing arrangement, where authorized by the laws of each Participant, is expected to be documented by a separate instrument between the Participants.
- C. This MOU defines in general terms the basis on which the Participants intend to cooperate and, as such, does not constitute a fiscal or funds obligation document.

VII- IMPLEMENTING AGENCIES AND CONTACT INFORMATION

The MOU implementing and coordinating offices designated by the Participants and their points of contact are:

NOAA:

Office of National Marine Sanctuaries (ONMS)

Name: John Armor

Title: Acting Director

Address: 1305 East-West Hwy. 11th Floor
Silver Spring, MD 20910. USA

E-mail & Phone: John.Armor@noaa.gov; +1-301-713-7234

NPS:

Office of International Affairs

Name: Stephen Morris

Title: Chief

Address: 1201 Eye

Street, NW

Washington, DC 20005

E-mail & Phone: Stephen_Morris@nps.gov; +1-202-354-1803

CITMA

National Center for Protected Areas

Name: Carlos Alberto Diaz Maza

Position: Director

Address: No. 4114 18th Street

Miramar. Email:

carlosdiaz@snap.cu

Phone: (53) 7202 7970

International Relations Directorate Name:

Enrique Moret Hernández Position: Director

Address: No. 4118 18th Street

Miramar. Email: emoret@citma.cu

Phone: (53) 7214 4554.

Environment Agency.

Name: Maritza García García

Position: President

Address: 20th Street, 18th corner. Miramar

Email: maritza@ama.cu

Phone: (53) 7202 8242

If there is a change to any point of contact, the Participant making the change would notify the other Participants in writing of such change.

VIII. DURATION, MODIFICATIONS, OR DISCONTINUATION

Cooperation under this MOU is intended to commence upon signature by the Participants. A Participant may discontinue its participation in this MOU at any time, in which case it should endeavor to provide sixty (60) calendar days' written notice to the other Participants. The MOU may be modified at any time through mutual written consent of the Participants.

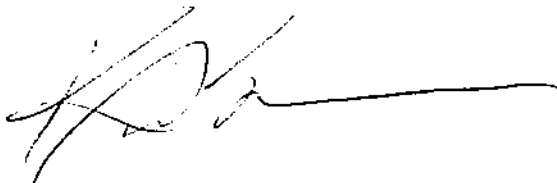
IX. OTHER PROVISIONS

- A. Each Participant intends for its activities under this MOU to be in accordance with international law, including acting with due regard for the rights, freedoms, and lawful uses of the sea enjoyed by other nations under international law as reflected in the United Nations Convention on the Law of the Sea.
- B. If the Participants have differing views on how to interpret this MOU, they intend to present their differences to each other in writing, and intend to discuss them. If the Participants fail to resolve their differences within thirty (30) days, they may refer the matter to a higher level of authority within their respective organizations.
- C. This MOU has been written and signed, in both English and Spanish, on the date indicated. Each Participant intends to keep an original copy in both languages.

X- SIGNATURES

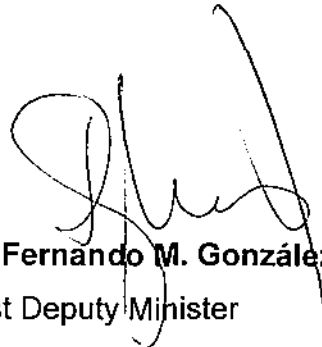
Havana, November 18th 2015

NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION
THE UNITED STATES
DEPARTMENT OF COMMERCE



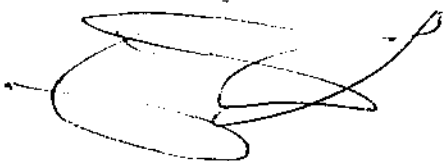
Dr. Kathryn D. Sullivan, Under
Secretary of Commerce for
Oceans and Atmosphere and
NOAA Administrator

MINISTRY OF SCIENCE, TECHNOLOGY
AND ENVIRONMENT REPUBLIC OF
CUBA



Dr. Fernando M. González Bermúdez
First Deputy Minister
Ministry of Science, Technology
Environment

NATIONAL PARK SERVICE THE
UNITED STATES DEPARTMENT OF
THE INTERIOR



Mr. Pedro Ramos, Superintendent of
Everglades and Dry Tortugas National
Parks, National Park Service