

Chapter 1 Orientation of the fundamental institutional policies of ANAM and JICA regarding watershed management

1.1 Orientation of the institutional policies of ANAM

The General Environmental Law No.41 of 1998, Chapter VI, entitled “Regarding Natural Resources”, states in one of its articles that the National Environmental Authority (ANAM, Spanish acronym) shall create special programs for the management of watersheds that present a state of deterioration, or a strategic need for conservation, and justify a decentralized management by local authorities and users of its water resources.

Law No.44 of August 5, 2002 “establishes a Special Administrative Regimen for the management, protection and conservation of watersheds in the Republic of Panama”, and grants legal authority to ANAM as the public entity in charge of assessing, administrating, managing and conserving the watersheds of the Republic of Panama.

It should be mentioned that Law No.44 states that said law does not apply to the Panama Canal Watershed where legal authority is granted to ACP (Panama Canal Authority) by the Constitution.

In September 2005, a final report of the proposed Executive Decree “To regulate Law No.44 of 2002” was presented: however, this is not given approval up to present.

The following are the current national policies that have a bearing on watersheds; the policy related specifically to water resources has been highlighted.

- National Policy on Water Resources;
- National Policy on Biodiversity;
- National Policy on Climate Change;
- National Policy on the Decentralization of Environmental Administration;
- National Policy on the Integrated Management of Harmless and Dangerous Wastes;
- National Policy on Environmental Information;
- National Policy on Cleaner Production; and,
- National Policy on Environmental Supervision, Control and Research.

In compliance with the Executive Decree No.84 of April 9, 2007, “whereby the National Policy on Water Resources, its principles, objectives, and lines of action are approved”, ANAM presented the Strategy and Plan of Action to implement said policy through a Watershed Management Model.

It should be noted that among the Model’s 9 specific objectives covering different areas, there are lines of action closely aligned with the orientation of the technical cooperation of Japan, and include the following activities:

- *To create integrated programs that increase, and give incentive to, the agricultural productivity of a region, and achieve the commitment of all parties to the development and conservation of the watershed as an economic, social, human and policy unit in order to achieve the sustainability of the water resource.*

In February 2009, ANAM presented the “National Environmental Strategy: Environmental Administration for Sustainable Development 2008-2012” composed of 4 guidelines and 10 objectives. Objective No.10 “The conservation and restoration of watersheds with a focus on ecosystem and community participation” includes the following actions:

- Action 61 To establish the watershed as the country’s basic unit for environmental planning and administration.
- Action 62 To implement a Forest Certification System.
- Action 63 To establish a framework of policies, economic incentives and scientific research for conserving and restoring the nation’s degraded soils.
- Action 64 To create and implement the National Plan for Integrated Management of Water Resources (PNGIRH, Spanish acronym) and its respective regional plans.

At present, ANAM has a National Plan for Integrated Management of Water Resources (PNGIRH), and the Directorate of Integrated Watershed Management (DIGICH, Spanish acronym) is in charge of its implementation, follow-up and updating. Under the PNGIRH scheme, ANAM is developing plans for environmental land regulations and plans for managing priority watersheds.

In fact, even before creating DIGICH in 2005, ANAM was already carrying out various projects for the management, conservation and restoration of watersheds with national as well as international financing.

In the case of the Panama Canal Watershed, the Inter-institutional Commission of the Panama Canal Watershed (CICH, Spanish acronym) is in charge of coordinating diverse studies and projects in the Canal’s sub-watersheds.

1.2 Orientation of JICA policies for cooperation

In August 2008, JICA created a document entitled “Guidelines for Cooperation in the Area of Environmental Conservation (draft)”, which established an overall objective and 3 specific objectives:

(Overall objective)

- To achieve an equilibrium between the conservation of natural environment and the human activities.

(Specific objectives)

1. Sustainable use of natural resources by inhabitants;
2. Conservation of biodiversity;
3. Sustainable management of forests.