



**United Nations
Environment Programme**



**Revised criteria for the listing of species in the Annexes of
the Protocol Concerning Specially Protected Areas and
Wildlife (SPAW)**

and

**Procedure for the submission and approval of nominations of
species for inclusion in, or deletion from Annexes I, II and III**

Background

During the Third Conference of the Parties (COP3) to the Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region, held in Montego Bay, Jamaica, September 27, 2004, the Parties approved the *Revised Criteria for the Listing of Species in the Annexes of the SPA Protocol* and the *Procedure For The Submission and Approval Of Nominations of Species for Inclusion in or Deletion from Annexes I, II and III* developed in keeping with Recommendations IV to VII of the First Meeting of the Scientific and Technical Advisory Committee (STAC1), and Decisions IV and III to VI, of COP1 and COP2 (respectively), and also took into account the Recommendations of the Second Meeting of the STAC (STAC2) in 2003.

Revised Criteria for the Listing of Species in the Annexes of the SPA Protocol

Article 21 of the SPA Protocol requires the establishment of common guidelines and criteria, for *inter alia*, the identification and selection of protected species to be listed on Annexes I, II and III of the Protocol. The guidelines and criteria given below are for this purpose and should be applied in accordance with the provisions of the Protocol, in particular the definitions in Article 1 (f) on “endangered species” and (g) “threatened species”.

1. For the purpose of the species proposed for all three annexes, the scientific evaluation of the threatened or endangered status of the proposed species is to be based on the following factors: size of populations, evidence of decline, restrictions on its range of distribution, degree of population fragmentation, biology and behaviour of the species, as well as other aspects of population dynamics, other conditions clearly increasing the vulnerability of the species, and the importance of the species to the maintenance of fragile or vulnerable ecosystems and habitats.
2. When evaluation of the factors enumerated above clearly indicates that a species is threatened or endangered, the lack of full scientific certainty about the exact status of the species is not to prevent the listing of the species on the appropriate annex.
3. With particular reference to listing in Annex III, the levels and patterns of use and the success of national management programmes should be taken into account
4. When compiling a case for adding a species to the Annexes, application of the IUCN criteria in a regional (Caribbean) context will be helpful if sufficient data are available. The evaluation should, in any case, use best available information, and expertise, including traditional ecological knowledge.
5. The evaluation of a species is also to be based on whether it is, or is likely to be, the subject of local or international trade, and whether the international trade of the species under consideration is regulated under CITES or other instruments.
6. The evaluation of the desirability of listing a species in one of the annexes should be based on the importance and usefulness of regional cooperative efforts on the protection and recovery of the species.

7. Given the regional, co-operative nature of the SPAW Protocol, it is generally not considered appropriate to include in the lists species which are endemic to a single country, these species being more appropriate for protected status under Article 10 of the Protocol. Any Contracting Party may however, request the inclusion on the lists of a species that is endemic to its territory, if regional cooperation is clearly important for its recovery.

8. The listing of a taxonomic unit covers all the lower taxa within that unit. The lists should be prepared at the level of species; the listing of species is taken to include all sub-species and as a general rule, sub-species are not recommended for separate listing. Exceptionally, higher taxa can be utilized in listing when there are reasonable indications that the lower taxa are similarly justified in being listed, or to address problems of misidentification caused by species of similar appearance. In the case of Annex III, higher taxa can also be used to simplify the list.

9. When considering species for listing, the status of the population at the regional level should be the starting point for its evaluation. Given the regional, co-operative nature of the SPAW Protocol, as a general rule, sub-populations are not recommended for separate listing unless this would benefit the recovery of the subpopulation and the total population.

10. Although ecosystems are best protected by measures focused on the system as a whole, species essential to the maintenance of such fragile and vulnerable ecosystems/habitats, as mangrove ecosystems, seagrass beds and coral reefs, may be listed if the listing of such species is felt to be an "appropriate measure to ensure the protection and recovery" of such ecosystems/habitats where they occur, according to the terms of Article 11 (1) (c) of the Protocol.

Procedure for the submission and approval of nominations of species for inclusion in or deletion from Annexes I, II and III

With the reestablishment of the *ad hoc* working group on the listing of species to the Annexes in the intersessional period, and in keeping with Decision 4 and Decision 6 Recommendation III (2) of the Decisions at the Eighth Conference of the COP (COP8) held in Cartagena, Columbia, December 2014, and until further approval, using Article 11(4) as a basis, the procedure includes the following:

- a) Article 11, paragraph 4(a) of the SPAW Protocol states that any Party may nominate species for inclusion in or deletion from the Annexes. Only Parties are authorized to make such nominations. Parties intending to nominate a species for inclusion in or deletion from the Annexes are responsible for preparing and submitting a nomination proposal including appropriate and sufficient supporting documentation for each species intended for nomination. However, Parties may request that the SPAW/RAC assist in the preparation of documentation by providing contacts of relevant experts and organizations for advice and technical assistance, as well as by providing access to literature. Additionally, Parties intending to nominate a species are encouraged to consult with range States and other entities with an interest in the species in advance of submitting the nomination to the Secretariat. Parties intending to nominate a species for transfer from one Annex to another should, as far as it is practical to do so, prepare and submit a single proposal in which the species is proposed for deletion from its current Annex and inclusion in another;
- b) Article 11, paragraph 4(a) of the SPAW Protocol states that supporting documentation shall include the information noted in Article 19. Information relevant to species intended for nomination is noted in Article 19, paragraph. 3. Documentation should also include information demonstrating the applicability of the appropriate SPAW listing criteria as adopted by the Conference of the Parties. It should include an appropriate bibliography. The nominating Party may submit draft documentation for impartial review. The SPAW/RAC may be able to suggest suitable reviewers;
- c) The nominating Party is to submit the final text of the nomination and supporting documentation to the SPAW Secretariat at least four months before the STAC Meeting at which the nomination will be considered, unless the Secretariat sets an alternate deadline, allowing sufficient time for the completion of all requirements under par. (d) below;
- d) After the deadline, the Secretariat shall inform the Parties of the list of species to be considered at the forthcoming STAC Meeting. The Secretariat shall, as soon as possible after the deadline, arrange for the translation of the nomination proposal into the official languages of the Protocol. The nomination proposal and supporting documentation shall then be circulated to the Parties and Observers by the Secretariat at least 90 days before the STAC meeting, allowing sufficient time for review by the Parties, and should be subsequently publicized through the website. Parties may ask the Secretariat to provide translated versions of the supporting documentation;
- e) Written comments on proposed nominations received by the Secretariat from Parties, and Observers should be made available to the Meeting of the STAC;
- f) Article 11, paragraph 4(b) of the SPAW Protocol states that the STAC shall review and

evaluate the nomination and supporting documentation and shall report its views to the Conference of Parties. The STAC may recommend that the nomination be adopted or rejected, or that further consideration be made conditional on the presentation of additional scientific and technical information, or report other views concerning the nomination as appropriate;

g) The Conference of the Parties may assess, as part of its review of the nomination, the extent to which any conditions set by the STAC have been met.