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Ninth Meeting of the Scientific and Technical
Advisory Committee (STAC) to the Protocol
Concerning Specially Protected Areas and Wildlife in
the Wider Caribbean.

Virtual, 17-19 March and 14-15 April 2021

REPORT OF THE MEETING

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ACRONYMS

AIDA	Interamerican Association for Environmental Defense
AGGRA	Atlantic and Gulf Rapid Reef Assessment
OFB	Agence française pour la biodiversité (<i>French Agency for Biodiversity</i>)
AMEP	Assessment and Management of Environmental Pollution
AWI	Animal Welfare Institute
CaMPAM	Caribbean Marine Protected Areas Managers Network and Forum
CARICOM	Caribbean Community
CANARI	Caribbean Natural Resources Institute
CARI'MAM	Caribbean Marine Mammals Preservation Network
CARIB-COAST	Caribbean Coastal Risks related to climate change for a monitoring and prevention network
CaribWEN	Caribbean Wildlife Enforcement Network
CAR/RCU	Caribbean Regional Coordinating Unit
CBD	Convention on Biological Diversity
CEP	Caribbean Environment Programme
CERMES	Centre for Resource Management and Environmental Studies
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CLME ⁺	Caribbean and North Brazil Shelf Large Marine Ecosystems
COP	Conference of Parties
CRFM	Caribbean Regional Fisheries Mechanism
DR	Dominican Republic
DSS	Decision Support System
EBM	Ecosystem Based Management
ELAW	Environmental Law Alliance Worldwide
EPA	Environmental Protection Agency
EU	European Union
GCFI	Gulf and Caribbean Fisheries Institute
GCRMN	Global Coral Reef Monitoring Network
GEF	Global Environment Facility
GOA-ON	Global Ocean Acidification Observing Network.
HAMMAC	Human Activities and Marine Mammals in the Caribbean
IBA	Important Bird and Biodiversity Area
ICRI	International Coral Reef Initiative
IGM	Intergovernmental Meeting
IMO	International Maritime Organization
IOCARIBE	Intergovernmental Oceanographic Commission's Sub-Commission for the Caribbean and Adjacent Regions
INVEMAR	Institute of Marine and Coastal Research
IUCN	International Union for the Conservation of Nature
IWC	International Whaling Commission
LAC	Latin America and the Caribbean
LBS	Protocol Concerning Land-Based Sources of Pollution
MARFund	Mesoamerican Reef Fund
MEA	Multilateral Environmental Agreement
MMAP	Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region
MoU	Memorandum of Understanding
MPA	Marine Protected Area
NFWF	National Fish and Wildlife Foundation

NGO	Non-Government Organizations
NFP	National Focal Point
NOAA	National Oceanic and Atmospheric Administration
OAPS	Oceanic Pacific Product Suite
OECS	Organization of Eastern Caribbean States
OSPAR	Convention for the Protection of the Marine Environment of the North-East Atlantic
PA	Protected Area
PAME	Protected Areas Management Effectiveness
RAC	Regional Activity Centre
RAD	RED Arrecifal Dominicana
RAN	Regional Activity Network
RAMSAR	Convention on Wetlands of International Importance
SCTLD	Stony Coral Tissue Loss Disease
SDG	Sustainable Development Goals
SOMEE	State of the Marine Environment and Associated Economies
SOI	Sustainable Ocean Initiative
SPAW	Specially Protected Areas and Wildlife in the Wider Caribbean Region
STAC	Scientific and Technical Advisory Committee
TNC	The Nature Conservancy
TOF	The Ocean Foundation
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
US	United States of America
WCR	Wider Caribbean Region

INTRODUCTION

1. The Conference of Plenipotentiaries on Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region held in Kingston, 15 to 18 January 1990, adopted the SPAW Protocol to the Cartagena Convention, which entered into force on 18 June 2000. Article 20 of the SPAW Protocol established the Scientific and Technical Advisory Committee (STAC). This Article indicated that each Party shall appoint a scientific expert appropriately qualified in the field covered by the Protocol as its representative on the Committee, who may be accompanied by other experts and advisors appointed by that Party. Article 20 also indicated that the Committee may also seek information from scientifically and technically qualified experts and organisations.
2. In light of the above, and in keeping with Decision No.1 of the First Meeting of the Contracting Parties to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) (COP1) (Havana, Cuba, 24-25 September 2001) and Decisions of COP9 (Cayenne, French Guiana, 13 March 2017), this Meeting was convened virtually by the Secretariat to the Cartagena Convention from 17 to 19 March 2021.
3. The proposed objectives of the Ninth Meeting of the Scientific and Technical Advisory Committee (STAC9) to the SPAW Protocol were to:
 - Review the status of Activities of the SPAW Subprogramme for 2019-2020, including activities of the Regional Activity Centre for SPAW-RAC in Guadeloupe;
 - Review the submissions for the protected areas proposed by Parties for listing under the SPAW Protocol and make recommendations to SPAW COP11;
 - Review the species proposed by Contracting Parties for listing under the Annexes of the SPAW Protocol following the existing criteria and revised process proposed by SPAW COP9, and make recommendations to SPAW COP11;
 - Review the reports for Exemptions under Article 11(2) of the SPAW Protocol proposed by Contracting Parties and make recommendations for adoption by SPAW COP11; and
 - Develop the 2021-2022 Workplan and Budget of the SPAW Subprogramme for subsequent approval by SPAW COP11 and the Nineteenth Intergovernmental Meeting on the Action Plan of the Caribbean Environment Programme, and Sixteenth Meeting of the Contracting Parties to the Convention.
4. The seventeen (17) Contracting Parties to the SPAW Protocol were invited to the Meeting and to nominate their respective representatives to be part of the SPAW STAC9, in keeping with Article 20 of the Protocol. Other member Governments of CEP, United Nations agencies and non-governmental and intergovernmental organisations were invited to participate as Observers. The list of participants is included in Annex IV to this Report.

AGENDA ITEM 1: OPENING OF THE MEETING

5. The Meeting was opened by the Secretariat, Ms Ileana Lopez, on Wednesday, 17 March, at 1:00 pm in Kingston, Jamaica. It was held virtually via Microsoft Teams due to the COVID-19 pandemic. Ms Ileana Lopez, Programme Officer (PO) for the SPAW Sub-programme, welcomed participants. She acknowledged the donors, namely the Global Environment Facility (GEF), the European Union (EU), and the Government of France (the Ministry of Environment), for having seen the value in supporting

the programme and its activities through projects which promoted Marine Protected Areas (MPA) conservation, Coral Reef Species and Ecosystem-Based Management (EBM), as well as other environmental issues.

6. Ms Lopez invited Kerstin Stendahl, Head of Branch of the Ecosystems Division, United Nations Environment Programme, to provide welcome remarks.
7. Ms Stendahl welcomed participants and observers to the meeting, and stated that it was an honor to address them. She went on to make remarks on the value of the deliberations, the work of UNEP and the UN on global ocean and biodiversity governance. She urged Contracting Parties to the SPAW Protocol to support the development of the post-2020 global biodiversity framework and its eventual mainstreaming into national processes, and development. She encouraged Delegates to actively participate in the ongoing discussions relating to intergovernmental processes on an international binding legal instrument under the United Nations Convention Law of the Sea. Ms Stendahl ended by wishing the Secretariat successful outcome and deliberations.
8. Ms Lopez then invited Ms Lorna Inniss, Coordinator of the United Nations Environment Programme (UNEP) Cartagena Convention Secretariat, to welcome attendees to the meeting and to lead the opening remarks.
9. Ms Inniss welcomed those in attendance and thanked Ms Lopez and Ms Stendahl for their comments. She acknowledged that the discussion around human relationship with nature was changing and that it was a positive change, both for humanity and the planet. She added that climate change, biodiversity loss and pollution were altogether putting our economic and social wellbeing at risk, and undermining opportunities to reduce poverty, improve lives and livelihoods as demonstrated by the COVID-19 crisis.
10. She added that the World Bank Caribbean report for 2020 acknowledged, for the first time, the devastating economic impacts of the COVID-19 pandemic on Latin America and the Caribbean. She pointed out that the 22nd Forum of Ministers of Latin America and the Caribbean held in January 2021 also took very careful consideration of this and acknowledged the many economic sectors on which the livelihoods of the people of the hemisphere depend. The impact on the tourism sector as well as the fragility of the international value chains was made evident. She said it was understood for a long time that biodiversity loss and poverty were linked, therefore it was imperative that conservation and poverty reduction efforts be tackled together, and highlighted that the sustainable development goals brought these issues together.
11. The Secretariat is very grateful for the support of our valued partners in government, countries, Parties, NGOs, academia and the private sector, both regionally and internationally regarding the conservation and protection of the coastal and marine biodiversity and ecosystem services of the Wider Caribbean Region for the wellbeing of our communities. Ms Inniss stated that the Secretariat very grateful to the Government of France for continuing their very strong support to the work of the SPAW subprogramme, in particular, through the SPAW/RAC located in Guadeloupe, since its establishment in 2000. She acknowledged the strengthening of our relationship with the RAC and we look forward to continuing to work with them as they provided essential support to the Secretariat.
12. It was pointed out that the SPAW Protocol reached 21 years working for the conservation of sustainable use of biodiversity regionally and internationally for the various global and regional instruments, targets and agendas to which Parties are signatory. We see this maturity in the SPAW Protocol in many ways and we do hope that this will be an aspect of our work, though serious, we trust that there will be a celebratory nature to the deliberations during the STAC meeting because of what we have been able to accomplish. There have been so many deliverables out of this programme as well as awards achieved,

and international recognition given. This programme is a credit to the Secretariat but also to the member states of SPAW who have thrown their full support and weight along with the Secretariat to deliver what we have been able to deliver. Ms Innis expressed that she looked forward to working with all the delegates during the biennium, to take SPAW to the next level.

13. Ms Innis informed the Meeting that as mentioned at the beginning of the LBS Protocol STAC, the Secretariat would be reviewing and revising the structures and strategy of the organization to ensure that they were able to support the delegates, even better than they have done in the past, and to ensure that their national objectives were delivered within the context of the Secretariat's capacity and resources so that the region as a whole could be proud of the accomplishment of the Cartagena Convention. Ms Innis closed by thanking all the delegates for being present and expressed that she looked forward to their active engagement. She stated that it was heartening to see the closer collaboration between SPAW and AMEP subprogrammes, as requested by the delegates, and that the Secretariat would work to ensure that this very important cooperation, collaboration and synergy would work for the benefit of their successful programmes.
14. Ms Lopez thanked Ms Innis for highlighting key issues for enhancing the Cartagena Convention and the Protocols, especially the SPAW Protocol. A minute of silence was dedicated to Mr Paul Hoetjes, a former SPAW delegate, and to appreciate the hard work and dedication of Contracting Parties, the SPAW/RAC, volunteers, experts, donors, working groups and the colleagues behind the scenes at UNEP and CEP who made the meeting possible.
15. Ms Lopez pointed out that Mr Hoetjes was at the forefront of marine conservation, objectives of the Convention of the Cartagena Convention and both Protocols, LBS and particularly SPAW. She then reminded participants of the objectives of the Meeting according to the Agenda Items outlined.

AGENDA ITEM 2: ORGANIZATION OF THE MEETING

2.1 Rules of Procedure

16. The Meeting agreed to apply *mutatis mutandis* the Rules of Procedure for the Meetings of the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention). Rule 26 pertaining to quorum. (See Reference Document UNEP, 2012).
17. The Contracting Parties were asked to indicate their presence by turning on their cameras when their country's name was called. Sixteen (16) Contracting Parties indicated their presence at the meeting (See Annex IV for list of participants).

2.2. Election of Officers

18. The Secretariat requested nominations from the representatives of Contracting Parties for the role of Chair, Vice-Chairperson and Rapporteur for the Meeting. Following deliberations, the Meeting elected from among the representatives of the Contracting Parties to SPAW, the Chairperson, the Vice-Chairperson, and the Rapporteur for the conduct of the Meeting:

Chair(person):	Jose Mateo Feliz (Dominican Republic, DR)
1 st Vice-Chairperson:	Gonzalo Cid (United States of America, US)
2 nd Vice-Chairperson :	Jean Vermot, (France)
Rapporteur :	Yoeri de Vries (The Netherlands)

19. The United States role of First Vice President/Co-Chair was transferred from Ms. Samantha Dowdell to Mr Gonzalo Cid, given her active role in the meeting (see paragraph 29).
20. The Secretariat acted as Rapporteur in the absence of a nomination on day one of the meeting. The role was transferred to the Netherlands on day two of the meeting upon their grateful voluntary nomination.
21. The election of the Bureau was seconded by Honduras and Panama.

2.3 Organization of Work

22. English, French and Spanish were the working languages of the Meeting and simultaneous interpretation was provided using the Interactio application for the meeting in March and Kudo for the meeting in April. The Working Documents were made available in all the working languages. The Provisional List of Documents of the Meeting was presented in UNEP(DEPI)/CAR WG.42/INF.1.
23. The Secretariat proposed convening the Meeting in plenary sessions, with the assistance of working groups if necessary, which may be established by the Chairperson. No simultaneous interpretation was provided for the working groups. Participants were reminded that, given the length of the Meeting, breaking into working groups might not be feasible. Participants were therefore expected to be prepared, having reviewed all working documents as appropriate, to provide concrete inputs at the time of discussion.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

24. The Meeting was invited to adopt the Provisional Agenda of the Meeting, prepared by the Secretariat, as presented in UNEP(DEPI)/CAR WG.42/1, as well as in line with the Agenda that was emailed to the Contracting Parties on March 17 by the Secretariat. This was done as presented in UNEP(DEPI)/CAR WG.42/1.
25. The delegate of the Netherlands (Mr. de Vries) proposed the following:
 1. Suspend the discussion on the recommendations to a later date as they may not be completed in the required time.
 2. Move up the Exemptions item on the agenda.
 3. Discuss the email correspondence, received by the Secretariat, regarding this Agenda.
26. The Secretariat (Ms Lopez) thanked the Netherlands for their proposal. She stated that a document was received indicating that:
 1. There would not be enough time to go into other discussions over the three (3) days
 2. Some documents were not received in time according to the Rules of Procedures
 3. the additional days were needed for the meeting and that the meeting be extended to April 14th and 15th and that the agenda should be amended to reflect those changes
27. Ms Lopez requested that the agenda be approved with the changes mentioned.
28. The delegate of Colombia (Ms. Gonzalez), in her capacity as Focal Point, commented that in the face of this modified agenda, Colombia had not received it and therefore could not respond to the comments. She requested that it be shared with her for a response to be provided.

29. The head of delegation of the US, (Ms. Dowdell) proposed a member of their delegation, Gonzalo Cid, to act as Vice Chairperson for the Meeting. She said the US supported the proposal by the Netherlands to postpone some agenda items to allow more time for internal review. Extending the Meeting for two (2) additional days to facilitate robust discussion in accordance with the Rules of Procedure for the Meeting, specifically Rule 6, postponement was also supported.
30. The Secretariat (Ms. Lopez) indicated that there were no objections and proceeded to approve the requests. She thanked the US for their support.
31. Mr. Gonzalo Cid thanked the Secretariat for approving the requests and thanked his delegation, the US, for accepting him as Vice Chairperson for the meeting.
32. The Secretariat (Ms. Lopez) read the communication sent regarding extending the meeting. She apologized to those who did not receive it.
33. The head of delegation of France (Mr. Vermot) expressed that he and other delegates had issues using Microsoft Teams and the translation application simultaneously and was therefore not receiving the interpretation. He requested that the system be reviewed and acknowledged that there were constraints.
34. The delegate of Colombia thanked the Secretariat for the communication and acknowledged the technological challenges which were discussed during the Pre-STAC meeting as well as the challenges to read the documents. She indicated that Colombia supported the extension of the meeting to April 14th and 15th then she requested clarification on Agenda item 6. She expressed appreciation for the work of the experts. The delegate continued by saying that some Contracting Parties mentioned that proposals should be presented by parties. Colombia was aware that some countries were willing to nominate species. She requested the next steps before the end of the day.
35. The Secretariat (Ms. Lopez) thanked Colombia for their intervention. There was a challenge in presenting the proposals and SPAW-RAC was working to present them. She requested SPAW-RAC to explain the procedures.
36. The Director of SPAW-RAC (Ms. Sandrine Pivard) informed the meeting that the question was indeed raised at the Pre-STAC meeting. She provided some background information and mentioned that during the STAC8 some proposals for sharks were already presented. It was then recommended by the STAC to conduct a Working Group to complete proposals and assess, with the experts, specific species. The documents were completed by the Working Group until January 2021 and their formal assessments were conducted. It had been discussed and we worked under the understanding that the documents were to be proposed to the STAC and adopted for nomination or confirmation by the countries who wished to do it then they could to the COP for approval but considering other rules mentioned during the pre-sessions, she concluded it was really for the countries to advise on the procedure.
37. The Secretariat (Ms. Lopez) confirmed that the countries must decide the next steps.
38. The head of delegation of France expressed support for the interventions made by the Netherlands, Colombia and the US on the need to meet again in April, following remarks made during the pre-STAC meeting. It was felt that the documents were sent late, the countries that were not present could not have an internal consultation process and the countries did not have enough time to go through the consultation process. He expressed that the two days in April were important and felt that the agenda for the current three days was full, and a lot more was to be done. He added that agenda item 6 on species was an important item to discuss. He mentioned that he had an issue with accessing

interpretation and, in some cases, no access to interpretation at all, and therefore requested some training in the use of the translation application the following day before the meeting.

39. The Vice-Chairperson endorsed a mini training session with participants to resolve the issue of the translation application (Interactio) and Microsoft Teams.
40. The Secretariat (Ms. Lopez) agreed to the suggestion of doing a training session before the meeting tomorrow.
41. The delegate of the Netherlands commented on the adoption of the agenda and expressed concern with the short time allotted and some documents were submitted late.. The Netherlands supported the agenda items however the feasibility of the timescale should be discussed. He also supported extending the meeting to two additional days and stated that if those days were not sufficient then a third day should be allotted to focus on the recommendations. He proposed that a Drafting Group be created to work on the recommendations for the concluded agenda items.
42. The head of delegation of the US strongly supported the Netherlands suggestion to use the outline provided in the Secretariat's email to adjourn the meeting to the end of this week and resume it for two half days for April 14th and 15th and if needed a third half day the following week to cover the recommendations. She noted that COVID-19 was an additional burden to meeting preparation but it was unrealistic to expect Parties and observers to read and process so much information in that timeframe, and it was not in accordance with the Rules of Procedure. She further added that the US would try to be flexible but that it was expected that in the future all documents would be posted according to procedure to facilitate robust discussions and strong recommendations. The US also supported a Drafting Group to start drafting the recommendations for those agenda items that would be concluded before April. She expressed concern that the meeting documents were circulated extremely late.
43. The US encouraged other Contracting Parties to be cautious about how documents were characterized in the recommendations of the meeting. Using the terms "approve" or "endorse documents" without having sufficient time to review was not the ideal and the US pointed out that it may be more appropriate to "note" or "acknowledge" them. It was their intention to raise a Point of Order during discussions on Agenda Item 6: Report of the Species Working Group. The US did not consider the species nominations presented in INF.15 and INF.24 to be fit for consideration by the STAC as they were not submitted in accordance with the Protocol, the "Procedure for the submission and approval of nominations of species for inclusion in, or deletion from Annexes I, II, and III" adopted at COP 8, or the Rules of Procedure. A reminder was given that species nominations must be submitted by a Party and circulated at least 90 days prior to the STAC meeting. The US requested the addition of three (3) short presentations to the agenda on MPA Connect, Stony Coral Tissue Loss Disease (SCTLD), and ocean acidification.
44. The head of delegation of France supported the proposals made by the Netherlands and the US regarding extending the days of the STAC to work on recommendations for adoption. Additionally, he thanked the delegate of the US for their proposal for timelines to be upheld. It was mentioned during the Species Working Group, that it was possible that the working group could draft a proposal that could be submitted to the STAC meeting and endorsed by the states if they were in favour of the proposals. He encouraged the Contracting Parties to try and work on the proposal and to give France, and the other states that wish to endorse the proposal, the opportunity to do so.
45. The Vice-Chairperson welcomed the representative of the DR to return to the role of Chairperson.

46. The delegate of the Netherlands supported the statement made by France. He requested clarification on when agenda item 6 was to be discussed (in Session 1 in March or Session 2 in April, or not at all), and that they would provide their comments on the contents of Agenda item 6 at the appropriate time.
47. The Chairperson expressed to the Secretariat that a decision must be made for the meeting to move forward as he was not clear on how the meeting would move forward. He encouraged the Secretariat to take explicit note of this so a final decision could be made.
48. The Secretariat (Ms Lopez) stated that given the statements of the countries, the US which were backed by France and the Netherlands. Colombia also expressed agreement. The Secretariat acknowledged and confirmed that the documents were sent late which presented a challenge. The Secretariat endorsed the extension of the meeting for another two days, April 14 and 15th.
49. The Chairperson invited the parties to comment on the issue.
50. The delegate of Colombia reiterated that it was important to extend the meeting. Colombia would intervene on Agenda item 6 after hearing the views of the other parties. She requested clarification on the rules regarding availability of the proposal for listing of species.
51. The Director of SPAW RAC, Ms. Pivard, requested the floor as chair of the Species Working Group to apologize for a semantic imprecision. While the wording used may have led to think that the species proposals were made by the working group, it is not the case, they were prepared in answer to STAC8 request and how it seemed to have been agreed then. She shared the thought that it would be a good idea to compile and maybe review all the various layers of rules to clarify them (and the way it was practiced until now).
52. The Chairperson stated that he wanted to see how to move forward, as there were technical issues and documents received late. He proposed that the Parties think about the next step and make a decision on specific agreements.
53. The Secretariat (Ms Lopez) requested confirmation from the parties on whether they agreed to the proposal to extend the meeting.
54. The Chairperson requested that the parties that agreed to the extension of the meeting should not make an intervention. As no parties intervened it was agreed that the meeting would be extended into April.
55. The Secretariat (Ms Lopez) thanked the Chairperson. Regarding the agenda, she requested the decision of Contracting Parties as it was decided that this meeting would briefly touch on Agenda item 6.
56. The head of delegation of the US stated that they were not quite clear on what was being agreed on. She requested clarification on if a decision was being made to rearrange the agenda to discuss item 6 later in April, if so, the US endorsed the decision.
57. The Chairperson confirmed, to the delegate of the US, that one of the proposals was to move point 6 of the agenda. He requested that parties that agreed to this proposal should do so by not reacting.
58. The delegate of Colombia also requested clarification on item 6 for April. She stated that a similar discussion took place during the STAC in 2014 on the issue of species. She suggested that the Secretariat could use it as background information to decide if it should be discussed or not.

59. The Chairperson thanked Colombia and agreed with the reference to previous meetings. He once again requested confirmation from parties on moving item 6 to April.
60. The delegate of the Netherlands recommended moving agenda item 6 back on the agenda. This intervention was supported by the delegate of France and Colombia.
61. The Chairperson confirmed that there were now two proposals. The first was to move Agenda item 6 to the 14 and 15 of April and the second moving it to the back of the agenda. He requested that parties confirm if they agreed to these proposals..
62. The Secretariat (Ms Lopez) proposed to the parties that item 6 be moved to the new dates in April. If time permitted to move it to the back of the agenda, as proposed by the Netherlands, this would be considered. She requested confirmation from the parties.
63. The Chairperson confirmed there was no reaction and stated that the motion was approved.
64. The Secretariat awaited instruction on meeting with the Chair and Vice-Chairperson in the afternoon. They would adjust the agenda and share with the parties and would start the meeting of the next day with the report of the biennium and the report of the SPAW-RAC. Ms Lopez asked the Chairperson to confirm if he agreed with the proposal.
65. The Chairperson asked the parties to confirm if they agreed with what was proposed. He responded that there was no reaction therefore the motion was approved. The meeting was then concluded.

AGENDA ITEM 4: STATUS OF ACTIVITIES OF THE SPAW SUBPROGRAMME FOR 2019-2020 INCLUDING THE ACTIVITIES OF THE REGIONAL ACTIVITY CENTRE FOR SPAW (SPAW-RAC) IN GUADELOUPE

66. The Chairperson invited Ms. Ileana Lopez of the Secretariat to present the “Status of Activities of the SPAW Subprogramme for the 2019-2020 Biennium” (UNEP(DEPI)/CAR WG.42/INF.3) including status of STAC8 Recommendations and Tenth Meeting of the Contracting Parties (COP) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region.
67. In her introduction she mentioned that the Workplan and Budget of the SPAW Programme for 2019-2020 was approved by COP10 to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the WCR (Roatan, Honduras 3 June 2019). With this budget the Secretariat was able to implement the activities and the convening of the 18th Intergovernmental Meeting (IGM) on the Action Plan for the Caribbean Environment Programme (Roatan, Honduras, 5-6 June 2019).
68. Ms Lopez provided a short analysis of the objectives of the SPAW Programme and gave an update on the status of the five areas of sub-programmes and activities:
 - i. Programme Coordination
 - ii. Strengthening of Protected Areas in the Wider Caribbean Region
 - iii. Development of Guidelines for Protected Areas and Species Management
 - iv. Conservation of Threatened and Endangered Species
 - v. Conservation and Sustainable Use of Coastal and Marine Ecosystems
69. *Programme Coordination* included an objective to promote the ratification of, accession to, and implementation of the SPAW Protocol. She gave an update on the work done since the biennium to

promote the ratification of some countries e.g., Mexico, Costa Rica and Guatemala. She informed the delegates that negotiations were currently underway with Guatemala and an invitation will be extended to Nicaragua and Suriname. They looked forward to including Jamaica in the future. The Secretariat worked in collaboration with ELAW and other Non-Governmental Organizations (NGOs) to support their actions and to promote these legal statements from countries. In developing coordination, collaboration and communication, this will be strengthened through a focus on improving coordination of regional programming and overseeing activities and coordination of projects and activities.

70. In summary, the SPAW COP 10th Meeting was convened in Roatan, Honduras, 2019-2020 SPAW Workplan developed, four MoUs had been finalised with The Ocean Foundation (TOF), GCFI, Mar Fund and INVEMAR. The MoU for OSPAR and the IWC has been developed for finalization this year as well as the creation of an Ad Hoc Expert Working Group on Species, Protected Areas, Exemptions and Sargassum. Ms Lopez highlighted that greater involvement by Governments was achieved in this biennium.
71. With respect to fundraising for SPAW objectives, the EBM project, which started five years ago, was finalized in 2020. A document with lessons learnt was produced for the use of the DSS application. Ms Lopez provided an overview of key donors contributing going forward. These include the EU ACP Organization, UN GEF and the Government of Sweden. The EU grant was for four years and will provide \$1M for work on enhancing the capacity for MPAs. She expressed gratitude to the EU for their support.
72. Ms Lopez told the Meeting that UNEP was working closely with the IUCN to assist Governments and NGOs in developing human capacities to increase the effectiveness of MPAs. This was discovered as a main need through an assessment with PA Managers of the 35 SPAW listed MPAs. Also, to promote PAs as an important natural resource. A restructuring of the Caribbean Protected Areas Managers Network was underway.
73. Ms Lopez referred to documents available on the website for the Meeting produced by the Secretariat. She stated that one document for CaMPAM is under finalization. The database for CAMPAM has improved from an excel spreadsheet to an online database available at the website that lists not only the 35 SPAW listed MPAs but also +1000 records, including the MPAs from Contracting and Non-Contracting Parties from the Region. There would be more training and capacity building, Contracting Parties were invited to request more information if needed (30:00). Ms Lopez referred to the ongoing Citizens' Science project for Sargassum in collaboration with NOAA. Thanks to this tool, countries will be able to record *in situ* evidence of Sargassum in their area. The same will apply for other groups of species e.g., sea turtles, the Secretariat is working with WIDECAS with this purpose to assess if they will adopt the application with their users. These applications were created as part of the ACP MEAs project from the European Union.
74. Ms Lopez brought to the attention of the Meeting that an analysis was done of the different clusters of the biogeographical regions, that had different environmental characteristics, and were representative of the WCR. An Atlas had been finalised specifically for the 35 listed SPAW sites. The analysis showed that one PA in one country could impact positively the abundance and dispersion of larvae in the region. A booklet was developed, in collaboration with the MPA Managers, for the 35 listed SPAW MPAs and included the name, species, and threats. Interesting data found included the size of MPAs, the type of PAs and which species were more important e.g., turtles and corals. Regarding MPA Management effectiveness, an analysis was done of the tools used to manage effectiveness and the challenges. One of the main challenges discovered was the lack of financial stability.
75. Guidelines for PA was establishment, management and listing, and national system planning.

Guidelines on coral restoration and mangroves were developed. Ms Lopez read the outputs on *Development of Guidelines* and informed Contracting Parties where they could find the information.

76. Regarding the *Conservation of Threatened and Endangered Species*, Ms Lopez outlined the objectives and the outputs of the sub-programme and activities. Several documents on marine mammals were produced through the Cari'Mam project such as the ***Implementation of the Action Plan for the Conservation of Marine Mammals (MMAP): A Scientific and Technical Analysis*** (UNEP(DEPI)/CAR WG.42/INF.29 Add.1). The Marine Mammals Action Plan (MMAP) analysis of its implementation represented a comprehensive study and was prepared for the SPAW-RAC by Consultants. This information was available on the website as part of the STAC-9 Documents. New partnerships were developed supported by MOUs. The Secretariat was close to finalizing a Memorandum of Understanding (MoU) with the International Whaling Commission (IWC).
77. Regarding survival of species in coral reefs, the Secretariat has been actively working and promoting awareness through webinars. In the last biennium two webinars were held in Spanish and English to disseminate the importance of this habitat as well as the regulations available for Parrot Fish in the region that were available in the Anglo and Spanish Speaking countries. An interesting study found that on a national level, one country, in collaboration with AIDA, implemented a regulation for parrot fish. These were the proposed new species for the consideration of Contracting Parties for Annex II and III.
78. There was the launch of the Marine Mammals Month social media campaign in 2020, where one month was dedicated to the marine mammal. A publication would be produced on the different groups of marine mammals. In terms of the *Conservation of Threatened and Endangered Species*, one of the focus areas of the Secretariat was Sargassum, a new white paper had been produced, and the Contracting Parties were in possession of the first draft (INF.35). This was recently finalised with the funds received from the Swedish Ministry of Environment in December 2020. With this white paper the Sub-Programme will produce a foresight brief and concept note for the next biennium in collaboration with UNEP Science Division and partners. There was an ongoing Sargassum Working Group which would be discussed, the Contracting Parties were invited to give their input later in the Meeting.
79. Regarding the *Conservation and Sustainable Use of Coastal and Marine Resources*, Ms Lopez outlined the objectives. She spoke about the information papers which will be presented, e.g., the State of Nearshore Marine Habitats in the Wider Caribbean Region. This was supported by the UNEP, UNDP CLME+ project as well as the Regional Strategy and Action Plan (RSAP). Ms Lopez sought to clarify that this was, over the intercession, provisionally and informally presented for the endorsement and input of Contracting Parties at this session and recommendation to the COP 11 and Adoption. She called this to the attention of Contracting Parties for when they were making recommendations. The Regional Strategy was done considering all the multilateral environmental agreements. Then they started to prioritise the main habitats that required restoration according to the UN and the needs of the countries. Three feasibility business plans were produced for Bahamas, Honduras and Colombia. The paper would be presented under finalization of the ***Regional Mangrove Restoration Manual***. With the savings of travels with the CLME+ project, they were able to produce the manual in collaboration with MARFUND GEF Project in the Meso America Mar Region.
80. Ms Lopez gave a summary of the lessons learned from the EBM project. The pilot projects were completed and an additional pilot was well established for the Dutch Caribbean. SPAW enhanced CAMPAM as part of this project and worked with the Centre for Resource Management and Environmental Studies (CERMES). She outlined the three outputs produced as part of the CLME+ all the documents available at the UNEP SPAW STAC-9 Web portal. She brought to the attention of the

Contracting Parties, the *Regional Strategy Action Plan for the Valuation, Protection and/or Restoration of Key Marine Habitats in the Wider Caribbean 2021–2030* contained at UNEP(DEPI)/CAR WG.42/INF.6. She explained that it was not specific for coral reefs, mangroves and sea grass beds but encompassed the work that needed to be done in PA for restoration, fishes, fish subsidies and so on. She encouraged the Contracting Parties to read the document and make it their point of reference. Contracting Parties could amend, revise and design an online reporting system and select the targets and indicators relevant for each biennium. It was good to have a binding instrument but if no compliance mechanism existed then it was a little bit loose. The Programme Officer encouraged this for the Contracting Parties attention.

81. The Ecological Mangrove Guide will be available in April 2021 and launched before COP 11. More recently this year they worked with The Nature Conservancy (TNC) with support from Prince Albert II from Monaco on engaging the Private Sector on coral restoration. However, this was for the next biennium. The Secretariat continued to work with the Coral Reef Network (CRFN). Ms Lopez provided the budget of the two biennium's which were 2019 and almost half of 2020 and explained some areas. A summary of the status of the decisions of the 10th COP and 8th STAC Meeting was also presented. Ms Lopez invited Contracting Parties to approve two proposals for Protected Areas listed under the SPAW Protocol.
82. Ms Lopez thanked the Meeting and invited Ms Sandrine Pivard, Director of SPAW RAC, to present their report and update on major activities.
83. Ms. Pivard thanked the Secretariat, the Countries delegates and representatives and the experts of the working groups for all the work and their strong commitment during the last biennium. She introduced her remarks by recalling that the SPAW-RAC (created in 2000 via an agreement between UN Environment and the Government of France) was located in Guadeloupe. Its staff was transferred to the Direction of Environment, Spatial Planning and Housing of Guadeloupe in 2019 after being hosted during around 10 years by the Guadeloupe National Park. SPAW-RAC's team which is currently composed by 3 permanent staff (1 director, 1 program officer and 1 assistant), 3/4 fixed-term project officers and 2 volunteers as one-year contract support officers, is dynamic but experiments a large turnover. The functioning costs of the RAC are covered by the French Government, that she thanked, including salaries for the 3-permanent staff.
84. Ms. Pivard highlighted that the RAC continually supported the Secretariat by contributing to *Programme Coordination* through joint programming and networking of relevant activities, development of the terms of reference of the four STAC *ad hoc* Working Groups and their animation, preparation of the reports for SPAW listings (Protected Areas and Species), representation of the Secretariat at various fora (Sargasso Sea Commission, International Initiative on Coral Reef, Coral Restoration Consortium meetings, WIDECAST General Assemblies...) and support of the Secretariat with preparation for the intergovernmental meetings (including preparation of more than 40 documents, organization of the STAC pre-sessions, and translation), maintaining the trilingual RAC website that has been completely updated, and broadcasting SPAW periodical newsletter. She emphasizes that the strengthened exchanges with LBS on issues of interest (sargassum, oilspill...) and the Regional Coordinator.
85. As recommended by STAC8 and requested by COP10, one of the major novelties during this biennium is the reinforcement of the three historical **STAC *ad hoc* Working Groups** on Protected areas, Species and Exemptions, into the SPAW governance, and the establishment of a fourth one dedicated to Sargasso upon decision of SPAW COP10. As part of a collective process with the Governments of Colombia, France, the Kingdom of the Netherlands and the US of America, SPAW-RAC drew up Terms of Reference (UNEP(DEPI)/CAR WG.42/INF.12) for the four *ad hoc* Working Groups which

were validated and which subsequently enabled the performance of quality work, especially on threatened species, during this biennium. Ms. Pivard thanks the focal points and the experts for their hard work.

86. SPAW-RAC also promotes the Protocol within **funding activities** such as the Caribbean coordination for the EU BEST initiative (28 projects for 3,98 M€) until 2019, and throughout a regional call for proposals launched in 2020 (15 projects for 115 000 €). Within its external projects like Cari'Mam and Carib-Coast, it establishes and enhances collaboration with partners through the Wider Caribbean Region.
87. Regarding the *Strengthening of Protected Areas*, SPAW-RAC has played a minor role in CaMPAM with the moderation of the CaMPAM listserv, a contribution to the CaMPAM assessment and to the ecological network specific activities conducted by the Secretariat under the ACP MEA III funded programme, and their coordination with the STAC *ad hoc* Protected Areas Working Group. It also participated to the Transatlantic North-South Cooperation twinning project on MPAs network and Marine Mammals. Implemented by SPAW-RAC and other regional partners, the Cari'Mam project has special attention to Protected Areas. SPAW-RAC has chaired the STAC *ad hoc* Protected Areas Working Group which has worked on a proposal from the DR to nominate the Cotubanama National Park as a new Protected Area listed under SPAW. This Working Group has also worked on the development of a cooperation programme between Marine Protected Areas, and SPAW-RAC played an important role in coordinating this task with activities conducted under ACP MEA III.
88. Regarding *Species* related issues, SPAW-RAC has chaired the *ad hoc* Working Group in its two major activities done during this biennial. As no more species were proposed by countries in 2019-2020, and as recommended by STAC8 and requested COP10, the Working Group worked hard on the evaluation of the status of parrotfish to determine whether any species or group of species may warrant listing in the SPAW Protocol Annexes. It addressed as priority the Whale shark, the Giant manta ray, as well as other species (Oceanic white-tip shark, Hammerhead sharks, etc.) deemed a priority by the STAC, and developed priorities and strategies for regional collaboration on and implementation of management measures to improve protection of species already listed under the Annexes of the Protocol, especially Nassau grouper, Marine turtles, Sawfish and other species of sharks and rays. Through the Cari'Mam project, SPAW-RAC was very involved on marine mammals issues, developing an active and functional network and producing various important documents to update the Caribbean Marine Mammals Action Plan, and to frame some cetaceans related activities under the SPAW Protocol. Related to priorities given during the last biennium and notably regarding developing more cooperation with fisheries, some activities could be developed if we can get dedicated funds (with possibility from EU again with a specifically design project - see marine mammals discussions during the pre-sessions and in the dedicated section).
89. Regarding *Exemptions* to the Protocol, two meetings of the Working Group were organized but, since no updated reports were submitted by any countries, the discussions were limited to review for recommendation the exemptions report already submitted by the USA.
90. Concerning the *Sargasso* issues, SPAW-RAC had participated in two major events such as the *Sargasso Sea Commission Meeting*, where it represented the Secretariat of the Convention of Cartagena, and the International Conference, both in 2019. It also chaired the *ad hoc* Working Group which tasks agreed by STAC 8 were to "Develop clear objectives and responsibilities" and to "Establish coordination and collaboration with relevant regional and global initiatives in order to promote maximum impact of synergies and solutions to the Sargasso outbreaks". The Working Group met and worked remotely but coordination issues between the numerous initiatives on this influx, and the transverse aspect of this issue, made it difficult to produce deliverable in due time.

91. Regarding the *Sustainable use of coastal and marine ecosystems* of the Protocol, SPAW-RAC was specially involved in the activities of the Global Coral Reef Monitoring Network (GCRMN) and coordinated the data collection and analysis of the Caribbean content of the global report to be published in 2021. On this occasion, it highlighted the need to take into account socioeconomic features in this report. In the same spirit, and under the aegis of the GCRMN-Caribbean, it organized and hold a regional workshop on socioeconomic aspects of the coral reefs in the Mesoamerican region in 2019 with NFWF funding. SPAW-RAC invigorated the Caribbean node of the GCRMN and organized with the Dutch Caribbean Nature Alliance, a meeting of the Caribbean members of this global network in 2020. It participated to the Caribbean Coordination Team on SCTL, and ensured liaise with AGGRA, ICRI, UNEP Coral Reef Unit, the Coral Restoration Consortium, and many other Caribbean stakeholders. SPAW-RAC also continued to implement the Carib-Coast project that aims to develop a Caribbean coastal risks prevention and monitoring network related with climate change. Recommended by STAC8 and adopted by COP, this 3-years project targets marine and coastal ecosystems (Coral Reefs, Seagrass, Mangroves, and Upper beach vegetation) in six Caribbean countries. Progress have been made in this framework, especially the finalization of syntheses on each ecosystem, the launch of “pilot sites” to protect/restore these ecosystems, and creation of communications tools.
92. Regarding *next biennium team and budget*, Ms. Pivard reminded the Meeting that the SPAW-RAC builds and implements projects funded from EU grants program (CARI’MAM, Carib-Coast), or from other donors such as the US NFWF to find ways to develop activities related to the workplans and the Countries recommendations. The situation became more dire since no projects or activities were funded through CEP since 2018 as it was the case before. External projects were challenging to design, launch and implement as there are not necessary on the same timing than the SPAW protocol even if there have been recommended and approved by previous STAC and COP but for the moment they are these external funds are the only mean to support a large part of the staff that is currently only secured until end of 2021.
93. Learning at the end of her presentation that the slides could not be seen by most of the participants, Ms Pivard invited the Meeting to view it at the link: https://www.car-spaw-rac.org/IMG/pdf/ppt02_item_4_report_of_the_spaw-rac_2019-2020.pdf, and informed the participants that all the documents and presentations were available on the SPAW-RAC website (<https://www.car-spaw-rac.org/?Key-documents>).
94. The Chairperson thanked the SPAW-RAC and the Secretariat for their presentation. The Meeting was invited to provide any comments on the activities implemented during 2019-2020 and to make the necessary recommendations. Parties were also requested to complement the information provided by the Secretariat and inform the Meeting on their activities in support of SPAW objectives within their countries, including SPAW workplan activities in which they have participated and their impact.
95. The head of delegation of the US, thanked the Secretariat and the SPAW-RAC for their comprehensive overview of their *Status of Activities* and of their efforts over the last biennium. She thanked the Government of France for their continued support of the SPAW-RAC. She expressed that they were very grateful to the Secretariat and the SPAW-RAC for their continued collaboration especially with NOAA on several projects including initiatives dealing with Stony Coral Tissue Loss Disease (SCTL) and sargassum. They were amazed at the depth and breadth of work that has been achieved over the last two years. Though they have collectively made progress in many areas there were other areas that still lacked attention and must be addressed. Given severe resource constraints, the US emphasized the need to set realistic expectations for what can be achieved over the next two years and to prioritize actions and activities necessary to effectively implement obligations and guidelines under the SPAW Protocol.

96. The US requested the Secretariat and the SPAW-RAC, in future status reports, to more clearly identify how the activities being carried out respond to the requests and priorities of Contracting Parties. They noted that it was unclear how the recommendations contained in these documents fit within the framework of the draft *CEP Strategy for 2021-2030* or the draft *SPAW Workplan and Budget for 2021-2022*. The US expressed concern with certain aspects of the *Regional Strategy and Action Plan for the Valuation, Protection and/or Restoration of Key Marine Habitats in the Wider Caribbean 2021-2030*; the *State of Nearshore Marine Habitats*; and the *Baseline and Feasibility Assessment Report*. The documents were very long, with recommendations buried within them, and the US was particularly concerned by prescriptive language that could be interpreted as directing or obligating Parties to take specific actions. They did not believe it was appropriate to fully adopt or endorse documents such as these, especially when it was unclear how the recommendations contained within them would be used moving forward.
97. They suggested that the STAC set a deadline for written comments to be received in order to improve the Regional Strategy and Action Plan. The deadline should be within sufficient time for the Secretariat to circulate the Strategy before the COP. The US provided their observations about the process as well; they referenced the *Draft Ten Year Strategy for the Caribbean Environment Programme* and the *Draft Two Year Workplan for SPAW* and stated that it was unclear how the Regional Strategy and Action Plan fits into the existing framework of regionals strategies and workplans. They were also unsure of how the Regional Strategy and Action Plan will be used, the concern is that it will create an additional burden on the Secretariat, SPAW-RAC and Contracting Parties. They urged Contracting Parties and the Secretariat to prioritise actions and activities that were necessary to effectively implement existing obligations and guidelines under the SPAW Protocol and critically think about how the *Regional Strategy and Action Plan for Habitats* fits into the existing framework for the *CEP Strategy* and the *SPAW Workplan and Budget*.
98. The Chairperson thanked the US for their intervention.
99. The delegate of Colombia thanked the Chairperson and welcomed the Contracting Parties, invited organizations and observers. She congratulated the Secretariat and the SPAW-RAC for their work and acknowledged the existing financial crisis and thanked Ms. Pivard for being generous in her communication with Colombia. She stated that Colombia had a challenge with staying up to date with contributions to the agreement or to the Convention mentioned. However, they intended to update their required contributions. She emphasized that they had reported that they were not informed of certain activities in advance, for e.g., SPAW grant contributions and the National Focal Point, Ministry of Environment, requested to be informed with advanced notice. They wanted to ensure that every Contracting Party was reflected in every project and grant and given an opportunity to participate in the workshops. The Working Group played a very important role but she reminded delegates not to forget the Experts Groups and the responsibilities of Contracting Parties while presenting initiatives and recommendations. She concluded by saying that Colombia had several ideas for future initiatives.
100. The delegate of the Aruba, Mr Gisbert Boekhoudt, thanked Ms. Pivard for the presentation but expressed it was difficult to follow. He requested clarification on the Carib-Coast project specially regarding the 'pilot sites'.
101. The Chairperson congratulated the Secretariat on its work, considering the pandemic. He further stated that it was important that the Contracting Parties were made aware of all the available information to ensure they could use it for their work on the SPAW Protocol. He spoke as the delegate from the DR and stated that he felt that they have not been provided with sufficient time to review or translate the documents.

102. Ms Pivard responded to the delegate of Aruba's question related to the "pilot sites" to be implemented within the Carib-Coast project. Ms. Pivard specified that SPAW-RAC was looking for sites throughout the Caribbean to conduct experimentation on restoration of coral reef, mangroves and seagrass and Countries willing to host such experimentation and welcoming Parties interest and suggestions for them.
103. The Chairperson requested that the Secretariat comment.
104. The Secretariat (Ms Lopez) assured the delegates that the concerns expressed by countries, like Colombia, were well received. She stated that now was the time to start restructuring and harmonising the outputs of the Secretariat and in the different agencies and donors especially the SPAW-RAC to create a unified framework. She suggested that it would be good to have a monitoring or coordinating group to guide the Secretariat and SPAW-RAC.
105. The Observer from Foundation for Development Planning, Inc (US Virgin Islands), Mr Lloyd Gardner, requested a point of clarification from the US and the Colombia delegation, regarding the purpose of the documents, *Regional Strategy and Action Plan and the State of the Marine Habitats Report*. He was not sure why at this point it is unclear on what the purpose of the documents were and how they fit in the work of the Secretariat or the work of the programme.
106. The delegate of Colombia responded to Mr Gardener's question stating that they had no issue with the documents. They clarified by saying they mentioned that they wanted to make sure that in the future they knew what they were going to do.
107. The head of delegation of the US responded to Mr Gardener's question stating that the purpose of their intervention was to note that the documents were lengthy and that they provided useful information. Moving forward the Contracting Parties, Secretariat and the SPAW-RAC needed to be clear about how documents of this length and breadth were to be used. There were a number of very detailed documents, regional strategies and action plans pertaining to different elements of the Convention and the SPAW Protocol as a whole. It was not always clear if anyone was being directed to implement or if they were presenting a suite of options for countries and other stakeholders to consider. She thought that the latter was the intention. To present a wealth of information for everyone to consider and implement as appropriate. It is important that this be made very clear in these types of documents. It was difficult for the US to offer full endorsement or adopt a 150-page document which contained a number of recommendations, and it was not quite clear.
108. Mr Gardener thanked the US and Colombia for their clarification. He expressed surprise that documents requested through a process that involves the STAC and Secretariat should have to state how they will be used. He remarked that the State of Marine Habitats report was requested by the Secretariat as input to a standard UNEP reporting process. The report informs the regional strategy and action plan for restoration of key marine habitats, and it provides background information to the STAC and Contracting Parties.
109. He went on to say that the *Marine Habitats Report* was requested because of a standard UNEP reporting process that the region was contributing to. It informed the STAC and Regional Action Plan. He was surprised by the request that documents should state how they were to be used when requested through a particular process.
110. The Secretariat (Ms Lopez) responded that she agreed that it was a process upon the request of the Contracting Parties. It was a part of the recommendations and formal positions which took place during COP10. She understood the concerns regarding the size of the documents but stated that it should not

be viewed in a negative way. She proposed reviewing the targets and indicators and objectives and selecting the important ones to use on a national, global and regional level. This was in support of the Articles of the SPAW Protocol and building synergies with the different biodiversity Conventions and Agreements that existed. A group should revisit this strategy every two years and pick the main targets that could not be collectively achieved according to the Protocol. A good collaboration initiative between the Secretariat and the Contracting Parties would be to identify the main objectives or targets to be achieved so that in two years, they could report on targets achieved instead of discussing activities.

AGENDA ITEM 5: REPORT OF THE MPA WORKING GROUP (INCLUDING THE REVIEW OF THE PROTOCOL)

111. The Chairperson invited SPAW-RAC, as chair of the MPA Working Group on the assessment of the protected areas proposed for listing, to report on the tasks assigned during the SPAW STAC8 held in Panama, 5-7 December 2018 and detailed in the terms of reference (UNEP(DEPI)CAR WG.42/INF.12) as per information contained in document UNEP(DEPI)/CAR WG.42/5.

112. Ms. Pivard thanked the Chairperson and the experts nominated by Parties and Observers for their great involvement and participation to the protected area working group. She provided a brief background of the Protocol and relevant achievement of the RAC. She recalled that the work of the protected area working group relates to the axis 2 of the SPAW subprogram work plan, being the « *Creation and strengthening of protected areas in the Wider Caribbean Region* ».

113. Ms. Pivard recalled that the STAC governance was strengthened during the past biennium and that there was an increased involvement of the contracting parties through the working groups. She reminded the audience that the working groups ensured the formulation and the implementation of the program activities to satisfy the needs of the SPAW Parties. She also specified that this working group, as well as the three other STAC working groups, had less than one year to fulfil the recommendations due to the time devoted to the development of their terms of reference.

114. After recalling that (35) sites were currently listed under SPAW in the Caribbean, Ms. Pivard saluted the important work that had been conducted along the years to improve collaboration, coordination and protection with and for the protected areas of the Wider Caribbean Region. She recalled the work conducted and the achievements of the working group. She then presented the current focus of the working group. She highlighted the need for a coordinating body for protected areas, the need to facilitate access to funding opportunities, and finally the need to implement follow-up and monitoring of management plans. She acknowledged that the main task to focus on, is the development of a cooperation program and the analysis of ecological connectivity among sites and consequently, the development of report formats of these sites.

115. In the first place, Ms. Pivard presented the work done for the inclusion of the Cotubanama National park of the DR into SPAW listing sites. She thanked the Government of the DR for proposing the Cotubanama National Park which represented an important coastal-marine ecosystem (land-sea interaction) in the south-east end of the Dominican Republic. The area has the characteristics of a protected area – natural, cultural and social value – and represented one of the oldest national parks of the Dominican Republic. The ecological and cultural/socioeconomic aspects of Cotubanamá described in the proposal align with almost all the characteristics of SPAW listed sites described in the guidelines. The challenges of the national park and its environment were mostly associated with overexploitation of native species outside of the park borders and pressure from visitor use (tourism).

116. Ms. Pivard presented the main feedback given by the working group to the DR in order for them to align

their proposal with management trends and requirements. In general, experts stated that the National Park fulfilled the general protected area criteria of both Article 4 of the SPAW Protocol and the UNEP-CEP General Guidelines for SPAW-listed sites. However, they noted that the proposal would benefit from additional information that could substantiate their application on topics such as adaptations measures to climate change, communication strategy, relationship with monitoring institutions, or further development of small-scale fisheries. They also noted that the park could demonstrate key management efforts to make sure it met the general SPAW listed sites criteria. In conclusion, experts recommended giving full support to the proposal from the DR to include this area into the SPAW listing sites. They also recommended to encourage Countries to add an ongoing management plan and a Protected Area Management Effectiveness if available in their future submissions.

117. Then, Ms. Pivard presented the Task 3 of the SPAW workplan being the development of a cooperation programme in support of listed protected area and in keeping with the comments provide by the STAC, with particular attention to the review of gaps and needs, in order to analyse ecological connectivity among sites and strengthen networking and capacities.
118. She went through the timeline of the task. Ms. Pivard noted that despite the strong efforts of a part of the experts working group, no consensus had been reached on the proposals and therefore, no framework could officially be presented as a working document to the STAC. However, interesting elements came out from the two drafts that were presented to the group, as well as suggestions and proposals for further consideration. Ms. Pivard noted that in general, it had been stated that the scope of the cooperation program *per se* must be clarified, such as the role of the working group and its ability to bring this project further.
119. Finally, Ms. Pivard presented the final recommendations for the STAC relating the cooperation program and the inclusion of the Cotubanama National Park into the SPAW listed sites. In this regard, she reported that the working group recommended to the STAC to recommend, to request, countries to include a current management plan and an effectiveness evaluation report into their upcoming application and have further discussions about effective management criteria. Secondly, the working group kindly recommended to the STAC to request the elaboration of a reporting format on the status of the listed sites to Contracting parties. She stated that the working group recommends to the STAC to continue the development of a cooperation program in support of listing protected areas and listed protected areas, outlining options in support of listing protected areas and listed protected areas as listed above.
120. The Secretariat (Ms Lopez) proposed opening the floor for discussions on Cotubanama National Park, once that was completed, then the meeting would move on to the next item to avoid any confusion and moving in different directions.
121. The delegate of Colombia reiterated the importance of the work of the SPAW-RAC with the group of experts of Protected Areas. The experts of Colombia in the Protected Areas Group, worked for the last two years to review the proposal of the Dominican Republic. They thanked the experts for their efforts. They also thanked the DR, as a Contracting Party, for the effort they made to adjust during the last year to address the concerns, doubts and questions especially from Colombia. They reiterated that the DR as a Contracting Party presented the proposal for the Cotubanama National Park to be studied or the possibility of it being a part of the SPAW Protocol list to be considered. The experts from Colombia gave their feedback and Colombia was pleased to receive this proposal.
122. The Secretariat (Ms Lopez) requested that the Contracting Parties approve to propose and recommend to COP11, Cotubanama National Park.
123. The head of delegation of France congratulated the DR for their nomination of the Cotubanama National Park.

124. The head of delegation of the US, thanked the DR for their nomination of Cotubanama National Park and expressed support for their proposal to include it as a SPAW-listed site. The US found the proposal met the ecological, cultural, and socio-economic criteria for a SPAW-listed site and noted that they hoped to see more emphasis on management effectiveness in future proposals. The US supported the suggestion in the *Report of the Protected Areas Working Group* that the Working Group should consider ways to improve the protected area listing process. The process should have a stronger emphasis on management effectiveness, meaning if or how a site achieves its goals and objectives, and less of an "inventory" approach describing the natural resources in a particular protected area. The Working Group should consider opportunities to streamline the application process, e.g., by introducing a page limit.
125. The US expressed their support for a strong focus on capacity development for SPAW sites to help address management effectiveness needs, e.g., through CaMPAM, and suggested that the Secretariat and SPAW-RAC consider opportunities for increasing collaboration with existing protected area networks and capacity building initiatives in the region.
126. The head of delegation of France reported the interpretation issues which was making communication difficult during the virtual meeting. He requested that the Secretariat find a system that is more user-friendly and effective. He thanked the Secretariat for their efforts.
127. The Vice-Chairperson acknowledged the concern and stated that the issue would be addressed in the future.
128. The Secretariat (Ms Lopez) also acknowledged the challenges regarding the platform and interpretation issues. They apologised and stated that they did their best with the financial resources available for the meeting. They planned to allocate resources to improve on these issues for the next meeting in April.
129. The Vice-Chairperson stated that he assumed that the Contracting Parties agreed with the proposal from the DR for Cotubanama National Park to be recommended to be included as a SPAW-listed site. He requested clarification from the Secretariat on the procedure.
130. The Secretariat (Ms Lopez) agreed that if the Contracting Parties had no issues that the meeting should continue to the next agenda item for MPAs. She advised Contracting Parties that they would have to agree collectively to endorse the recommendation for approval by the SPAW COP11 in June 2021. She added that a proposal was sent by Aruba on February 1, 2021, however due to a mistake on the part of the Secretariat, it was not received until March 8. They acknowledged that although it was not in keeping with required timelines or guidelines to submit proposals, they still encouraged Contracting Parties to continue proposing Protected Areas. This was up to the consideration of the Working Group for the next biennium.
131. The delegate of Colombia stated that she was unsure if there were any comments from Contracting Parties regarding the proposal from the DR for Cotubanama National Park. She acknowledged the intervention from the US but highlighted that there was no other intervention from the other Contracting Parties. Clarification was sought from the Secretariat if the recommendation was going to be taken into consideration.
132. The Vice-Chairperson responded that the floor was opened for the Contracting Parties to make their recommendations. Only the US and France made interventions. Since there were no comments, the Contracting Parties of the STAC seemed to agree on the proposal. He requested that the Secretariat clarify the procedure.

133. The Secretariat (Ms Lopez) confirmed that the procedure was that if there were no motions from the Contracting Parties opposing the nomination then it is an implicit consensus. The Vice-Chairperson confirmed that there were no additional comments.
134. Ms Sandrine Pivard of the SPAW-RAC was invited to make a presentation. Before she proceeded with the presentation, she asked the delegates if they had any comments on the PA Working Group and any other tasks.
135. The Secretariat (Ms Lopez) confirmed that the Netherlands and Belize confirmed their support for the nomination of Cotubanama National Park. This was received through the chat.
136. The head of delegation of the US stated that with respect to the Annexes of the report, the US noted that it was not appropriate to include draft papers, nor was it appropriate to include emails between the Working Group members. While they appreciated that this was done in the spirit of transparency and comprehensive reporting, it was confusing to annex these drafts to a meeting document when they were not up for STAC review. The US expressed concern that doing so seemingly gave these documents standing or status that they did not have, and it further inundated the STAC with information.
137. Ms Pivard thanked the delegate of the US for their comments and explained the SPAW-RAC's process regarding the previous reports, whether regarding the format of the fact to copy some raw material when only a small number of experts had contributed, and it was then not possible to draw a trend. She shares her thought that all the new dynamic started during the last biennium (new working groups, terms of reference, specific tasks...) had had plenty of ramifications that we had not enough time to cope with in one year and that definitively many things can be improved or changed (as the report format). Regarding the procedures, Ms. Pivard confirmed the interest in reviewing procedures and giving clear rules and deadlines, reminding everyone's roles and responsibilities, and, with the agreement of the STAC, she suggested that this be prepared by the Secretariat and SPAW-RAC before the COP.
138. The Secretariat (Ms Lopez) confirmed that Panama endorsed the recommendation via the chat.
139. The Vice-Chairperson invited Ms. Oriana Wouters, Policy Advisor Nature and Environment, of Aruba to make their presentation on the Parke Marino Aruba for consideration for the COP next year.
140. Ms Wouters thanked the meeting for accommodating their presentation. She stated that their proposal was made on January 30 and confirmed on the 1st. She gave a brief background and provided an overview of the management framework. The marine park was established in 2018 and had several protection measures which she outlined. These included spear fishing prohibitions, a national protected species list, derived from the SPAW species list and CITES list and legislation that regulated nearshore and onshore activities for e.g. camping. For flora, the National Parks Foundation will start regular assessments of seagrass abundance, diversity and health of the habitats.
141. She mentioned the key biodiversity areas, which included four areas around Aruba, were considered significant. These were identified in 2016 through a regional ecosystem profile provided by the EU. On the east there was habitat connectivity to the national terrestrial park and on the west with Ramsar sites. Ms Wouters further stated that the area included coastal marine ecosystems such as mangrove areas, seagrass beds and housed a significant number of corals. They also have wetlands in the capital. The area is the key biodiversity area for threatened species and has about 18,000 species of fish, 19 threatened species of invertebrates, one endemic mollusc and threatened sea turtle species. It is an ecological corridor for marine mammals and is also an important bird area (IBA) for the global population of Terns who come to the area to reproduce.

142. The Chairperson opened the floor for comments on Aruba's presentation.
143. The delegate of the Netherlands asked the Secretariat for clarification regarding the proposal from Aruba for consideration at the next biennium. He thanked the Secretariat for providing clarity and transparency in informing the Contracting Parties of the error with Aruba's proposal being lost. He suggested that the Secretariat provide a proposed solution to Aruba on how it would be still possible to move forward with the proposal to the upcoming COP for a decision rather than wait until the next biennium, if of course acceptable by Aruba.
144. The Observer from the Gulf and Caribbean Fisheries Institute (GCFI) (US), Ms Emma Doyle, and a member of the MPA Working Group, acknowledged Aruba for the progress being made on the Marine Protected Area implementation and she encouraged to move ahead regardless of the decision made by Contracting Parties. There was much in common with other sites that were operationalising Marine Protected Areas in the region. She encouraged them to continue sharing and to seek help for the sharing from others in the region.
145. The delegate of Colombia thanked Aruba for their proposal. She encouraged them to continue working on it. She mentioned the need for clarity for Contracting Parties when following steps and requested clarification on what will be done with Aruba's presentation.
146. The delegate of Panama congratulated Aruba on preparing their proposal. He encouraged them to continue with it.
147. The head of delegation of the US thanked Aruba for their presentation and welcomed it. She offered a point of clarification which may be considered as a potential path forward regarding documents that provided guidelines and procedures for the STAC and COP to follow suggesting that the Secretariat prepare a document to include deadlines and procedures for listing of Protected Areas and Species. With regards to the proposal for Protected Areas the understanding is that the Working Group terms of reference suggested that all Parties should submit proposals four (4) months ahead of the STAC. The proposals would go to the Protected Areas Working Group for review and the Protected Areas Working Group report would be provided 42 days ahead of the STAC.
148. Although it was acknowledged that the proposal from Aruba was lost for some time, they did not think it was submitted four (4) months ahead of the STAC and suggested that the STAC welcomed Aruba's presentation and the information they had provided. They thanked the observer from MPACONnect for her intervention and encouraged Aruba to continue their excellent work and to continue engaging in initiatives in the region and that perhaps the STAC could request the Protected Areas Working Group to review the proposal and any other proposals received before the biennium and at least four (4) months before the next STAC for the Contracting Parties to review and make recommendations to the COP.
149. The Secretariat (Ms Lopez) recapped two points from the US intervention. She confirmed that the compilation of deadlines, guidelines and procedures related to Marine Protected Areas and Species could be prepared for this purpose. Ms Lopez also confirmed that the proposal from Aruba was not acknowledged internally during the time it was received, however it was not received within the required timeframe of four (4) months.
150. The SPAW-RAC, supported the suggestion made by the US to create a document for the Contracting Parties to include the deadlines, guidelines and procedures ahead of the COP.
151. The delegate of Honduras (Ms Portillo) stated that they recognized Aruba's efforts and it encouraged

them as a country to prepare a proposal in the future.

152. The delegate of Aruba (Mr Boekhoudt) thanked the Meeting for their congratulations and words of support. The area was a designated Protected Area, and they would continue to protect Aruba's marine habitats. He stated that the procedures were clear but not all the deadlines were clear however they hoped to get some recommendations out of the meeting. They have submitted a marine park proposal for the next biennium, and they were currently working on one for the terrestrial to be submitted for the next one.
153. The head of delegation of France, encouraged Aruba and expressed that they understood their disappointment.
154. Ms Pivard intervened as Chair of the PA Working Group and on condition that the consideration of country proposals be a mandatory task of the PA Working Group (independently of the recently endorsed Terms of Reference). She wished to confirm with the Contracting Parties that the working groups could begin working on Aruba's proposal in preparation of STAC10. She requested the approval of the Contracting Parties to proceed.
155. The head of delegation of France made an intervention however it was not heard by the delegate of Aruba (Mr Boekhoudt) and he was requested to repeat it.
156. The head of delegation of France suggested that Aruba could benefit from a system of candidates to the SPAW listed MPAs, which would allow it to be identified as special without being a SPAW-listed MPA yet.
157. The Secretariat (Ms Lopez) thanked France for their intervention. She mentioned that it was a point which would be touched on in the recommendations. The drafting group would provide the language and options for the way forward.
158. Ms Lopez invited Mr. William Kiene to present on *An Evaluation of Connectivity Between the SPAW-Listed Protected Areas to Guide the Development of the Functional Ecological Network of Protected Areas in the WRC*.
159. Mr. Kiene expressed that he was honored to have worked with the Secretariat, the SPAW RAC and the Protected Areas Working Group over the last few months on this important issue regarding the ecological network that connect the SPAW and other MPAs in the Caribbean. He explained the approach of his analysis was to first construct an Atlas of the SPAW sites. It was very important to understand the trend as well as the quest in the Protected Areas was not only for his benefit but also whoever would be looking at the document to have a clear understanding of the protected areas in the SPAW network.
160. He also did a habitat analysis looking at the inventory of reported habitats within each of the SPAW sites and going through the annexes of the SPAW listed species where the distribution of those species occurs across the protected areas. This identified key species that were mostly common among the sites. He chose to look at sea turtles and corals to present how these species were interconnected. The analysis of corals provided the ability to draw up on modelling work that was done by Steve Schill and others in the Caribbean to extract data on how larvae are distributed by ocean currents from particular sites in the Caribbean. Maps were used to illustrate the output of the analysis and showed the different reef sites that potentially contribute larvae to particular sites as well as how those sites contribute larvae to other places in the Caribbean.

161. Mr. Kiene also looked at the connectivity of ecosystem threats which included coral diseases, invasive species and pollution. He looked at several other migratory species like marine mammal and birds which are also very important ecologically for linking the sites that were represented at many of SPAW sites. The recommendations that he drew upon are presented in the report. It was first based on the strengths of the connections within the region. He proposed dividing the Caribbean into sub regional networks. This would allow the sites within those sub regional networks to work more closely together maybe based on their ecological connections as well as cultural or other factors that link the sites more closely. Then collectively these different networks could work together in its potentially logistical way of more efficiently having the sites work together.
162. Mr. Kiene recommended, that due to the many gaps in the species inventories in the annexes whether they exist or not at the different sites and parallel with that, to further develop an Atlas of the protected areas and habitats they contain. He explained that the Atlas that he developed for this report was not available in the report posted on the website however he was willing to share it with everyone if they were interested as well as the slides reviewing this report. One of the key things he proposed was by doing the system connectivity to build on this work he was able to do with the help of Jorge Brenner and Steve Schill and others that have done this work in the past to allow sites to understand how they contribute to other places in the Caribbean and how other places were contributing to their sites ecologically. This would include a development of the species corridors in the region as well as designing assessments of the ecological impact of particular and MPAs not only locally but also to a broader region.
163. The other recommendation was to develop the network ecosystem condition report, and this may involve close interaction with the sites and the stakeholders at those sites in order to present a consensus opinion about the condition of the natural resources at a site as well as the human interaction with that site. This would not necessarily require developing new protocols for assessing a site but drawing upon the information and local knowledge at the sites to come up with a consensus evaluation. Most importantly, was to have an effective communication and outreach mechanism. Not only that the success of any network like this is going to require that not only the strength of these ecological connections but also the strength of the human actions at the site. He believed that the Secretariat, SPAW RAC and SPAW need to work closely to ensure that the site managers are well connected both professionally and personally and to the SPAW management. Also, it was important that those site managers understand the local community fully understood the value of their protected areas and its impact, not only locally but incorporating the observation of the entire region.
164. Ms Lopez thanked Mr. Kiene for this presentation and welcomed Ms Emma Doyle of GCFI to present on the MPACConnect regional network.
165. Ms. Doyle presented MPACConnect's regional network of 32 MPAs in 11 strategically selected Caribbean countries and territories. Capacity building is implemented through GCFI and NOAA's Coral Reef Conservation Program based on the findings of a management capacity needs assessment, which is a guided self-assessment among MPA managers and is a key tool in shaping the network's activities to address real, site-level needs and priorities. Since 2011, managers have shared knowledge through MPACConnect's eight regional peer-to-peer learning exchanges on the highest priority capacity building needs, including financing, enforcement, monitoring, fisheries management and the emerging threat of stony coral tissue loss disease. Site-specific follow-up projects enable managers to implement best practices.
166. Ms. Doyle commented that MPACConnect welcomed the chance to collaborate with partners and bring more resources to build management capacity and enhance coral reef conservation in the region, highlighting the MPACConnect small grants as a potential area for collaboration with the SPAW Sub-

Programme.

167. The Secretariat (Ms Lopez) thanked Mr. Kiene and Ms Doyle for their presentations. Ms Lopez stated that the aim of these presentations were to encourage Contracting Parties to build on the cooperation programme. This programme was part of the Articles of the Protocol.
168. The Observer from Dutch Caribbean Nature Alliance (The Kingdom of the Netherlands), Tadzio Bervoets, told the meeting that he had provided input on the work done by Mr Kiene and Nicole Brown. He inquired on an update on the status of the work done by Ms. Brown on the social network aspects of the project.
169. The Secretariat (Ms Lopez) confirmed that Ms Brown would present the final report for the enhancement of the network for Marine Protected Areas in two weeks. She was delayed due to health challenges.
170. The head of delegation of the US thanked the consulting teams and Secretariat for their dedicated efforts to produce comprehensive reports, including those assessing the impact and effectiveness of CaMPAM, as well as the potential for developing an ecological network of SPAW-listed sites. These were valuable and comprehensive reports with relevant recommendations to restructure CaMPAM, and to strengthen the cooperative activities among MPAs through ecologically connected networks. In general, both reports highlighted the cooperation through local, regional, and international partnerships as the main mechanism to build a strong social network among MPA managers and practitioners (including communities), and to address connectivity as the basis to structure ecological networks of MPAs with common conservation objectives. These were important recommendations that the US suggested in previous STAC meetings, and we were pleased to see them included in these reports.
171. The US recognized that not all the recommendations contained in the reports were aimed at the SPAW Protocol as a whole, and they invited all stakeholders to further this work.
172. The US suggested that, to further this work within the SPAW context, the Protected Areas Working Group could review the recommendations presented in the “Assessment of the Impact and Effectiveness of CaMPAM” (INF.41, Add.1) and the “Evaluation of Connectivity Between the SPAW-Listed Protected Areas to Guide the Development of a Functional Ecological Network of Protected Areas in the Wider Caribbean” (INF.10). The Working Group could then present an options paper to STAC10 that assesses the feasibility, in the short, medium and long term, of implementing the recommendations and suggests possible means of doing so.
173. The delegate of the Netherlands inquired if Ms Brown’s report would include recommendations to be decided at the STAC. He supported the US and Colombia’s comments on clarity regarding the Rules of Procedure and requested that the Secretariat provide an overview of documents to be discussed in the STAC and when these documents have been made public.
174. The head of delegation of France supported Colombia, Netherlands and the US comments on clarity regarding the Rules of Procedure and the request by the Netherlands, that the Secretariat provide an overview of documents to be discussed in the STAC and the dates when it was sent to the various parties. It was important to have a very clear vision to understand what was taking place. The Secretariat (Ms Lopez) confirmed that a list was compiled as it was agreed regarding the Rules of Procedures.
175. The Secretariat (Ms Lopez) confirmed that a list was compiled as it was agreed regarding the Rules of Procedures.

176. The head of delegation of The US following the presentation by MPAConnect suggested that the STAC as a whole recommend that the Secretariat and the SPAW-RAC consider opportunities for increasing collaboration with existing protected area networks and capacity building initiatives in the region.
177. The Observer from Foundation for Development Planning, Inc (US Virgin Islands), Mr Gardner, requested a point of clarification on the US comments on the presentations from MPA Connect and Dr. Kiene to sift through a group of persons to work intercessionally to look at the short-, medium- and long-term actions for CAMPAM. He asked who will be carrying out the intercessional work.
178. The delegate of Colombia supported the request of the Netherlands as they had been sporadically receiving documents. In the formal page of the Convention other conclusions had been reached different from the procedure. It would be useful to receive a list of the documents and when they would be discussed.
179. The Secretariat (Ms Lopez) thanked Colombia for the comment. She mentioned the documents were shared on UNEP's official website.

AGENDA ITEM 6: REPORT OF THE SPECIES WORKING GROUP

180. The Meeting agreed, during the Adoption of the Agenda in the first session, to postpone the agenda item to a later date.

AGENDA ITEM 7: REPORT OF THE EXEMPTION WORKING GROUP, INCLUDING THE REPORTING FORMAT FOR EXEMPTIONS UNDER ARTICLE 11(2) OF THE SPAW PROTOCOL

181. The Secretariat invited the SPAW-RAC, as chair of the Exemption Working Group to present a summary on the Exemption Working Group. These included the tasks assigned during the SPAW STAC8 (Panama, 5-7 December 2018) and detailed in the terms of reference (UNEP(DEPI)CAR WG.42/INF.12), as contained in documents UNEP(DEPI)CAR WG.42/6 and UNEP(DEPI)/CAR WG.42/INF.21.
182. Ms. Pivard thanked the chairperson and the experts nominated by Parties and Observers. In her presentation, she reported several recommendations made by the experts of the working group to tackle task 2 “*Encouraging the use of the adopted Reporting Format for Exemptions under Article 11(2) of the Specially Protected Areas and Wildlife Protocol (UNEP (DEPI)/CAR WG 38/3)*”. They outlined the need to encourage countries to report more and to nominate experts or representatives to the Working Group. They also advised to use existing information (use the country reports when existing at the Convention and the Protocol level) to identify what is implemented by countries to comply with the protocol. They asked the Secretariat to reach out to countries not complying with the protocol and to provide more of the bi-annual reports received. They also encouraged the use of the reporting format but also to report even if they use another format, as long as it provides the necessary information. Finally, they proposed to use networks on the ground level (e.g. WIDECAS) in a collaborative way.
183. An overview was provided as regards tasks 1 and 3 “Review the US Exemptions Report (2017) and report to the STAC on their findings” and “Review the Curaçao Exemptions Report (2016) and any additional information that may be provided by the Government of Curaçao since the original exemption report submission”. One is ex-post and programmatic, the other one is ex ante and used the dedicated format. Both reports accounts for the activities that the countries carried out or are planning to carry out and thus comply with the provisions of the SPAW Protocol (Article 11 (2)). Both are missing an Environmental Impact Assessment as an annex, which is cited in item 6 of document

UNEP(DEPI)/CAR IG.37/3 as a complement. Moreover, the US Exemptions Report is missing reference to public display facilities that may require a public display or import permit under the Marine Mammal Protection Act. That is justified because the US ratified the SPAW Protocol with a reservation to Article 11(1) that reads: "The US does not consider itself bound by Article 11(1) of the Protocol to the extent that US law permits the limited taking of flora and fauna listed in Annexes I and I".

184. The delegate of Colombia stated that in STAC8 in Panama, Colombia referred to some systems presenting greater challenges than others and shared the report which was done over a period of two years. They reiterated the use of the format and highlighted the fact that they were reports that were easy to understand, intuitive and practical. Contracting Parties must understand they had to present reports from their own Exemption. The Secretariat must provide guidance on how they use the criteria that exists. They should not wrongly think it is a group of experts that can submit a guideline on this. In the Experts Group this was not as productive.
185. The delegate of the Netherlands supported the comment made by Colombia. They stated that they found it remarkable that there had been just two exemption requests in the last biennium. This should be taken as an important signal as the exemptions lie at the core of the SPAW Protocol and was about enforcement and compliance with the Protocol. A request was made in the past to simplify the exemption format. He understood that had not been done and requested that the Secretariat and SPAW-RAC followup on the recommendation. He thanked Ms Doyle for her presentation. The Netherlands fully supported that within the SPAW Protocol there would be a focus on SPAW MPAs, but nonetheless, it was important to also include non-SPAW MPAs in networks and activities when possible.
186. The Chairperson referred to the comment by the Netherlands to simplify the exemption format. It was pending work. Over the last few years, they had heard from the US and Aruba that others lean towards presenting exemptions to their SPAW sites.
187. The Secretariat (Ms Lopez) responded that this was a sensitive point which required willingness from Contracting Parties. The Secretariat could not make compulsory measures and it was a difficult one.
188. The Chairperson confirmed that the agenda was concluded and thanked everyone for their understanding, collaboration and dedication to the work despite the difficulties with the platform.
189. The Secretariat thanked everyone.

AGENDA ITEM 8: REPORT OF THE SARGASSUM WORKING GROUP

190. The Secretariat (Ms Lopez) reminded the meeting that a Rapporteur was not yet chosen. This could be done when the recommendations were to be read for the meeting.
191. The role of Rapporteur was transferred from the Secretariat to the delegate of the Netherlands.
192. The Chairperson accepted the nomination of the Netherlands as Rapporteur.
193. The delegate from the US mentioned that they did not think the agenda item under the exemptions working group was completed.
194. The Secretariat (Ms Lopez) acknowledged their concern and allocated the time for additional comments.

195. The delegate from the US expressed their support for the recommendations included in the Exemptions Working Group report.
196. The Observer from Lightkeepers (US), Ms Courtney Vail, commended the good work of the Exemptions Working Group. She congratulated the US and Curacao for reporting their exemptions and serving as an example to other Contracting Parties. She supported the intervention of the Netherlands at yesterday's meeting noting the importance of compliance to the provisions of the Protocol for a meaningful Convention. Ms Vail stated that she supported Colombia's intervention regarding the reporting format being simple and efficient for Contracting Parties. During the LBS STAC the Secretariat reported that the reporting form for the Convention would soon be available online with amendments and improvements to simplify that form. Contracting Parties were encouraged to use that opportunity to report their exemptions.
197. The Secretariat (Ms Lopez) invited Ms Sandrine Pivard as chair of the Sargassum Working Group to report on the tasks assigned during the SPAW STAC8 (Panama, 5-7 December 2018) and outlined in the terms of reference (UNEP(DEPI)CAR WG.42/INF.12.), as contained in documents UNEP(DEPI)CAR WG.42/7, UNEP(DEPI)/CAR WG.42/INF.34 and UNEP(DEPI)/CAR WG.42/INF.35.
198. Ms. Pivard thanked the experts and observers for their great involvement and participation to the Sargassum Working Group. She provided a brief background of the Protocol and relevant achievement of the RAC. She recalled that the work of the Sargassum working group relates to the axis 5 of the SPAW subprogram work plan, being the « *Conservation and sustainable use of coastal and marine ecosystems* ».
199. Ms. Pivard gave an overview of the Sargasso outbreak in the Great Caribbean Region since 2011. She recalled that the Sargassum Working Group was created in 2018, as a reaction to this massive influx, in the urge of finding solutions. In the meantime, Ms. Pivard took this opportunity to recall some of the work done on behalf of regional and national initiatives and networks. Finally, she gave a brief overview of the Sargassum Working Group, its creation and its way to proceed.
200. Ms. Pivard presented the mandatory and additional tasks assigned to the Sargassum Working Group. The task 1 focused on the development of clear objectives and responsibilities for the Working Group. The task 2 insisted on the establishment of coordination and collaboration with relevant regional and global initiatives in order to promote maximum impact of synergies and solutions to the Sargassum outbreaks. The unique additional task was to cooperate with relevant partners to assess and merge information and best practices on managing the Sargassum influx impacting Caribbean countries (e.g. Memorandum of Cooperation concluded with the Sargasso Sea Commission).
201. Ms. Pivard then listed and explained the recommendations made by the Sargassum Working Group to the STAC. The Sargassum Working Group may wish to recommend to the STAC to suggest to the COP to encourage further collaboration between SPAW and LBS Protocols toward a co-lead of the STAC Working Group. It also wishes to request the COP to request the STAC Working Group to pursue the review and comment of relevant documents such as the UNEP-CEP White Paper on Sargassum, programs and projects.
202. To further the collaboration item, the Working Group recommended that the STAC to request the COP to request that the Secretariat and SPAW-RAC develop partnership with relevant organizations / initiatives such as GEO-Blue Planet in order to participate to the Sargassum Information Hub by compiling existing best management practices and guidelines, providing information and support to

policy makers to implement regulations consistent with SPAW Protocol. The working group also wish to recommend the STAC to propose the consolidation of a common platform for Sargassum and seek West-African stakeholders and organizations to collaborate with (e.g., the Abidjan Convention), and promote their work around the Caribbean.

203. Finally, the working group kindly requested Parties and in particular Signatory Parties to the SPAW protocol to nominate experts in order to diversify skills and expertise and ensure the most exhaustive geographical and political representation but also as an efficient way to be involved in the SPAW implementation and better voice their needs and wishes in the SPAW protocol. This also allows the Working Group to bring real added value to regional organizations for the management of Sargassum.
204. Ms. Pivard lastly recalled that revision of the terms of references and in particular the Annex could be undertaken if deemed necessary.
205. The delegate of Panama (Mr Abrego) thanked Ms. Pivard for the presentation. They expressed an interest in participating in the Working Groups. They had identified some sites on the Caribbean side of Panama and they were currently monitoring the situation with the Ministry in an effort to create an inventory of sites. The sites were not massive, but they wanted to take the necessary measures and precautions to address the issue, and they had seen results in other countries. The topics in the workplan were important and were supported by Panama. In order to have concrete action they needed to take part to mitigate the impacts.
206. The delegate of Colombia thanked the SPAW RAC for their work on Sargassum. Colombia contributed to the Sargassum Working Group. They agreed with revising the Terms of Reference (TOR) for the group to review the specific tasks for the biennium. In the past biennium, Colombia had received proposals from other countries to also work around the topic of sargassum in the Caribbean. They believed it was important to unify efforts these initiatives. They have dealt with the situation in isolation as it had affected the islands more than the continents, but they were willing to participate in efforts on the subject.
207. The head of delegation of the US thanked the SPAW-RAC and the Secretariat for their leadership on this issue. They acknowledged the difficulties the Sargassum Working Group faced in defining its objectives and responsibilities, as described in the Working Group Report. While they supported the recommendations presented in the Report, they noted that any future work of the Sargassum Working Group should be informed by Parties' needs and must be within the scope of the Protocol. They encouraged Parties to think about how the Working Group could support their effective implementation of the SPAW Protocol and to nominate experts to participate in the Working Group, if it were to be continued. They also suggested that the STAC should be open to the possible conclusion that a Working Group on Sargassum may not be the best use of resources, or the most effective way to address the issue in the region. They supported the suggestion to revise the Terms of Reference of the Working Group. Sargassum was still a new issue; other organizations also working to address it. The US encouraged the RAC and Secretariat to look for synergies and avoid duplication and was glad that the Secretariat has been collaborating with UNESCO IOCaribe so far.
208. The Chairperson thanked the US for their intervention and made a comment as a delegate to the Meeting. Sargassum has had a large impact on the Caribbean. It affects economic activity such as tourism and has environmental impacts. He encouraged Contracting Parties to unify efforts and take advantage of synergies on the topic to minimize the negative impact. He agreed with the suggestion to revise the TOR for the continued work of the Working Group.
209. The delegate of Aruba (Ms Wouters) thanked the SPAW-RAC Sandrine for her presentation. They had

a question on how many Marine Protected Areas (MPAs) were affected by sargassum activity in the Caribbean?

210. The head of delegation of France supported previous declarations from Panama, Colombia and the US regarding the necessity to create synergies and to recreate the regulation. Also, to identify the best place to tackle the questions within the Protocol for the governance of the Protocol. It was very important for the biennium as it was in the past.
211. The Observer as Head of UNESCO IOCaribe (Colombia), Mr Cesar Toro, , congratulated the Parties on their efforts during the STAC meeting and particularly the SPAW-RAC on their work on Sargassum. He commented that they had organized several activities with the Secretariat. He highlighted that Sargassum was one of two important emerging issues. It was important to recognize that cooperation and coordination is crucial. He mentioned that one organization or one protocol could not address this issue. From that view, IOCaribe has been working with the Secretariat in order to move these issues forward. It was important to recognize the work of Parties such as France, Mexico and Colombia and they (IOCaribe) were ready to continue efforts in the cooperation and coordination of issues to address sargassum. One step that had been taken was the development of the Sargassum Information Hub. This was an annual initiative with their partners. He urged Parties to continue the efforts of coordinating and cooperating. If the Parties so decided, they were ready to continue efforts with the Sargassum Working Group.
212. The delegate of the DR, (Ms Lysenko) thanked Mr Toro for commissioning the position held by the Ministry of Environment and the Vice Ministry of Marine and Coastal Resources, as the Marine Focal Point, regarding bringing together the efforts. They noticed that there were specific efforts and therefore a need for coordination on the regional measures on sargassum and suggested that the SPAW Protocol should take one of the strategic points as part of its programming.
213. The Observer from GCFI, Ms Doyle, , thanked the SPAW/RAC for their work on the sargassum issue. She made a point of note on the terminology that when sargassum was being discussed the focus was on the influx of sargassum and not sargassum itself. She highlighted that it was already native to the region with important sensitive links to wildlife. In the beginning when sargassum was being discussed, the GCFI was precise in this regard as it reflected on our protected areas and wildlife. In relation to the question from Aruba, regarding the affected MPAs, this was a regionwide emerging issue, since 2011 through to 2018, and now included the north-eastern Caribbean up to Bahamas.
214. Ms Doyle stated that within the MPACoast Network, no MPAs had been affected by this issue of the influx. The Managers' reported that, in terms of priorities, building capacity for addressing disturbances was not a top priority except when it happened. Responding to the issue is an area of low capacity where there was a lack of planning for a local response. Regarding the sharing of management practices and the role of a forum of the STAC – the sargassum influx raises issue of sensitive wildlife, the role of the sargassum habitat for wildlife, the importance for beaches in the zone, the links with the management of sea turtles and sea birds and questions on the role of protected areas – how this worked with requiring coordination from multiple sectors and at multiple levels. The input from forums like the STAC is welcomed by the Managers of the network.
215. The head of delegation of the US strongly supported the intervention from GCFI regarding the language (“influxes”) and focusing on Sargassum within the context of protected areas and species. They requested a point of clarification regarding the report of the Sargassum Working Group which included a suggested workplan. They wanted to know how the workplan was being presented to the STAC, i.e., if it was intentionally left open for the Parties to make recommendations.

216. The Secretariat (Ms Lopez) responded to the intervention from the delegate of the US, the work plan was drafted and presented to the Sargassum Working Group for their consideration and deliberation. The plan proposed by the Secretariat with the five points including governance, research, communication, sustainability, it was not clear if this was approved. Ms. Pivard was asked to clarify.
217. Ms. Pivard told the Meeting that all the work information was shared, as usual, though the teamwork platform. The contribution of the Secretariat was fully integrated by the Sargassum Working Group and is one of the outcomes of the Working Group.
218. The Secretariat (Christopher Corbin) mentioned that they wanted to provide a possible link with the discussion on sargassum and the work of the Working Groups, comments from the US on how sargassum links to the work of the SPAW protocol and the Convention. The State of Convention Area Report on marine pollution, has a section on the issue of sargassum and linkages with nutrients pollution and its significant social and economic impacts on the Wider Caribbean Region. With further development of the Regional Nutrient Pollution Reduction Strategy in particular the identification of nutrients from multiple sources, transboundary discharge, the discharge of nutrients from the Amazon Basin and circulation in the Caribbean. There was a need to have a more integrated approach to responding measuring and assessing the impact of sargassum was highlighted. From the LBS Protocol standpoint continued close collaboration with the Working Group and regional partners to identify possible reasons for the increased influx of sargassum that we consider land and marine-based pollutants that may be exacerbating the problem.
219. The head of delegation of France thanked the countries for their interventions and for considering the question of the origin, which was critical for reducing this movement with respect to the increase in sargassum. It was also important to consider the question of governance because the issue of sargassum also affected the the LBS Protocol and was not only specific to the SPAW Protocol. The effect on nature was specific to SPAW but the origin was specific to the LBS Protocol. This was a matter that should be considered in the Working Group. He also thanked UNESCO for their comments as well as the interventions of the other speakers.
220. The Observer from the Foundation for Development Planning, Inc (Mr. Gardner), welcomed the comments of the Secretariat regarding the links between the SPAW Protocol and LBS protocol. He stated that many of the actions to address the problems caused by excessive amounts of sargassum could not be undertaken within the SPAW process. He stated that, having reviewed the white paper, he wonders the extent to which elements of the problem are being addressed by other institutions, and whether some actions recommended in the paper could be conveyed to other institutions for implementation. He suggested that it would be more useful to Parties to understand specific issues, such as the ecological benefits of sargassum, which require further elaboration and which could be addressed within the context of the SPAW protocol.
221. The SPAW-RAC Director, Ms. Pivard clarified that the presentation was done in two parts – sargassum, the Working Groups and global leaders functioning. She admitted that she may have made a mistake in not giving the full presentation.
222. The Chairperson invited Ms. Sandrine Pivard to present the work done for the establishment and reinvigoration of the STAC *ad hoc* Working Groups during the 2019-2020 biennium.
223. Ms. Pivard recalled that Working Groups are established by the STAC and to advise it. The creation of such a Working Group may originate from one or more Parties, the Secretariat including the SPAW-RAC, an observer or a Regional Activity Network.

224. Ms. Pivard presented the main facts of the recently updated terms of reference. Working Groups can be chaired by a Contracting Party of the SPAW Protocol or by the Secretariat/SPAW-RAC, as decided by the STAC. They are facilitated by the Secretariat/SPAW-RAC. The existing dedicated Working Groups are currently all chaired by the SPAW-RAC. The Chair leads the members of the Working Group to completing its mandated tasks, is responsible for ensuring that the Contracting Parties and observers are kept up to date on the work and manages the roster of active participants in the Working Group.
225. Ms. Pivard detailed the composition of the Working Groups. Each Contracting party can designate up to two experts to a working group. Observers (Civil society organizations, non-member States or independent experts) can also nominate an expert to a working group as long as the total number of observer participants did not exceed the number of Parties to the SPAW Protocol (17 as of June 2019).
226. Ms. Pivard recalled that the Working Groups address issues or topics clearly identified by the STAC to facilitate continued discussions on topics of interest to the STAC. Specific tasks of the Working Groups were mandated by the STAC.
227. There were four STAC *ad hoc* Working Groups. These are (including their main activities):
- 1) Species:
 - Review, evaluate, and provide recommendations (including the basis for any recommendations) on proposals from contracting parties to add new species to the SPAW Protocol annexes or change the listing status of species.
 - 2) Protected areas:
 - Review and provide the basis for recommendations on proposals from contracting parties to add new protected areas to the SPAW protocol annexes.
 - Review when needed the procedure through which contracting parties can propose new protected areas to be listed as SPAW sites.
 - 3) Exemptions:
 - review for recommendation the exemptions reports submitted by contracting parties.
 - 4) Sargassum:
 - Develop clear objectives and responsibilities for the Working Group
 - Establish coordination and collaboration with relevant regional and global initiatives in order to promote maximum impact of synergies and solutions to the Sargassum outbreaks.
- Four dedicated Teamwork platforms were set up in order to enhance transparency and communication, allowing people to join in and to catch up with exchanges and previous work.
228. Finally, Ms Pivard concluded that the Working Groups kindly request Parties and in particular Signatory Parties to the SPAW protocol to nominate experts in order to diversify skills and expertise and ensure the most exhaustive geographical and political representation but also as an efficient way to be involved in the SPAW implementation and better voice their needs and wishes in the SPAW protocol.
229. The head of delegation of France thanked the Director of SPAW-RAC for the clarification. He suggested that a date should be set in April for the nomination of experts. He was aware of questions with regards to relations to the LBS Protocol which were not specifically related to the SPAW.

230. The head of delegation of the US thanked the SPAW-RAC for their helpful presentation and providing leadership to the Working Group. They had the difficult task of chairing four Working Groups. The presentation helped to highlight some of the issues with the Working Group and ways in which to more be efficient and effective. The US shared additional comments based on their participation in the Working Group. These include the need for:
- i. Better clarity on which documents are intended to be working group products versus reports produced by a consultant or the RAC;
 - ii. Better clarity on the role of the Working Groups when expert input is requested;
 - iii. Better organization of work, including regular meetings, clear agendas for meetings, documents distributed well in advance of meetings, and clear deadlines for commenting on draft documents;
 - iv. More active participation in Working Groups by Contracting Parties and Observers;
 - v. Working group participants should be given an opportunity to review the reports of the working groups before they are presented to the STAC.
231. The US welcomed a suggestion to improve communication with Focal Points with respect to Working Group progress. They recognized the need to update the Annexes of the Terms of Reference and suggested it would be appropriate to do so after the conclusion of the STAC in April based on the recommendations adopted by the STAC.
232. The delegate of the DR (Ms Lysenko) asked the Secretariat a question regarding the process to nominate experts.
233. The Director of SPAW-RAC. Ms Pivard, responded to the question from the DR on the nomination process for experts. Ms. Pivard replied that countries as well as observers can send nominations to SPAW-RAC as they arise and it had been done for the last year, with a few lines of credential for the nominees and the assigned task.
234. The head of delegation of France responded to the question on the Working Group. He stated that there was progress made since the last STAC with regards to the working groups. France participated in the Species and MPA Working Group which included many consultations and led to the proposal in the Annex III for the parrot fish, among other species. There were excellent proposals from the Scientific Committee for the Annex II for certain species e.g. ray manta and some sharks. France supported the comments by the US regarding the necessity for better planning and documents completed ahead of time. It was necessary to appoint and create subgroups for the parrot fish or other species. Specific experts were needed for each sub group of species; global agenda was needed to set the meeting in time and to be provided with the right documents e.g. agenda. They suggested receiving proposals and suggestions from the experts. France congratulated all members of the Working Group for the quality of assessments done.
235. The Secretariat (Ms Lopez) gave a summary of the morning session of the meeting. Regarding sargassum, there were important comments made by the Contracting Parties for e.g. it was identified that the The sargassum influx issue was one that had aspects of ecology but not all the aspects of governance and synergies with the institutions that cover other areas. They suggested (a) to make a call for the Parties consideration to form a regional commission (b) Nomenclature - change to sargassum influx to not mistake it with the sargassum present in the Caribbean (c) They were about to finish, for the consideration Contracting Parties, a small commission to be appointed by SPAW in the area of governance and joint actions, not only at the level of the region but on a global level if West Africa was included. The fostering of strengthened collaboration including not only with the institutions mentioned earlier, but also internal collaboration with the LBS sources. The Secretariat stated that there were recommendations that Ms. Pivard recapped at the end of her presentations. They

welcomed the specific recommendations to the Working Group made by the US regarding issues of organization, communication, review of Terms of Reference.

236. The head of delegation of the US requested clarification from the Secretariat regarding their statement on compiling recommendations for the meeting.
237. The Secretariat (Ms Lopez) thanked the US for their interventions and language provided. She reported that the Secretariat was in the process of compiling the first draft of recommendations of the STAC. They requested from the US that they share their recommendation with the Secretariat so they could be integrated and translated.
238. The US confirmed that they would provide their interventions in writing as soon as possible. They requested more time to ensure they covered their statements adequately given that the meeting would reconvene in April. Regarding the drafting group, the US requested further discussion during the meeting. The decision to extend the meeting to a later date was to give Contracting Parties time to adequately review the documents. The US suggested that more time was taken to do this.
239. The head of delegation of France supported the US proposal and would appreciate, as suggested by the Secretariat, to receive the proposals of recommendations in writing form to remain true to the discussions.
240. The Chairperson, spoke as the Focal Point for the DR, and shared their view that it would be advantageous to draft a preliminary list of recommendations which should be shared and reviewed by the Contracting Parties despite the decision to extend the meeting. It would be helpful as it will make it easier to have precise recommendations.
241. The Secretariat (Ms Lopez) welcomed the motion of the DR. They preferred to have a draft document of information captured during the meeting. The Secretariat could provide a draft in three languages for the input of the Contracting Parties.
242. Colombia thanked the US and France for their interventions and requested clarification on the procedure regarding preparing the draft recommendations.
243. The Secretariat (Ms Lopez) provided clarification to Colombia's question that a Drafting Group would be formed to refine proposals with a plan to present draft recommendations by the end of the meeting today. They explained that final recommendations would be approved at the end of the STAC meeting in April.
244. The head of delegation of France thanked the delegate of the DR, the Secretariat and the Chairperson. They supported the proposal as previously suggested by the Netherlands. They requested to receive the draft early and was willing to be a part of the Drafting Group.
245. The head of delegation of the US thanked the Secretariat and France for their explanations and interventions. They were willing to be a part of an informal Working Group. The US did not feel there was a need to rush to prepare draft recommendations by the end of the meeting today. It may be easier to set a deadline for mid-week next week for Contracting Parties to submit recommendations to the Secretariat for drafting and submission to the Working Group for finalisation. They emphasized that agenda item 6 would be postponed until April therefore information would be missing. The US suggested that if needed there could be a third additional day of the STAC following the meeting on the April 14th and 15. This time could be taken to consider recommendations and to give Contracting

Parties the time to digest the information and ensure that meaningful and actionable recommendations come out of the STAC. They welcomed the feedback from the Contracting Parties and the Secretariat.

246. The delegate of Colombia endorsed the comments of the US regarding providing additional time for submission of the recommendations. This must be shared in sufficient time, ahead of the meeting on April 14th and 15th, for review by countries.
247. The delegate of the Netherlands thanked the Parties on the statements made. They expressed an interest in joining the group. Regarding the request on having a list of draft recommendations by the end of today's meeting, they did not have a strict standpoint on that request. They suggested that recommendations for guiding meeting discussions in April would be best raised at the end of the meeting today. They supported Colombia's request for the draft to be shared in sufficient time ahead of the meeting in April, to allow Contracting Parties enough time to review and give their input.
248. The head of delegation of France thanked the Parties for their interventions and supported the proposal from the Netherlands on agenda item 6. It was important not to delay the agenda item until April 14 to raise the discussion on the subject of species.
249. The Chairperson stated that it was discussed that the results of the work over the days would be listed as potential recommendations. These would be sent to the Drafting Group for review and would be presented later. It was not about presenting final recommendations now; this would be done in the meeting in April and shared with the Contracting Parties.
250. The delegate of the Netherlands replied to the comments made by France and provided clarification. There were two levels of recommendations, one coming out of the STAC to the COP and the other related to requests to Parties by the Secretariat which would guide the discussions in April. The Netherlands supported France on their comments, especially regarding Agenda item 6 to guide the discussions in April. It would follow some requests for Agenda item 11 (other business) due to the fact that it was moved from the agenda for these days. The Netherlands made a request to the Secretariat for creating an overview of the documents that are on the agenda for the STAC. He inquired about the dates that working documents were made available to the Contracting Parties to understand how to apply the Rules of Procedures to the various agenda items.
251. The head of delegation of the US thanked France and the Netherlands for their interventions as it provided clarification. The US confirmed that they were not considering the requests to the Secretariat by Contracting Parties.
252. The Secretariat (Ms Lopez) presented the draft recommendations to the Parties:
- i. Integrate a Drafting Group today, Nominate and Endorse
 - ii. The Secretariat could provide today before the end of the meeting preliminary recommendations compiled so far from the discussions to facilitate the tasks of the Working Group or these could be emailed to all Contracting Parties for their inputs to be received by the drafting group
 - iii. The Secretariat receives additional recommendations from Contracting Parties and submit to the Drafting Group by 24 March 2021 for their consideration.
 - iv. A deadline is established today to receive the draft recommendations prepared by the drafting Group for consideration at the end of STAC-9 by Contracting Parties
 - v. Contracting Parties must review the draft recommendations prepared by the Drafting Group with a view of adoption at the end of STAC 9.

253. The delegate of The Netherlands thanked the Secretariat for the recommendations and confirmed that they agreed with what was stated under Recommendation II (2). They suggested that the same language could be also used for recommendation III (3) and believed the recommendations should be in line with the discussions which occurred during the meeting.
254. The delegate of Colombia thanked the Secretariat for the five initial recommendations. They supported the Netherlands taking the role as Chair of the Drafting Group. Colombia also willing to be a part of the Group.
255. The head of delegation of the US requested clarification on if the STAC was working to massage the language of the recommendations individually. The US has suggestions to improve the language for e.g. recommendation I (1) “create a working group and invite Contracting Parties to participate. They support the Netherlands suggestion for recommendation III (3). They requested clarification on recommendation IV (4). Possibly word it “Request drafting group to circulate Recommendations by a certain date.” It was suggested that the term drafting group be used throughout to differentiate from Ad hoc Working Group.
256. The head of delegation of France expressed that France would be happy to be a to be a part of the Drafting Group. France supported the proposal from the Secretariat for the Netherlands to chair the Drafting Group.
257. The delegate of the Netherlands thanked France, Colombia and the US, in the role as Rapporteur, he was willing to be Chair of the Drafting Group as suggested. He inquired about when other recommendations would be discussed as the ones presented were specific to the drafting group. He requested clarification on when this would be discussed.
258. The head of delegation of France supported the question posed by the Netherlands regarding the importance of discussing the procedures for species at this session and not to defer it to April. A lot of important work had been done within the Species Working Group for species that are in danger or vital to certain ecosystems for e.g. coral reefs. It was important that Contracting Parties did not overlook this. France proposed examining Agenda item 6.
259. The Secretariat (Ms Lopez) thanked France for their timely proposal. She requested the Contracting Parties to decide on discussions for the rest of the meeting. There were two items, first was the next step to follow regarding the drafting of the recommendations for the last session of the STAC9 and the detailed explanation regarding the posting of documents to UNEPs websites, this would be prepared and sent to Contracting Parties. Secondly, she expressed a concern regarding the time to discuss emerging issues and workplan budget. Requested how they want to proceed with the discussions.
260. The Chairperson confirmed that the Contracting Parties had decided to discuss agenda item 6 at the meeting in April. However, there is now a question asking if this will be discussed right now. The Chair requested comments from the Contracting Parties.
261. The delegate of Colombia believed that it was important that the Secretariat provided a strategy to clarify the Rules of Procedures in view of the Articles of the Cartagena Convention and the SPAW Protocol, considering the discussions which took place during the Pre-STAC and over the previous two days of the meeting. With regards to the timeframe for the documents being posted to the website and the proposal of the Species and the Annexes, clarification was sought on who would present these proposals. They were still not clear on this; they have alluded to believe that the Contracting Parties would have to present these proposals in such a way that the discussions at the meeting in April can be a simple process. Colombia requested that the Secretariat provide guidance adhering to the Rules of

Procedures and the Articles or discussions could start on agenda item 6 as France had proposed. They requested clarification on this at the same time being mindful of the Secretariat.

262. The delegate of the Netherlands supported France and Colombia's position. He emphasized that the decision on day one in the discussions on the adoption of the agenda to remove Agenda item 6 from the agenda was unclear, and subsequently affected the decision-making process of day two. He supported the proposal of France to use Agenda item 9 to discuss item 6.
263. The head of delegation of the US stated that she was confused on the discussion to reopen agenda item 6. A lot of elements under item 6 required full and robust discussions and they thought it was best left for the end of the agenda if not for April. The US stated their strong preference to discuss the upcoming agenda items first before agenda item 6. There was also a strong preference to reserve discussion on item 6 for April.
264. The Chairperson reminded the Contracting Parties that originally it was agreed on the route of work stated by the US. He suggested that the meeting continued with the original plan and focus on completing the other items on the agenda will allow for more time for item 6 in April.
265. The head of delegation of France thanked the Chair, Colombia, the Netherlands and the US. He clarified that it was important to discuss item 6 now in order to ensure that Contracting Parties would be able to speak fully on April 14 and 15th and on a third day, if necessary, on the question of species without the issue of time constraint. It was important to examine the proposal of the species to ensure there were no issues with it and to make the work in April easier.
266. The delegate of Colombia insisted that the Secretariat guide them on the Rules of Procedures where Contracting Parties needed to present proposals. They stated that it is important to be very clear in April as this was a technical and not a procedural matter and it was important to be careful. Colombia supported France's request for full clarity on the discussion in April.
267. The US thanked the Netherlands, France and Colombia for their interventions. In response to France's request for elaboration on thinking, it was difficult to say how to proceed. The US had indicated their serious procedural concerns. Colombia had already stated their concerns about the procedures for nominations of species not being adhered to. She pointed out that the concerns have not been addressed therefore making it difficult to proceed.
268. The Director of SPAW-RAC, Ms. Pivard, speaking also as chair of the Species Working Group wished to remind and clarify again a potential misunderstanding of several participants regarding the role of the working groups that never intended to propose or nominate species but were answering to the process discussed during STAC8. She recalled then that their terms of reference were elaborated during a six (6) month process with the involvement of the delegates of Colombia, France, the Netherlands, the USA, one observer and the Secretariat. She observed that while it seemed then to be clear, some interpretation seemed now to differ and that it was something to retain for the formulation of the future tasks.
269. *The delegate of the Netherlands supported France's intervention and Colombia's in the chat.* He thanked the SPAW RAC, Ms Pivard for the intervention regarding countries requesting clarification from the SPAW/RAC. The Netherlands requested from the Secretariat and the SPAW/RAC, to provide an overview for each species proposal on the procedural history of those proposals. He explained that it was important to understand how the Rules of Procedures apply to each species proposal. If that information would not be provided before the meeting in April, then the Contracting Parties would not be able to address nominations in April and for each proposal the procedural history is needed.

270. The head of delegation of the US thanked SPAW-RAC for their intervention. She expressed concern that the meeting was veering off the course of the adopted agenda. They hope to proceed with agenda item 9 and additional concerns addressed under any other business.
271. The Chairperson stated that it was agreed to finish the agenda for today and move on to agenda item 6.
272. The head of delegation of France thanked the Contracting Parties for their comments. He reiterated that France had said no to the postponement. France stated that this was done at a time when both France and Netherlands were out of the call, despite the fact that they had repeatedly stated their opposition to it.
273. The Secretariat (Ms Lopez) expressed the need to ratify the Rules of Procedures and their interpretation. According to agreed agenda, the Secretariat proposed to continue with the agenda as established from the beginning of the meeting.

AGENDA ITEM 9: EMERGING ISSUES (Herbivorous Fishes and Stony Coral Tissue Loss Disease [SCTLD])

274. The Meeting was invited to consider relevant emerging issues such as those relating to herbivorous fish, ocean acidification and Stony Coral Tissue Loss Disease (SCTLD).
275. The Meeting was also asked to consider the outcomes of the Sargassum Working Group (contained in document UNEP(DEPI)/CAR WG.42/7) and new evidence on the updated Sargassum White Paper (contained in document UNEP(DEPI)/CAR WG.42/INF.35).
276. The head of delegation of the US noted that Stony Coral Tissue Loss Disease (SCTLD) was first found in the US and that they were working hard to understand and control the disease, including the following efforts:
1. Through MPACoast, the U.S. National Oceanic and Atmospheric Administration (NOAA) supports regional workshops for Caribbean coral reef and MPA managers and other practitioners to build capacity for SCTLD prevention, detection, response planning and response.
 2. Together with Florida SeaGrant, NOAA was also supporting a National Coral Disease Coordinator to coordinate national-level efforts to better understand SCTLD and to work with U.S. coral reef states and territories to help slow its spread.
277. Additionally, in November 2020, NOAA released a SCTLD Strategy, which aimed to:
1. Expand their capacity to respond to the disease outbreak in the Atlantic-Caribbean region.
 2. Support timely, efficient, and effective action to slow the outbreak by unifying regional efforts under a national response framework; and
 3. Prevent and prepare for the potential spread of SCTLD to the Indo-Pacific region.
278. The US noted that the strategy was shared as INF.14 and that they looked forward to providing a brief presentation when STAC9 resumed in April. They encouraged the Secretariat and SPAW-RAC to support capacity building needs and work with partners in the region to implement training programs, as appropriate. They also urged Contracting Parties to continue building their capacities to respond to disease outbreaks, including through monitoring and developing response plans. The US noted INF.20, which provided a short overview of U.S. activities to address ocean acidification in the Caribbean. We

thanked the STAC for the opportunity to share information on NOAA's work to address ocean acidification in the region, noting that we would welcome further collaboration on these efforts and look forward to providing a brief presentation when STAC9 resumes in April.

279. The US also encouraged the SPAW-RAC and the Secretariat to communicate with the regional sub-commission of the Intergovernmental Oceanographic Commission, IOCARIBE, regarding any potential future work on ocean acidification to identify synergies and prevent any duplication of efforts. They believed the Sargassum White Paper was also on the Agenda for consideration at this Meeting. They acknowledged the Secretariat's efforts to update the Sargassum White Paper and thanked them for their work but noted it was difficult to understand what the paper was recommending. The US encouraged the Secretariat to continue collaboration with other organizations, like IOCaribe.
280. The delegate of Colombia thanked the US for their intervention. She mentioned some efforts made by Colombia. It was important to ratify the question of reenergizing these synergies with INVEMAR. Regarding the restoration of ecosystems, Colombia recently adopted some protocols on topics of mangroves and coral reefs. Regarding tsunamis and sargassum, they expressed an interest in participating in a more active way on projects related to these topics.
281. The delegate of Aruba stated that Aruba recognized the importance of conservation and protection of the parrotfish in the region for their role in the removal of macro algae. For territories specifically on the northwestern coast, they acknowledged the need for conservation of species that removed turf algae. Aruba requested that attention be drawn to these species in the future. Regarding ocean acidification, they wondered if regional measures related to blue carbon that member states could employ to address ocean acidification strategies to mitigate the impacts.
282. The Secretariat (Ms. Lopez) welcomed the various initiatives of the different countries as well as regionally. She responded to Aruba's question and stated that they engaged with The Ocean Foundation (TOF), INVEMAR and other organizations to address ocean acidification since 2019 however due to the Covid-19 pandemic, planned training sessions were discontinued for six (6) countries. In terms of mangrove restoration, the Secretariat was working on finalising a mangrove restoration manual in collaboration with several partners. Regarding herbivorous fishes, it was expressed that over the last biennium, in collaboration with AIDA, webinars were done in Spanish and English to disseminate information on the current status of rules and regulations in the region for Spanish and English-speaking countries. Regarding Sargassum, the Secretariat provided a summary of this earlier in the meeting. One of the questions was on governance, to this they were preparing a foresight brief to recommend both regionally and globally, how to tackle a strategy for sargassum on a global level for West Africa and the Caribbean. This was finalised today. There were currently two white papers, the *White Paper for Sargassum* was revamped and for this biennium, with financial support from the Swedish Government (Ministry of Environment), a *Stony Coral Tissue White Paper* would be available over the next month. She emphasized that the important issue to address was governance, building synergies, strengthening cooperation and enhancing communication.
283. The Chairperson thanked the Secretariat for their comments.
284. The Observer from the Foundation for Development Planning, Inc (Mr. Lloyd Gardner), commented on the response thus far to the SCTL, noting that the pattern of spread showed more correlation to shipping traffic than to ocean currents. He inquired whether the response agencies at the national and regional levels could collaborate with relevant international agencies to determine the impact of shipping and ballast water in the spread of the disease and invasive species.

285. The Secretariat (Christopher Corbin) thanked Mr. Gardner for his intervention. He went on to say that one of his responsibilities included the Oil Spills Protocol and the activities which take place through the Regional Activity Centre, RAC-REMPEITC in Curacao. RAC-REMPEITC works on the Oil Spills Protocol as well as on the IMO Maritime Conventions. Through support from the Government of Sweden, RAC-REMPEITC, they organized a webinar in 2021 looking at the linkages between ballast water and SCTL. He received communication earlier today from representatives of NOAA and the EPA, and this was an issue that offered a good opportunity for a close working relationship between the LBS sources of pollutions RACs, the SPAW Activity Centres, the Oil Spills RAC and many other organizations including GCFI through MPACConnect has done significant work on this issue.
286. The Secretariat also facilitated, through contact with the Senior Representative of IMO, to make a presentation at one of the regional seminars on SCTL, organized by MPACConnect. This was a very important point, and it was a work in progress. There was a need for continued collaboration with all the different regional agencies focusing on this. He highlighted the fact that the information was not always consistent, and the Secretariat were aware of the work being done in the US by NOAA, the US Coastguard, and the EPA. There were many lessons to be learnt from that effort and it was something the Secretariat looked forward to supporting moving forward.

AGENDA ITEM 10: WORKPLAN AND BUDGET OF THE SPAW SUBPROGRAMME FOR THE 2021- 2022 BIENNIUM

287. The Chairperson invited the Secretariat to present on the “Draft Workplan and Budget of the SPAW Subprogramme for the 2021-2022 Biennium” (contained in document UNEP(DEPI)CAR WG.42/3), prepared by the Secretariat on the basis of the recommendations of previous STAC and COP Meetings, as well as on the outcome of activities of the 2019- 2020 Workplan for SPAW and other relevant emerging regional and international issues.
288. Ms. Lopez stated that the Workplan and Budget for 2021-2022 covered five major areas and provided a summary of each.
289. *Programme Coordination* was focused on promoting ratification, increasing collaboration, improving MPA regional coordination and coordination. She stated that the need to increase collaboration was stated numerous times and it was their aim to increase collaboration and communication and improve MPA regional coordination and coordination as a whole to build governance. Taking into account the articles of the protocol. For 2021-2022, coordination with relevant programs donors and organizations to develop synergies and collaboration for the implementation of existing MOUs. They need to create a detailed plan for this biennium as well as plan the joint programming with the SPAW RAC with the guidance and the way forward proposed by Contracting Parties to enhance this collaboration and to delimitate actions, responsibilities and objectives. Ms. Lopez requested guidance from Contracting Parties on the development of 2023-2024 Workplan and Budget which is one of the expected outcomes of COP11. She mentioned the need to fundraise for this. Ms Lopez provided an overview of the budget for salaries and supporting costs and meetings for 2021-2022. She indicated that the line item for salaries and supporting costs showed a decrease of \$200,000 by 2022.
290. *Strengthening of Protected Areas in the WCR*, was aimed at advancing management effectiveness as it was an expected outcome of the logical framework of the ACP project. Also, to continue working on building the ecological network of Protected Areas. There were currently plans to collaborate with IUCN and potentially MPA Connect. Similarly with regards to capacity building, through CAMPAM, which needed to be merged with the initiatives of other networks in the region. Ms. Lopez mentioned that the Secretariat was trying to look on how to enhance MPA financing considering the challenges that has been experienced by all the different countries due to the COVID 19 pandemic. With regards

to CAMPAM, a joint small grants program would be launched in synergy with other agencies and the LBS protocol, to tackle pollution and MPAs. Support would continue for the ecological network of Protected Areas and resources had been allocated for that and the establishment of new protected areas. She referred to an example where Honduras expressed that they were inspired by Aruba's presentation, and they look forward to proposing new Protected Areas for SPAW listed MPAs. Possibly other countries may also take the initiative to propose a Protected Area in their respective countries. She confirmed that there was funding available for that purpose.

291. One of the main donors for this year, for this biennium, was the ACP MEA phase III. The expected result was the functional network of SPAW listed PAs covering interconnected marine habitats and ecosystems considering also restoring and sustaining the health of the oceans. She explained that there were various active MPA networks, and a process was started in the last biennium to try to build synergies as it was discovered that, there was taking place overlapping of work with CAMPAM, . This occurred when two donors or two different networks or initiatives go to the same site to promote the same activities or objectives. The idea of having a consortium of these group of MPAs aimed to bring them closer together. A paper was already drafted which would allow for easy identification of the roles of each network to enhance the work of the different protected areas and networks and to have a joint capacity building effort. Also, to agree, for example, some would specialize in a specific activity and take the lead on it for e.g. MPA Connect with SCTL. While others may work together to join efforts. She outlined the SPAW and MPA networks along with the projects and RAN that would work along with the various partners, donors and the SPAW RAC. Ms Lopez mentioned the collaborations and synergies with relevant organizations and initiatives within and outside the region which are all interconnected. They would like to continue enhancing these networks. It was important that efforts to protect biodiversity was done collectively.
292. In collaboration with the SPAW RAC, they would continue working on the MPA list, the Species Annexes, and the Voluntary Exemptions Report. She provided an overview of the budget and highlighted that the line item for capacity development was not high in 2021 compared to 2022 due to the COVID 19 travel restrictions. She also highlighted that they were not allocating any resources to the Regional MPA database line item because Italy provided funding for the development of the database of the Protected Areas.
293. Regarding *Guidelines for Management of Protected Areas*, she gave an overview of the budget and highlighted that there was room for donors to provide assistance where there were no funds allocated.
294. *Conservation of Threatened Endangered Species* focused on marine mammals, sea turtles, invasive species, sharks and rays, mangroves, corals and seagrasses. She outlined the budget. For marine mammals' education for example, they depended on support from other donors and contracting Parties. Regarding the contributions the Caribbean Trust Fund, many countries are in arrears. Approximately \$3M dollars outstanding. All that could be achieved was through other donors for e.g. Europe, GEF and Germany.
295. Regarding *Conservation and Sustainable Use of Coastal and Marine Ecosystems*, the support would continue for coral reefs, sargassum, Ecosystem Based Management (EBM), wetlands and mangroves. For corals, this biennium, they had collaborated with the Prince Albert II of Monaco, also collaboration to enhance a movement in the Caribbean and with the tourist leaders to produce guidelines to restore reefs in collaboration with the private sector. Regarding the Gulf of Mexico project of the past 2-3 years, the Secretariat is going to be granted the work with the MPAs however this was specifically with the US and Mexico. They are going to try to see how to create synergies with the ACP to allocate the resources and strengthen the deliverables. She outlined the budget for the meeting.

296. The Chairperson invited the Meeting to review the draft Workplan, prioritize activities, and make recommendations to assist with its finalisation prior to being adopted by SPAW COP11, the Nineteenth (19th) IGM on the Action Plan of the Caribbean Environment Programme, and Sixteenth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the WCR, tentatively June 2021, respectively.
297. The Chairperson added to the presentation the importance of synergies with corresponding projects that would help to improve funding sources.
298. The delegate of the Netherlands thanked the Secretariat for their very clear presentation. He stated that prioritisation of activities was very important and that the requests and decisions of the Contracting Parties should be top priority in the workplan.
299. The delegate of Colombia thanked the Secretariat for their presentation and the great work achieved. She acknowledged that a considerable amount of work was done despite the financial and other challenges mentioned. She extended appreciation for the work undergone with the SPAW RAC during the Covid-19 pandemic which caused a great deal of uncertainty globally. Colombia insisted on there being Focal points from each country and requested to be an active party to the activities for the upcoming biennium. She stated that Focal points were very important and should be a part of groups at the national level. An emphasis was placed on synergies and the importance of reinforcing the work with the binary commission. A likely synergy forthcoming was with the CLME+. Colombia had three Protected Areas listed and would participate in the upcoming workshops and webinars listed for the biennium. If all countries can continue, they encouraged the sharing of experiences more actively. They also suggested that the Secretariat could be more assertive regarding the guideline documents for their procedures, this was to generate the comments of Contracting Parties.
300. The delegate of Panama (Mr Abrego) thanked the Secretariat for their excellent presentations and the efforts they have undertaken on issues related to species. He expressed that Panama was open to collaboration on these initiatives. Panama supported Colombia's statement about availability and willingness to work on the issues relevant for their countries. They highlighted that a topic that was not evident in the workplan was invasive species. There was also no mention of funds regarding invasive species, and they inquired from the Secretariat if this was due to financial constraints. They informed the Meeting that Panama was doing a great deal of followup regarding the parrotfish. They inquired from the Contracting Parties if anyone considered supporting this. Finally, they emphasized, Panama's interest in being a part of the Working Groups and the great collaborative work to reduce impact and contribute to the preservation of coastal and maritime products in the Caribbean.
301. The Secretariat (Ms Lopez) responded to the question from Panama regarding the budget. She expressed that they welcomed Colombia's comment as it was very important for the Secretariat to have the guidance and contribution of the countries.
302. The head of delegation of the US thanked the Secretariat and SPAW-RAC for the presentation on the Workplan and budget. They noted that it was a very ambitious plan, and they encouraged all participants - Contracting Parties, observers, the Secretariat, and the SPAW-RAC - to focus on and prioritize what they needed to effectively implement the Protocol over the next biennium and to be realistic about what we can achieve. The US appreciated that the process for developing the workplan and budget for the LBS Protocol and AMEP Subprogram was very transparent and inclusive. They expressed hope that in the future, the Parties could move towards a similar process for SPAW.

303. The US indicated that they had several comments and questions regarding the draft Workplan and Budget for the next biennium. With respect for the limited amount of time during the STAC, they stated noted that they would gladly submit their comments and questions in writing after the meeting. They suggested that the STAC recommend that Contracting Parties submit comments by a specific deadline so the Workplan and Budget could be adjusted accordingly before the COP and shared a number of suggestions to improve SPAW operations, including:
- i. That the Secretariat, SPAW-RAC, Contracting Parties, and Observers work together to more effectively and efficiently implement the Protocol;
 - ii. That the Workplan and Budget make very clear which activities the Secretariat will implement and which the SPAW-RAC will implement and/or that the Secretariat and SPAW-RAC work very closely together to determine who is responsible for each element;
 - iii. Those lines of communication remain open throughout project implementation;
 - iv. That relationships with external projects, such as CARI'MAM, be clearly articulated to Contracting Parties and Observers. These projects' relationships with the Protocol can be very confusing, and it's not always appropriate for deliverables from such projects to be presented to SPAW Working Groups and to go through the STAC and the COP for approval.
304. The US stated that they recognized and appreciated the efforts of the Secretariat for their continued operation under severe resource constraints. It was important to acknowledge the role that external projects and donors can play in supporting implementation of the Protocol, but it is even more important to realize that, without the Secretariat, we would not see these investments in the region. They noted that the Secretariat works tirelessly to mobilize resources, to identify donors, and to align donors' objectives with the Convention. Without the Secretariat, there wouldn't be any donors, and without the Caribbean Trust Fund, there was no Secretariat. They suggested that this was something Contracting Parties could continue to communicate to those who "hold the purse strings" and encouraged National Focal Points (NFPs) to continue serving as champions of the SPAW Protocol, especially when speaking with those in their national governments who make decisions about financial contributions to the Caribbean Trust Fund.
305. The head of delegation of France thanked the Secretariat for the enormous work done in the various areas and the ambitious plan. He thanked Colombia, Panama, US and the Netherlands for their comments. He congratulated the Secretariat for the work put into the MPAs. He recalled that the US had already mentioned it was important to clarify the roles of the Secretariat and the SPAW RAC and this should be written in a document and sent to the Parties. He requested that the document be adopted after additional information was provided in this area. He congratulated the Secretariat and SPAW RAC, as well as others involved.
306. The delegate of the DR (Ms Lysenko) expressed thanks for the presentation on the future of the programme. They supported all the points of the programme. Their interest remained in working with fish species and the protection of marine mammal species. She stated that they were available to assist with the restoration and follow-up and they also supported the programme being established over the next two years. It was important that there was connectivity of these efforts across the various platforms and that they could unite and increase synergies.
307. The Observer from the Foundation for Development Planning, Inc (Mr. Lloyd Gardner), thanked the Secretariat for presenting a comprehensive workplan. He commented that the inadequate level of financing stated by the Secretariat and SPAW RAC is a significant concern, and suggested that the following possibilities for funding and structural support should be considered:
- i. Contracting Parties could include SPAW in GEF-funded country projects, particularly projects that are aligned with their SPAW obligations or which enable mobilization of regional support networks for national initiatives.

- ii. Provision of multi-country support for the SPAW RAC, including staff secondment.
- iii. Establishment of a second SPAW RAC.
- iv. Establishment of a non-UN permanent fund to support the Secretariat and Programme.

308. The head of delegation of France inquired about the role of the new MOUs that were raised. He congratulated the success of the Secretariat and the SPAW-RAC in mobilising funds and inquired on what percentage of the sums raised will go to the SPAW RAC. Possibly a pie chart or precise description would be useful.
309. The Observer as Regional Coordinator, CLME+, Mr. Patrick Debels, stated that they were diligently working to submit a proposal to the GEF and confirmed receiving the GEF Focal Point endorsement letter. However, he expressed that he felt they were still falling short of the GEF requirements. He made a presentation at the LBS STAC and showed how many aspects of the new project would support the LBS and SPAW Protocols and the Convention and new strategies overall with a focus on the development of the blue economy, better protection of marine natural capital, advancing marine protected areas, spatial planning, reporting, data management, and would strengthen the relationship between the CEP, CARICOM, OECS and will have power in achieving the objectives of the convention. Resources of CLME+ funds have been helpful to the CEP. The deadline was the following Tuesday for country endorsement letters. He encouraged countries to submit letters if not yet done, support could be provided from their project coordination unit if needed.
310. The Secretariat (Ms Lopez) thanked everyone for their interventions. She stated that it was time to revise the Rules of Procedures and organize the work of the Secretariat. She mentioned that for the EU ACP project, two meetings were held in Brussels, Belgium in 2019. With regards to the Workplan and budget, a monitoring system could be implemented to follow the actions which correspond to the Secretariat and the SPAW RAC to allow for work in a more transparent and participatory way and including the participation of the Bureau. She mentioned that the monitoring of the Convention needed to be active and there was a lot of room for improvement. The Secretariat welcomed and looked forward to receiving comments on the Workplan and Budget from Contracting Parties.
311. The Chairperson thanked all for their collaboration and he apologised for any omissions.
312. The delegate of Colombia referred to the proposal made by the Netherlands in order to share the background regarding the proposed species. She asked if the Secretariat would accept the recommendation regarding sending the background documents.
313. The Secretariat (Ms Lopez) confirmed that they would ask countries to propose nomination of groups that were going to take note of the recommendations. Regarding the species, the Secretariat would follow the Rules of Procedures unless something different was proposed by Contracting Parties.
314. The Chairperson suggested mentioning the names of the proposal for the drafting group so the Contracting Parties could state whether they would like to participate or not.
315. The Secretariat (Ms Lopez) confirmed the names for the drafting group, for the information of Contracting Parties, the Netherlands as Chair, Colombia, US and France. Taking into account that the meeting was extended to April 14 and the member states needed time to review the draft, the Secretariat proposed three weeks and asked if this was enough time.
316. The delegate of Colombia responded that they were willing to adjust to the dates of the Contracting Parties and were ready to be a part of the group.

317. *The delegate of the DR, Ms Lysenko, made an intervention the chat.* She expressed an interest in being a part of the drafting group as a technical maritime focal point.
318. The Director of SPAW-RAC expressed the same request, confirmed by the Secretariat in the chat.
319. The Secretariat (Ms Lopez) asked the Contracting Parties if April 6 was a suitable date to submit a draft of the recommendation suggested. There was no objection.
320. The delegate of The Netherlands confirmed that April 6 was feasible. He requested that the Secretariat make the first email exchange so he could have contacts. He thanked Colombia and France for their support of the request made by the Netherlands in the chat. There were two requests for two documents. A request for a document containing an overview on the procedural history of each species proposal, and a request for a document containing an overview of all the working documents and the dates these documents have been made available to the Contracting Parties.
321. The Secretariat (Ms Lopez) thanked the Bureau for efficiently guiding the meeting as well as Parties for the support to the Secretariat.
322. The meeting was deferred to continue on April 14 and 15.

SESSION II: SPAW STAC9 MEETING - APRIL 14-15, 2021

AGENDA ITEM 3: ADOPTION OF THE AGENDA

323. Ms. Lopez requested one minute of silence for the devastation in the island of St. Vincent and the Grenadines due to the volcanic eruptions on April 9 and its impact on Barbados and other neighbouring countries. Following the moment of silence, she handed the floor to the Chairperson.
324. The Chairperson welcomed the participants. He requested the support of the Contracting Parties to approve the agenda for the two-day meeting.
325. The head of delegation of the US thanked the Secretariat for organizing the extension of the STAC 9 meeting. She also thanked the Secretariat, the SPAW RAC and Contracting Parties for the work carried out following the last STAC meeting in March. She expressed hope that the work will set the stage for a successful second session of STAC9, a fruitful COP and a successful biennium to come. The US had no proposed changes to the agenda but still expressed concerns with the documents put forward as species nomination proposals. She highlighted the fact that the agenda stated that the STAC will review, evaluate and provide recommendations on potential listings for parrot fish and sharks and rays proposals. As these documents were not submitted in accordance with the SPAW Protocol or the "Procedure for the submission and approval of nominations of species for inclusion in, or deletion from Annexes I, II, and III," adopted at COP 8 in 2014, they cannot be considered as proposals to nominate these species. She emphasized that the STAC does not have the authority to review, evaluate or provide recommendations on these proposals. The US did not think it is worthwhile to suggest any changes to the agenda with respect to these issues as they anticipate it will be a part of the discussion under agenda item 6.
326. The head of delegation of France thanked the Secretariat and the Contracting Parties for making the meeting possible. He especially thanked the Secretariat for their support during these difficult times. He stated that France would like the agenda to consider the SDGs, the Convention on Biodiversity and the CITES Convention. He requested more support for trying to find a solution for the Caribbean Sea.

The delegate thanked the US for their comments and expressed that they do not share the point of view of the US but will discuss later in further detail.

327. The Secretariat invited the Director of SPAW-RAC., Ms. Sandrine Pivard, to present on Agenda Item 6: Report of the Species Working Group (Marine Mammals).

328. The delegate of Colombia requested to speak before Ms Pivard started her presentation. She expressed that Colombia would like to support the adoption of the agenda however there was a concern with the updated agenda shared. The version of the agenda showed that from 8:10 to 8:30 there should have been a presentation from the Law Division and inquired if this was still going to take place.

329. The Secretariat (Ms. Lopez) responded that the presentation from the Law Division would take place once they decide if the proposals of this item of the agenda was going to be discussed. If the Parties deemed it convenient it could be discussed at this moment.

330. Colombia thanked the Secretariat for the clarification and pointed out that at the STAC coordination meeting Colombia respectively requested that the presentation from the Law Division be included at the beginning of the agenda as they felt it was a fitting start to the meeting.

331. The Secretariat (Ms Lopez) responded that the focus was to discuss item 6 of the agenda followed by the presentation of the Law Division.

332. The head of delegation of France thanked the Secretariat and the Legal Advisors of UNEP. He suggested that SPAW-RAC should present its report then the Legal Advisor..

333. The Chairperson asked the Secretariat if the meeting should proceed with discussing Agenda Item 6 or the legal advice.

334. The Secretariat (Ms Lopez) invited the Legal Advisors to speak.

335. The delegate of the US stated that the US also supported having the legal advice from the UNEP Attorney's from the Law Division before discussions on agenda item 6.

336. The delegate of the Netherlands stated that they supported the intervention from the US and France. He commented on a document which was on the website of the SPAW STAC regarding the establishment of a Marine Mammal Activity Network, however he could not see where on the agenda it would fit. He inquired if the document would be discussed under the current agenda items or if it was open. He requested that it not be forgotten and that it be more explicitly stated on the agenda.

337. The Secretariat agreed with the intervention from the Netherlands that it was an important item on the agenda under the Marine Mammals section.

338. The delegate of Colombia thanked the Secretariat for following the agenda. They stated that they would like to hear from the Legal Advisor.

Legal Advisor Opinion for Contracting Parties Deliberation regarding Agenda Item 6

339. The Secretariat (Ms. Lopez) invited, Mr. Stadler Trengove from the UNEP Law Division to make a presentation to the meeting.

340. Mr. Trengove stated that the Law Division was present to provide legal support to the meeting but had no prepared opinion or statement. If during the proceedings a written opinion was requested, the Law Division would provide the opinion later.
341. The Chairperson suggested that the Contracting Parties could ask the Legal Advisor questions.
342. The delegate of the Netherlands stated that the agenda could not be adopted as it stated that from 8:10 to 8:30 there would have been an opinion from the Legal Advisor, however this was not the case. He suggested that the adjustment be made in the agenda to make it transparent.
343. The Secretariat (Ms Lopez) requested that the meeting close this item of the agenda and include the modification pertaining to the intervention of the Legal Advisor. She continued that the meeting would use the services of the Legal Advisor when needed as a statement was not prepared beforehand. With regards to the marine mammals section, the Secretariat would introduce the proposal of the Netherlands. The Secretariat would introduce these modifications into the agenda and then the meeting will move into agenda item 6.
344. The Chairperson confirmed that this will be the way forward. Questions for the Legal Advisor will be done when needed.
345. The Meeting was invited to adopt the Agenda of the Meeting for April 14-15, prepared by the Secretariat, as presented in UNEP(DEPI)/CAR WG.42/1. This was done as presented in UNEP(DEPI)/CAR WG.42/1.
346. The head of delegation of the US thanked the Species Working Group and the SPAW RAC for the considerable amount of work done to evaluate the species identified as a priority at STAC8 and for preparing the analysis for the SPAW RACs upcoming presentation. The US had serious concerns with the documents presented to the STAC and the proposal for listing species in the Annex of the SPAW Protocol and how they were developed. She called the STACs attention to Article 11 4 (a) of the SPAW Protocol and the procedure for submission and approval of nomination of species for inclusion in and deletion from Annexes I, II and III which were adopted at COP8. The procedures in the Protocol stated that only Parties were authorised to make such nominations. The proposal to list all parrot fish in Annex III and three large parrot fish in Annex II stated that the Working Group proposed to nominate these species.
347. The Species Working Groups proposal to add these species to the Annexes was inconsistent with the language of Article 11 4(a) of the Protocol and the 2014 Species nomination procedure adopted at COP8. The Species Working Group proposals to list oceanic white tip shark, whale shark, giant manta ray, smooth hammerhead shark and great hammerhead shark in Annex II did not indicate any party as nominating the species for inclusion in Annex II. Aside from the documents produced by the Species Working Group proposing to list these species, no Party had submitted species nomination proposals for consideration at STAC9 as evidenced by the CEP STAC9 website. These proposals from the Species Working Group were not submitted in accordance with the Protocol or the species nomination procedure adopted at COP8 and thus the STAC is not authorized to review them as species nomination proposals. Additionally, the documents were only made available to Parties 12 days prior to the STAC and fell short of the timeframe established in the procedure adopted at COP8 which requires that the proposals be submitted within four months and circulated to Parties and Observers 90 days in advance of the STAC. For these reasons, the STAC did not have the authority to consider the Working Group documents presented as proposals to nominate species.
348. The US recognized that the process was very confusing and frustrating to some Parties interested in

nominating the species in question as they would need to submit proposals over the course of the next biennium for consideration by STAC10 and COP12 to prevent confusion in the future. The US made a request of the Secretariat to actively inform Parties of deadlines to submit proposals to list species under the SPAW Protocol and to make resources such as the 2014 procedure readily available in advance of the deadlines for species proposals. They take this process very seriously as they aware all Contracting Parties do as well. Given the serious implications of listing species under the SPAW Protocol including a moratorium of all take on Annex II listed species. It was critical as a matter of convention practise that the procedures agreed to by all Parties for nominating and approving species for listing are followed.

349. States take on substantive international legal obligations when species are listed in the Annexes of the Protocol, and they need to be able to implement these obligations at the national level. In order to do this, States need clarity, consistency and predictability so that they can effectively move regulations or legislative action through their national systems. The procedures and timelines for nominating species for inclusion in the Annexes were developed so all Parties can participate effectively to make consensus recommendations on complex proposals which contain large amounts of data and supporting information. For the SPAW Protocol to operate as a functional effective treaty body we must consistently operate according to agreed upon procedures.
350. The US urged all Parties to consider the implications of setting a precedent for accepting nominations that were not submitted by a Party. Parties are the only entities that have rights obligations under the Protocol and thus the ability to list species in the Annexes is reserved for Parties. Accepting a nomination from the Working Group would expand the Working Groups powers in a way that was not intended by Parties and could be used in the future to allow other entities with no rights or obligations under the treaty to nominate species for listing, reclassification, or delisting.
351. The delegate of Colombia stated that they believed that there were two aspects to the matter, the form and the content of proposals. Colombia seconded the proposal from the Netherlands and France. She requested clarification on the decision regarding Agenda item 6. If it was not clear to them it would be difficult to proceed with the discussion for the day. For Colombia it was of utmost importance to focus on the technical proposals that have been in discussions for so many years. They also had a proposal for the inclusion of new species however the procedure needs to be clarified.
352. The Vice-Chairperson requested clarification from the Secretariat on the matter presented. However, the delegate from France and Netherlands requested to speak before the Secretariat.
353. The head of delegation of France thanked the US and Colombia as well as the Netherlands. They requested to review the past proposals submitted in 2016. In 2018, France submitted a proposal for the five species of sharks and rays that were on the agenda of the STAC. He applauded the high quality of the work conducted over several months with participants from various countries within the species working group which led to the excellent proposals on the parrotfish and on the 5 elasmobranchs..
354. The delegate of the Netherlands thanked the US, Colombia and France for their interventions. The discussions on the procedure for the species proposal were two-fold. On one hand, there was a discussion regarding the deadline for sharing the documents with Contracting Parties by the Secretariat and on the other hand there was a discussion on the Rules of Procedure regarding the nomination process. Regarding the date of submission, the Netherlands urged the committee to be very transparent in the reporting on when they apply these parts of the procedures regarding deadlines and when they do not. The point of the intervention was to share with the other Contracting Parties that the misunderstandings are due to the Rules of Procedure.

355. The Netherlands found it a bit challenging to understand how this committee could come to a conclusion to not discuss certain proposals, despite that this committee itself in the past established these Rules of Procedure with this manner of flexibility. The Netherlands shared the intervention of France that they understood the proposals to have followed these recommendations, namely that the committee in previous meetings had recommended to give further consideration to the proposals.. The proposals which had been presented were in existence in this forum based upon those recommendations. If Contracting Parties do not agree with the Rules of Procedures, then the Parties, as a committee, should recommend to the COP that those Rules of Procedures should be revised to ensure the STAC meetings do not lack clarity. However, it did not take away the responsibility of this Committee, the Scientific and Technical Advisory Committee for the SPAW Protocol, to recommend to the COP on the species nominations. The Netherlands also recommended the COP consider these proposals themselves, if this Committee decides to not provide the COP with recommendations on the proposals.
356. The Secretariat (Ms Lopez) invited the UNEP Legal Advisor to provide their interpretation of the different regulations and procedure likewise the guideline established for the nomination of species.
357. The Legal Advisor, Mr Trengove stated that Parties referred to the SPAW Protocol for the protection of the marine environment and the Wider Caribbean, specifically, Article 11(4) of the Protocol. Mr Trengove read the Article to the meeting. He pointed out that the procedure for approval of nomination of species for inclusion or deletion from Annex I, II or III, in paragraph (a) for the procedure for submission and approval of nominations, reiterates Article 11(4). Mr Trengove also referred to the Terms of Reference for the STAC Ad Hoc Working Groups, section 2.1 (the working groups mandatory tasks) indicates that the mandatory tasks are to review and evaluate recommendations (including any basis for recommendations) on proposals from Contracting Parties to add new species to the SPAW Protocol Annexes or change the status of species. In conclusion, he stated that the submission of species proposals or the nomination of proposals of species, for inclusion in or deletion from the Annexes, rest within the purview of Parties.
358. The Chairperson welcomed comments from the Contracting Parties.
359. The head of delegation of the US, thanked Colombia, France, the Netherlands for their interventions and the UNEP Law Division for enlightening the meeting on the text of the Protocol, the Rules of Procedure and the Terms of Reference. She stated that the text of the Protocol, the Rules of Procedure and the Terms of Reference supported her earlier comments regarding the STAC's authority to review the documents presented and to consider them as species nomination proposals. Regarding the history of these documents, in response to the interventions from the Netherlands and France, the discussion emanating from STAC8 and COP10, the Species Working Group had both mandatory and additional tasks specifically authorised by STAC8. Under these tasks the Species Working Group was to review, evaluate and assess specific species and a mandatory task to provide recommendations to the STAC on proposals submitted by Contracting Parties. Their tasks did not include the authority to submit species nomination proposals. STAC8 requested the Species Working Group to address as a priority parrot fish and other herbivores, whale sharks and giant manta rays.
360. The US stated that to their understanding, the Terms of Reference of the SPAW STAC Ad Hoc Working Groups also directed the Species Working Group to evaluate the status of parrot fish and other herbivores and to address as a priority, the whale shark and giant manta ray, knowing that the current assessment could result in the evaluation of the current listing. Neither the recommendations nor the Working Group Terms of Reference, specifically direct the Species Working Group to nominate species for listing in the SPAW Annexes. Doing so would contravene the Protocol.

361. The US understood that the Species Working Group would prepare assessments and recommendations on the species in question, which Parties could use as a basis for building proposals to nominate species to present to the STAC9. The US appreciated the work of the Species Working Group and did not wish to prevent the STAC from considering the Working Groups reports. The STAC could still consider these documents as the Working Groups evaluation of these species, but they do not have the authority to consider them as nominations to list species in the Annexes of the SPAW Protocol.
362. The US stated that with reference to the interventions of France and the Netherlands, some of those species were nominated by a Party for consideration at STAC8 specifically by France. However, none of the proposals presented by France were resubmitted by consideration at STAC9 and the Working Group proposals submitted to STAC9 are not the same proposals that were submitted by France to STAC8. They were entirely new proposals and were not submitted by a Party. These new proposals must follow all applicable requirements for species nominations, including the timeframes for procedures established in the Protocol and the species nomination procedure.
363. She reiterated the comments of the Netherlands regarding being consistent with the applications of all the documents including the Protocol, the Rules of Procedure and the procedure for nominating species, in order to be a well-functioning body. The US recognized the extenuating circumstances due to Covid and other issues and were willing to be flexible to consider some documents which were submitted very late and not accordance to the procedures. Due to the serious international legal implications of listing species in the Annexes of the SPAW Protocol, the US emphasised that the issue needs serious attention. When Parties are considering listing species in the Annexes, it was important to be careful and abide by the deadlines and procedures agreed to.
364. The head of delegation of France thanked the US for their intervention. Regarding time and delays there were many things to consider. A review of all the nominations of the species during all past STAC and COP has been done by the SPAW RAC and sent to all parties. That review showed clearly that the nominations made by different parties were not respecting the required 90-day timeline to which it had been referred earlier. This was also the case in the previous COP. It was important that the STAC ensured that nominations were streamlined and done according to the Protocol. The delegate acknowledged the US for their input. In the past different parties had made different nomination for species but the time limit was not respected. Despite the fact the fact that the procedure had not been followed, The STAC and COP still responded
365. France expressed the need to work on the procedure so that in the future they could be stricter and clearer and supported the earlier statement of the Netherlands and encouraged a more pragmatic approach for this STAC and the upcoming COP. There is a nomination from France on species. The technical side had changed but the nomination was still there regarding up listing of Annex II of the 5 elasmobranchs (giant manta ray, white tip shark, whale shark, smooth hammerhead, great hammerhead).
366. The delegate of the Netherlands thanked the US and France for their interventions. He specifically thanked the US for their clarification on the importance of following the Rules of Procedures for certain agenda items. Also, France for providing context as this would be a new line of the committee as compared to precedent set-in previous meetings. The Legal Advisor was thanked for his intervention however he was not clear if the intervention was concluded or if it was meant to just provide context for the discussion. He posed a question to the Legal Advisor regarding the nomination process which he failed to find in the Rules of Procedure, namely that nominations only applied to one committee meeting, and that after the committee meeting they are concluded and for the next committee meeting they must be renominated.

367. With reference to the revised criteria as was mentioned in the previous intervention, paragraph 4, sub paragraph b, and referenced by the Legal Advisor, the language implied that the committee may recommend in another way that it did not conclude the nomination but recommends to further work on it, referencing the report of the COP10 which states that regarding the species proposal at that time activities for further follow up included assessment and completion of 'existing' listings. He requested that the Legal Advisor clarify the word 'existing'. The delegate also requested clarification on the revised criteria, paragraph 4 sub paragraph b, whether or not a nomination is always concluded after a committee, or if the language existing meant that a nomination may not be concluded, and a new nomination was being discussed, or it should be renominated, or the previous nomination was being discussed.
368. The Legal Advisor, Mr Trengove, responded to the question posed by the Netherlands. He referred to the revised criteria for the listing of species in the Annexes of the SPAW Protocol and to sub paragraph b on the submission and approval of nominations of species for inclusion in and deletion of Annexes I, II and III. He proceeded to read sub paragraph b. He also referred to sub paragraph f of Article 11 paragraph b of the SPAW Protocol. Once a nomination was made in accordance with the procedures for the submission and approval of nominations, that nomination remains before the STAC until the STAC has had an opportunity to consider that nominate and decide that the nomination be moved forward to the COP. However, it does not follow that every time there was a new meeting that the nomination must be reintroduced. He referenced examples with the United Nations, regarding committees being unable to review a proposal within the time given then the committee defers the consideration of the proposal to the next meeting.
369. The Chairperson thanked the Legal Advisor for his opinion on the matter. He stated that it was clear that the rules had not been followed for all procedures. He asked the Secretariat to provide a solution to the issue presented.
370. The delegate of Colombia, requested to speak before the Secretariat. She requested that the Secretariat intervene in case there was any doubt which may come up from their proposal.
371. The Secretariat (Ms Lopez) stated they had discussed and evaluated the Rules of Procedures, the text of proposals and the Terms of Reference. It was clear to the Secretariat that the procedure was not followed according to the text of the protocol, the different legal instruments and regulations. The STAC9 was also not prepared to take a decision on the matter. The Secretariat was unable to endorse the proposals presented as they were not submitted by a Contracting Party as indicated in the Rules of Procedures as it pertains to the 90 days. They acknowledged the hard work of the working group but was not ready to accept or reject. This nomination should not remain in that way and should be put forward for consideration by Contracting Parties for further consideration at the next STAC10 for approval or rejection based on decisions of COP12. It was important for Parties to come to a consensus as it is the core of the Protocol.
372. The Chairperson agreed with the intervention of the Secretariat as it was the best way to move forward regarding the species proposals and abiding by the procedures of the protocol.
373. The delegate of the Netherlands agreed with the Secretariat that consensus was at the core of the Protocol. Perhaps the proposals could not be adopted during the STAC as it was a decision for the COP. He added that this committee recommends, and it does not decide to endorse or adopt proposals. The COP should be provided with all the information so the Contracting Parties may decide, if as a committee, they do not recommend the proposals at this time therefore the COP as they may not make an informed decision on what to do with on the proposals. He expressed concerns with the discussion and stated that the interpretation of the Netherlands, with regards to the intervention of the Legal

Division of UNEP, was different. The Netherlands understood that it appeared that the nominations were still open so that part of the Rules of Procedures have been adhered to. It also left open the part of the Rules of Procedures regarding the deadline. He closed by saying the discussion is not about adopting or endorsing proposals, it is about whether the committee will recommend the proposals to the COP.

374. The delegate of Colombia thanked the Netherlands for their intervention. The discussions were very fruitful as this would be the backbone of the work being covered over the two days of the meeting and expressed that time was being well invested. Colombia had received different emails from the Secretariat including the list of Articles. They had posed questions regarding Article 36 of the Cartagena Convention. It included a supplementary part which indicated that the Chairman would be submitting proposals on species. This question was posed to the Secretariat before, and they used the meeting forum to ask the question again. She requested that the Secretariat provide some clarity on Article 36. Colombia wished to explore different avenues to focus on the technical side so they could be better focused on the discussions on species. For many years, the species have been discussed at the STAC. Reference was made again to Article 36 and the section on the power the Chairman has regarding the proposals.
375. The delegate of the Netherlands supported the intervention of Colombia and was awaiting clarity on Article 36 by the Secretariat.
376. The head of delegation of France thanked Colombia and the Netherlands for the clarifications. He stated that he had technical issues related to sound and did not here the statement of the Secretariat.
377. The Secretariat (Ms Lopez) gave a summary of her statement. The Secretariat was of the view that the STAC, following the discussions, was not prepared to recommend to the COP regarding the rejection or approval of proposals. A possible solution would be to take into consideration the great work of the working groups at a technical and scientific level. The upcoming STAC10 meeting would allow more time for further thinking. The Secretariat added to their previous intervention that the Chair should decide on the avenue to follow for the STAC to close this item of the agenda.
378. The head of delegation of the US thanked everyone for their interventions and the Secretariat for their proposal. The US strongly supported the Secretariat's proposal to recommend that the STAC was not prepared to issue a recommendation to the COP on these proposals at this point. It was the STAC's authority, as noted by the Netherlands, to make a recommendation to the COP for their ultimate decision. The US was not suggesting previously that the STAC would not fulfil this obligation. They were suggesting that the STAC would either recommend that the STAC was not able to make a recommendation at this time or that the proposals presented to the STAC did not meet the criteria agreed to by all Parties and thus the STAC cannot recommend that the COP approve them. The US was open to discuss this further. Additionally, France earlier recognized the importance of conserving species and working together to effectively manage these species. The US recognized and supported the need for sustainably managing and conserving these species. They also recognized that regional cooperation was critical for the conservation of, specifically, highly migratory species.
379. The US emphasized that their goal was to ensure the Protocol operated as a functional and respected treaty body that effectively advanced conservation goals in the region based on consistent standards. Regarding the question raised by Colombia on Article 36, the US takes these matters very seriously and they were aware all Contracting Parties did as well. They had referenced the numerous times states had taken on very serious and substantive international legal obligations when species are listed in the Annex of the Protocol. For those obligations to be implemented at a national level, clarity, consistency and predictability was needed. Procedures and timelines for nominating species in the Annexes were

specifically developed to provide this clarity, consistency and predictability with respect to the species nomination.

380. The US stated that for SPAW to function as an effective treaty body to be well respected, it needed to operate within all applicable Rules of Procedure specifically with respect to species nomination procedures. There was no need to apply a general rule such as Article 36 when there was an applicable and specific rule therefore, they look to the specific 2014 species nomination procedure which would apply in this case. They were concerned that invoking Article 36 to review species proposals could set a dangerous precedent as they were very long and comprehensive reports. These reports were necessary when considering very serious international legal implications. It was not reasonable to expect countries could make proposals that require technical reviews and have these serious international legal implications and the type of timeframe suggested by Article 36. As a forum there exists a specific set of procedures for the species nomination process which was adopted at COP8 in 2014. The US hopes the intervention provided some clarity with regards to Article 36.
381. The Chairperson thanked the US for their intervention and formally invited Contracting Parties to consider the proposal to delay agenda item 6 to STAC10 due to the loopholes in the Rules of Procedures.
382. The head of delegation of France asked whether the STAC was going to wait two years to address the species proposals. He alluded that the Parties in fact would have waited four years due to misunderstandings in the working groups and the Secretariat. He expressed that it would not be good for the protection of biodiversity to allow two years to pass before simply looking at it. Despite the issues raised by some parties, the STAC should advance and move forward. If the Parties do not agree to take a decision in the STAC, then they need to agree within fifteen days, for example, if France can send a proposal for review at the COP. The matter should not be left unresolved.
383. The Chairperson thanked France for their intervention.
384. The head of delegation of the US expressed that they recognized that the process had been frustrating and confusing. The US strongly encouraged everyone to work on very clear recommendations for the STAC going forward and to avoid a repeat of this situation regarding lack of clarity in the future. It was important that the Contracting Parties had very clear expectations which were in line with all the existing procedures. A lot of work was achieved over the last biennium and it was important that as a body this was not overlooked. The Species Working Group provided a report on these species; though they may have not been valid in terms of species nomination proposals there was a lot of good information included in the reports. Contracting Parties who wished to nominate those species could take the information presented in the reports and use it as supporting documentation to bolster and strengthen their proposals that they would submit for the next STAC. Many of these species are listed in Annex III, there is a lot that can be done through Annex III, and Parties should not overlook this as an opportunity to improve species management and conservation measures. Additionally, the US had taken measures to conserve these species at a national level and they encouraged others to do the same.
385. The Secretariat (Ms Inness) thanked the Chair for allowing her to speak. She explained the reason for her intervention was to respond to the comments made by the delegate of France and to make a recommendation to the meeting. Ms Lopez had made points which during her recap to the delegate of France was not repeated. For the information of the meeting, the Secretariat was very late in the convening of their IGMs over the last few years and this year the IGM is even later due to the current situation. These IGMs, including the STAC meetings, should have occurred in 2020. The next STAC meeting will take place next year (2022), not in two to four years, to address some of these very important biodiversity specific issues. The Secretariat will make every effort to get their meeting

schedule back in line with what is required. If they are not able to make it to the IGM COP again in 2022 they hope that as soon as possible, after the year ends, they will have another meeting. Therefore, the STAC meeting to the Protocol would be required to be convened in 2022.

386. Ms Inniss encouraged Contracting Parties to provide very clear recommendations and guidance to the Secretariat, and the SPAW RAC, on what they would like the Secretariat to put in place in terms of improving the operations and the management processes of the Working Groups for SPAW. She acknowledged the excellent work of the working groups, but she was mindful of the concerns raised with the Secretariat regarding the operations of the working groups. The Secretariat was prepared to respond to the concerns of the Contracting Parties and that they follow the Rules of Procedure and the decisions for the COPs with respect to how the Secretariat operates. She encouraged the Contracting Parties to have the discussion and be clear on the processes required.
387. The Secretariat (Ms Lopez) endorsed the intervention of Ms Inniss. She stated that the rule before convening for the break was for the Chairperson to invite Contracting Parties to make a decision to allow for the next agenda item to resume after the break.
388. *The head of delegation of France intervention in the chat.* Thanked the Secretariat. He reminded the Meeting that the dates of the STACs and the COPs had slipped, in the past, from the dates initially envisaged. So, there is no guarantee of time.
389. The Chair requested specific recommendations on the issue of the species so that the Secretariat could make it operational to avoid mistakes on the topic in the future. He requested that Contracting Parties make specific recommendations for the COP to be sent to the Secretariat.
390. The delegate of the Netherlands thanked the Secretariat for their clear remarks on the interventions. The Netherlands strongly supported the position of France. He stated that the nomination procedure had been adhered to for certain species. With regards to the discussion on the Rules of Procedure pertaining to deadlines, the Netherlands found it important that this committee was consistent. They understood that Contracting Parties had varying positions and that recommendations by the STAC9 and the decisions of the COP may have implications if it was decided that the Rules of Procedures were not applied then it implied that the Rules of Procedures did not form the basis of this committee anymore. The COP would decide whether to adopt the proposals and the Netherlands felt that the current disagreement and the unclarity on the nomination procedure would have two outcomes: either to postpone discussions to the next STAC, or that the discussions are held in this meeting. He invited other Contracting Parties to decide how the discussion can be concluded and how the Rules of Procedures are interpreted.
391. *The delegate of the Netherlands made an intervention in the chat.* For the information of the Contracting Parties during the break. The report of COP10 regarding species proposals states: "Further follow-up included [...] completion of the existing listings".
392. The Director of SPAW-RAC (Ms Pivard), invited the Meeting to review the report of the meeting two years ago to assist with deciding how they wished to conclude the current discussion. The report includes a long discussion on rules provided by the Secretariat that were followed according to their understanding of them then.
393. The Chairperson thanked the SPAW RAC for their intervention and acknowledged the great work of the working group and stated that everyone was of the same view that it was very important to protect these species. He emphasized that it was important to continue working on the Annexes. He invited the Contracting Parties to adopt the motion to close the discussion. For STAC9 it was proposed to continue

discussion on the species.

394. The head of delegation of the US thanked the Netherlands for their intervention. She stated that it was not the interpretation of the US that the procedure was followed, their interpretation of the Legal Advisors review of the applicable procedures to suggest the opposite. She stated that there was no consensus as to whether the appropriate and applicable procedures for the process was followed. The STAC8 recommendations and the decisions from COP10 do not suggest that work was deferred on decisions for proposals presented to STAC8 instead it notes that a working group was to be created to evaluate the species and did not suggest that the proposals to STAC8 would remain open for further consideration by STAC9. Furthermore, the documents presented to STAC9 were completely new documents and not building on or appended to the previous proposals. The task of the Working Group was to evaluate those species so one means of potentially using the Working Group's information to support the proposal would be for a Contracting Party to take some of the elements of the report of the Working Group e.g. the analysis and use that to build on a proposal to nominate a species. It would be the Contracting Parties obligation to submit a proposal with supporting information and it would not be the Working Groups authority to provide supporting documentation on proposals.
395. The Chairperson thanked the US for their intervention. He requested again that Contracting Parties send specific comments and references, like the intervention of the US, to the Secretariat in writing to allow for rigorous follow up.
396. The Chairperson reconvened the meeting following the break and requested that Contracting Parties second the motion to close the discussion and move on to the next agenda item. He reiterated that an effort would be made to stick to the timeline of the agenda.
397. The delegate of Colombia thanked the Chairperson for the opportunity to speak. They expressed that they knew the meeting was going to develop the way it was proceeding. The meeting was reminded that Colombia had requested in writing to the Secretariat for clarity on Rule 36 and received no response. However, they are working with the working group and will continue to do so until the next STAC meetings.
398. The Chairperson thanked Colombia for their intervention and kind words. The Chairperson requested again the meeting to second the motion for approval. As there were no further requests from the floor the Chairperson approved the motion for the discussions to conclude. He opened the floor for discussions to begin on the day's agenda items and to simplify the procedure to include critical species to the list.
399. The Secretariat (Ms Lopez) requested that the floor be opened to Contracting Parties to discuss agenda item 6 part II, develop priorities and strategies, regional management of species nassau grouper, sawfish, sea turtles, sharks and rays. Also, to discuss a simplified procedure for listing critically endangered species.
400. The Chairperson reiterated the intervention of the Secretariat.
401. The delegate of the US (Ms Koyama) thanked the SPAW RAC and the Species Working Group for the considerable work that took place during the biennium. They thanked the SPAW RAC for producing the comprehensive report of the Working Group activities and discussions. The Species Working group was commended for its work on Task 4, from the Terms of Reference of the Species Working Group. She proceeded to read the Terms of Reference to the Meeting. The US believed that regional collaboration for the conservation and management of wildlife was the cornerstone of the SPAW Protocol and in their view developing targeted recommendations to improve the implementation of the

SPAW Protocol for the priority species in the species groups is a productive and valuable use of this body's time and resources.

402. The US participated in the Species Working Group and actively participated in the development of the management recommendations on sawfish, nassau grouper, sea turtles and sharks and rays. They supported the overall intent of the recommendations presented in INF.24, 35, 38 and 39. They noted that the recommendations in the management documents covered a wide range of potential actions, some of which were directed to the SPAW Parties, some to the SPAW Secretariat and/or the SPAW RAC and some of the actions have potential budgetary implications and it is sometimes not clear who would undertake those tasks. It was best to advance the good work already done under Task 4 and to carry the momentum forward for improving the implementation of the SPAW Protocol.
403. For these species the US provided their proposal that the STAC establish either sub-groups of the Species Working Group or dedicated separate working groups to facilitate progress on implementing the recommendations of the Species Working Group under task 4 for the sawfish, nassau grouper and sea turtles. It was their vision that these Species Working Groups or subgroups could review the recommendations in INF.25, 38 and 39 and develop a workplan and a suggested means of implementing the recommendations including defining any potential financial implications and present the workplan to STAC 10 for its consideration.
404. They also suggested that a Drafting Group could work with the Secretariat and the SPAW RAC to update the Terms of Reference to reflect the new subgroups, their mandates and tasks. The US had drafted some potential text which the delegate read to the Meeting and would also submit to the Secretariat and the Rapporteur in writing. With regards to sharks and rays, they proposed two potential recommendations which they read to the Meeting. They welcomed comments from Contracting Parties.
405. The Secretariat (Ms Lopez) requested that Contracting Parties send their recommendations in a written format for inclusion in the draft recommendations.
406. The head of delegation of France thanked the US for their intervention. Regarding agenda item 6, he requested that Contracting Parties examine each of the themes to be reviewed and mention the timeframe of when these proposals would be accepted. He emphasized the need to be strict regarding procedures, all measures, the timeframes and being consistent. It would be only on certain measures to be strict or rigorous depending on the direct link to that measure. He requested that the Secretariat recap the discussion.
407. The Secretariat (Ms Lopez) responded to the question of France. She stated that the current discussion was on the development of priorities and strategies of regional management for some group of the species. The US made an intervention on behalf of the United States. She understood that it was not a proposal but an item that was proposed for discussion during the upcoming intercessional period. It called for establishing two working groups to address specifically this group or species at the next biennium. Ms Lopez stated that she was open to correction on her statement.
408. The Chairperson thanked the Secretariat and asked France if there were satisfied with the response.
409. The head of delegation of France responded that the response from the Secretariat did not answer his question entirely.
410. The Chairperson clarified the issue explained by France was with regards to agenda item 6 and not the recommendation made by the US. He stated that he was not clear on which part of the discussion was not understood by the delegate of France and it was possibly the entire discussion. This was confirmed

by France. He recommended that the information should be sent in written form and suggested that the decision that was taken following the break should be repeated. He went ahead and repeated the decision. To close off the agenda item the Chair requested a motion to adopt the discussion on species to be transferred to the COP. The Secretariat would make their best effort within the timeframe to fulfil the tasks and mentioned that everything in the annexes would be worked through.

411. The head of delegation of France asked if the Secretariat will take up the mandate of these species proposals.
412. *The Observer of SeaLife Law (Canada), Olga Koubrak, made an intervention in the chat.* She thanked the Chairperson for the opportunity to participate in the forum. She requested to make a brief written statement on behalf of SeaLife Law, Shark Advocates International and WIDECAS. They supported the proposal made by the US to establish separate working groups or sub-groups for the purposes of advancing the implementation of the recommendations aimed at improving conservation and management of sawfishes and sea turtles. The recommendations developed by the Species Working Group target urgent threats facing these endangered species and provide a roadmap for coordinated regional actions - critical for the protection of these highly migratory species. Their organizations would welcome the opportunity to assist SPAW RAC with the activities of the proposed working groups.
413. The Secretariat (Ms Lopez) requested that the Chairperson repeat the conclusion that took place after the break.
414. The Chairperson told the Meeting that the Contracting Parties had to approve the motion of moving to STAC10 and COP11 on the matter of the species. The Secretariat would make every effort to abide by the regulations and timeframes previously established to allow for rigorous work for the STAC to move on with regards to the species. The Chairperson closed the session, and the Meeting moved on to task 4 of the agenda.
415. The delegate of the Netherlands expressed that he needed clarification on the discussion which he thought he understood earlier regarding the statement that the Secretariat would take some tasks to the COP. It was not understood how the Meeting could move forward, also in future STAC and COP meetings, if there was still disagreement on whether or not the procedures were adhered to. With regards to the intervention of the US, regarding their recommendations and proposals on the dedication of a subgroup, the Netherlands requested that SPAW Secretariat and the SPAW RAC share their views on this.
416. The Netherlands considered the species proposal as essential to the Protocol. If the proposals were closed for discussion during STAC9 then it is very important that they will be discussed at the next STAC. It may occur that the lessons learned from this STAC was not heeded to despite the significant work done by the SPAW Secretariat and the SPAW RAC. He requested to know the SPAW RACs view on this matter.
417. The Chairperson made a request of the Secretariat to work rigorously to ensure that procedures were observed. It was discussed that the Contracting Parties would propose the timeframes for documents to be submitted and read. He thought it was understood that the motion for discussing item 6 was approved. The Secretariat was invited to clarify the discussion thus far.
418. The Secretariat (Ms Lopez) expressed that she understood and shared the concerns of the Chairperson. The agenda item 6, of the first part of the meeting, was approved and closed. In the IGM it was not the way of working to opening and closing items. The meeting needed to focus on the development of

priorities and strategies (task 4) of the agenda and options for simplified procedure for the listing of critically endangered species.

419. The Chairperson thanked the Secretariat for their intervention and asked for the support and cooperation from the Meeting. The Chairperson invited the Contracting Parties to make specific comments on marine mammals and the network of marine mammals following the SPAW-RAC's presentation.

AGENDA ITEM 6: REPORT OF THE SPECIES WORKING GROUP (including Marine Mammals)

420. The Secretariat invited the SPAW RAC to open the Marine Mammals discussion. The Director of SPAW-RAC, Ms Pivard requested Ms. Géraldine CONRUYT, Marine Mammals Coordinator at SPAW-RAC, to present the work done in the framework of the SPAW protocol on marine mammals during this last biennial.

421. Géraldine CONRUYT began by specifying that the marine mammals experts of the STAC *ad hoc* Working Group on Species met three times in 2020, and the major outputs of their work were:

- i. The draft of the *'Toolkit for implementing marine mammal watching guidelines in the Wider Caribbean Region'* (UNEP(DEPI)/CAR WG 42/INF.32)
- ii. The reviewed and underlined the quality of the *'Scientific and technical analysis of the current state of implementation of the Regional Marine Mammal Action Plan (MMAP) under SPAW'* (UNEP(DEPI)/CAR WG 42/INF.29, Addendum 1)
- iii. Finally, as requested by the STAC8, the marine mammals experts of the STAC *ad hoc* Working Group on Species clarified the list of cetaceans listed in annex 2.

422. To respond to the workplan and to fulfil with STAC8 recommendations, SPAW-RAC had designed and implemented the three-year (2019-2021) project CARI'MAM (Caribbean Marine Mammals Preservation Network). Currently, CARI'MAM is a diversified and functional network of more than 200 actors from 71 organizations involved in the conservation of marine mammals in the WCR region.

423. Géraldine CONRUYT informed that the major output of the CARIMAM project were:

- i. The *'Scientific and technical analysis of the current state of implementation of the Regional Marine Mammal Action Plan (MMAP) under SPAW'*. This report updated the status of the main threats to marine mammals in the region and assessed the progress made by countries in the implementation of the Marine Mammal Action Plan since its adoption in 2008. Highlights of the report's regional analysis were used to develop final recommendations for the region.
- ii. For operational purposes aimed at highlighting the main information and recommendations which result from it within the context of the broader marine mammal programmatic work within the SPAW programme, SPAW-RAC drafted an analytical synthesis (UNEP(DEPI)/CAR WG 42/INF 29).
- iii. Thanks to the information provided by the SPAW Focal Points, SPAW-RAC drafted the *'Current Status of Legislation on marine mammals protection in the WCR'* (UNEP(DEPI)/CAR WG 42/INF 39 Addendum 2).
- iv. SPAW-RAC conducted work on a regional certification scheme for sustainable whale-watching and on the legal instruments that could be suitable to frame it. These works build upon UNEP guidelines (A review of the national regulations on marine mammal; A review of marine mammal watching best practices; A review of marine mammal watching regulatory instruments, and workshops conducted with practitioners of the WCR (CARI'MAM workshops). (UNEP(DEPI)/CAR WG 42/INF 31 Addendum 2). Finally, SPAW-

- RAC produced a synthesis of the outputs from the STAC *ad hoc* Working Group on Species and from CARI'MAM, and proposed recommendations to support sustainable marine mammals watching in the WCR (UNEP(DEPI)/CAR WG 42/INF 31).
424. In the framework of CARI'MAM, SPAW-RAC co-organized and moderated three workshops in Guadeloupe in 2019, DR in 2019 and the month of CARI'MAM in 2021. During these workshops, participants worked on MPA management plans and tools, development of sustainable whale watching, bycatch, data, communication strategy or scientific protocols.
425. A part of SPAW-RAC's website was developed and dedicated to marine mammal conservation practitioners and stakeholders.
426. SPAW-RAC have contributed to the funding of communication and education tools, including a very well-made free video game available in three languages on the website of the association 'My School My Whale'.
427. Finally, as requested by Focal Points during the pre-STAC meetings, SPAW-RAC drafted a proposal regarding the major recommendations for marine mammals, built from the documents provided for the STAC 9, and presented here to facilitate the discussion. The proposal was entitled, ***Recommendations to strengthen marine mammal conservation in the Wider Caribbean Region*** (UNEP(DEPI)/CAR WG.42/CRP.1) and is available on the UNEP website.
428. The Meeting was invited to provide comments on the proposals and make recommendations to the SPAW COP11 in July in 2021.
429. *The head of delegation of France made an intervention in the chat.* He thanked the SPAW RAC for their presentation on Marine Mammals. He suggested that a presentation on elasmobranch species would be very welcomed.
430. The delegate of Colombia (Ms Gonzalez) thanked SPAW-RAC for their presentation. The delegate stated that Colombia presented some comments in the pre-STAC regarding the documents of the management status of marine mammals at the Colombian Caribbean level. Colombia made a request to SPAW RAC in December and again in March and would like the SPAW RAC to be able to review them and give an answer to those questions.
431. *The delegate of Aruba, Ms. Wouters, made an intervention in the chat.* Aruba stands behind adapting the MMAP and endorses the establishment of the MMRAN. Aruba has started the process to acquire funding for enhanced protection of 6 dolphin species during stranding events and consistent data collection of these species and they have shown consistent data gaps.
432. The delegate of the US (Ms Koyoma) thanked the marine mammal experts of the Species Working Group and the SPAW RAC for the considerable amount of work completed on marine mammals over the past biennium. Considering the volume of documents that were presented to STAC9, they have struggled with how the SPAW Contracting Parties would be able to synthesise all the information and provide and agree on a useful set of recommendations from the STAC.
433. The US noted that each of the marine mammal documents submitted to the STAC contained its own set of recommendations, some of which were reviewed and considered by the marine mammals experts of the species working group. Many of the recommendations have unknown budget implications. They thanked the SPAW RAC for their effort to suggest some potential recommendations coming out of the documents just presented and presented in the document CRP.1.

434. The US expressed concern that the attempt to pick and choose, amongst all the recommendations included in the marine mammal documents presented to the STAC, prior to understanding the budgetary implications as well as undertaking a prioritization exercise would result in a set of recommendations that does not necessarily reflect the most important or the most useful actions. Implementing such recommendations would be an inefficient use of resources.
435. The US noted that document INF.29 Add.1, which was the “*Implementation of the Action Plan for the Conservation of Marine mammals in the WCR: a Scientific and Technical Analysis*”, was a very comprehensive review which had several substantive and thoughtful recommended actions for enhancing marine mammal conservation and the implementation of the marine mammal action plan. In our view the document demonstrated a need, both for Parties to fully implement the marine mammals action plan and the need to update the marine mammal action plan in light of the findings in the technical report.
436. The US believed that revising and updating the marine mammal action plan, which was now over 10 years old, was a much-needed task and would be a productive and useful endeavour for the marine mammal experts of the species working work to undertake over the next biennium. They proposed a recommendation and read it to the Meeting. They saw the value in exploring an idea for a marine mammal Regional Activity Network or RAN which was considered in INF.23 and they could support a recommendation as stated in that paper. She read the recommendation to Meeting.
437. The US thinks focusing work on the two key tasks which would be updating the marine mammal action plan and developing a proposal to establish the marine mammal RAN would lay a very solid foundation for strengthening the implementation of the protocol for marine mammals in the future. The US welcomed comments from Contracting Parties on how STAC9 can come away with useful recommendations on marine mammals.
438. France welcomed the possibility of developing either a network, a regional activity centre, a Working Group or simply the mandate to be given to the STAC to implement this RAN as soon as possible.
439. The delegate of the Netherlands thanked the representative of the US for their intervention and presentation and to France for their intervention. The Netherlands supported the information paper as significant effort had been put into preparing it collaboratively with the US, France, SPAW RAC, SPAW Secretariat and external Parties. It was important to share with all the Contracting Parties that the document may have been submitted late but it did not contain any technical details or obligations. It was still the recommendation to pursue and work out a proposal with all that information so that at the next STAC Contracting Parties could make a recommendation on the exact form of a marine mammal RAN.
440. The Netherlands advised that in drafting the proposal the Contracting Parties made use of the knowledge that already existed because the proposal for a marine mammal RAN was the formalization of an informally existing network that already held a lot of knowledge. It was important that they made use of the knowledge that existed in the current RAN within the Protocol which was WIDECAS. The Netherlands advised and invited the SPAW-RAC to ensure that input from such parties was also included. He proceeded to read the information paper document regarding the recommendations.
441. The head of delegation of France mentioned to the Meeting that his colleagues from the Agoa Marine Mammal Sanctuary were present.
442. *The delegate of Belize, Ms Vivian Ramnarace made an intervention in the chat.* Belize also supports

the updating of the regional plan and the establishment of the marine mammal RAN.

443. *The new observer from the Caribbean Cetacean Society (Martinique), Mr Jeffrey Bernus made an intervention in the chat.* A Local NGO endorsed the Idea of a RAN and desires to participate in any working group to assist in the development of the RAN building.
444. *The Observer from of Lightkeepers (US), Ms Vail made an intervention in the chat.* As an observer, and co-author of the marine mammal technical report, they supported the creation of a Marine Mammal RAN and requests their ongoing participation in any working group established to facilitate its creation and formalization.
445. *The Observer from AWI (US), Ms Susan Millward made an intervention in the chat.* As an observer and marine mammal expert member of the Species Working Group, she requested to be included in any working group established to facilitate creation and formalization of a marine mammal RAN.
446. *The Observer from Monitor Caribbean (Canada), Ms Monica Borobia made an intervention in the chat.* As co-author of the MMAP technical report, she thanked all for constructive comments received on the report and as an observer and marine mammal expert member of the Species Working Group she requested to be included in any working group established to facilitate formalization of a marine mammal RAN.
447. The Chairperson stated that the head of delegation of France required the Agoa Sanctuary to intervene.
448. The delegate of France, Laurie Hec, Head Director of Agoa Marine Mammal Sanctuary stated that the Agoa Sanctuary was recognized by the Protocol in 2012 and worked on the CARI'MAM project. She reiterated the statement of the head of delegation of France regarding the fact that it would be a shame to let go of the efforts of the CARI'MAM network by pushing back the creation of a RAN. The CARIMAM project is ongoing, but it should conclude by year end (2021). Therefore, a RAN would be an excellent idea. The Project Manager also spoke. He mentioned that the Agoa Sanctuary worked with the Netherlands, France and the US, among other countries, as mentioned by the French delegate, and this is a good time to continue with building the network. The representatives also thanked the US and the Netherlands who are also at the origin of the proposal.
449. The delegate of Colombia thanked the Parties for their interventions. They subscribed to the interventions from France and the Netherlands. They also supported and were interested in participating in the discussions and Working Groups as they were of the view that they were relevant.
450. *The delegate of France, Ms Phenia Marras of the French Biodiversity Agency intervention in the chat.* She highlighted the interest expressed by the CBD Secretariat on the results of the CARI'MAM networking activities. The French Biodiversity Agency (OFB) is supporting CBD - Sustainable Ocean Initiative (SOI) and CARI'MAM regional cooperation and partnership is recognized as a SOI aligned action.
451. The Chairperson told the Meeting that the Contracting Parties could continue working based on the documents they had received and based on the discussions so far.
452. The Director of SPAW-RAC Ms. Pivard requested that her team member share the last slides of their presentation. She expressed that given the success of the CARI'MAM project, SPAW-RAC and several Caribbean partners are looking for pursuing the work initiated, reinforcing the network, and developing links with fisheries stakeholders. To this end, a new project entitled HAMMAC for ***“Human Activities and Marine Megafauna Across the Caribbean”*** have recently been submitted. Ms. Pivard recalled

that CARI'MAM, as well as the possibly upcoming HAMMAC project (see dedicated document), were designed to answer the previous workplans and recommendations from previous STAC and COP and are needed to support SPAW RAC.

453. The Chairperson mentioned that the Netherlands was asked by the Secretariat to do a brief presentation on a Marine Mammal RAN. He asked the Netherlands if the request still stood as a proposal as he (the Chair) had to manage the time left for the meeting.
454. The delegate of the Netherlands responded to the Chair that his presentation was not needed anymore, as the intervention from the US contained a presentation of the Marine Mammal RAN information paper.
455. The Chairperson invited the Contracting Parties to review the proposed recommendations on marine mammals to take advantage of the time left to make them more precise. He invited the Secretariat to make an intervention.
456. The Secretariat (Ms Lopez) thanked the Chairperson and provided two options (1) to conclude the meeting and requested that recommendations be sent in writing for the draft to be produced (2) Review the topic of marine mammals. There were already five recommendations which could be reviewed so that it would not have to be reviewed on the second day of the session.
457. The Chairperson opened the floor to the Parties to decide on their preferred option. He suggested reviewing the recommendations to allow for a faster process and to take advantage of the remaining time.
458. The head of delegation of US thanked the SPAW RAC for their presentation. She also thanked the Netherlands, France, Colombia and other countries for their interventions as well as the comments from observers in the chat. They raised that the recommendations which were up for discussion are those proposed by the US, the Netherlands and any other countries she may be missing, and not the recommendations that came from the SPAW-RACs presentation. Contracting Parties have had a chance to consider those recommendations presented in the SPAW RACs presentation and the ones that they decided to pursue.
459. The US already suggested the language and to have the Netherlands and some other countries, to perhaps work with what Contracting Parties have identified as priorities. In response to the SPAW RACs comments, she thanked Ms. Pivard for raising HAMMAC and some other projects which could probably be discussed on the second day of this session under the agenda item workplan and budget. There was a great deal of confusion over the course of the last biennium on how the external projects are integrated into the SPAW Workplan and budget and how they are responsive to the priorities identified by Contracting Parties through the recommendations of the STAC and the decisions of the COP. She assumed that everyone agreed that the work of the SPAW Protocol and the SPAW subprogramme on a whole need to be directed by Contracting Parties through the STAC and the COP. Anything being done that falls under the SPAW umbrella should be per the Contracting Parties recommendations and decisions.
460. The US understood that there were severe constraints on resources and so they appreciated and welcomed the support from externally funded projects as they have proven to be a valuable means of implementing the priorities that were identified in the meeting. She emphasized the need for it to be a very ground up process where Contracting Parties provided guidance and the direction and identified priorities of what they would like to see carried out. The SPAW RAC and Secretariat could identify means of implementing those recommendations and decisions through externally funded projects and

where the priorities of externally funded projects may not align with the objectives of the Contracting Parties of the SPAW Protocol then that work should not happen under the umbrella of the SPAW subprogramme.

461. The SPAW RAC, in particular, it was understood, was welcome to pursue external projects that were not requested by the STAC but in those instances documentation from those projects should not be presented to the STAC for any kind of endorsement or approval for further action. They could always be presented as background information and for Parties to consider and if a Party identified something that they wanted to bring into the STAC and the COP then they could do so. She reiterated the need for the workplan and budget to be a ground up and inclusive process and recommended how it could be developed collectively for the next biennium.
462. The suggestion would be for the Secretariat to begin the process of the Workplan and Budget for the next biennium as soon as possible and to incorporate the views from the Working Groups, Contracting Parties, the observers and for a collective discussion to take place as a sub programme on some of the priorities and how previous recommendations can be implemented together. The SPAW Workplan and Budget should be looking to implement the recommendations and decisions from the STAC and the COP.
463. The Chairperson thanked the US for their intervention and acknowledged that their comments had been noted.
464. The delegate of Colombia thanked the SPAW RAC for their presentation and the delegate of the US for their intervention. Colombia was a part of the Rapporteur group, and they have a series of recommendations to make. They would send their recommendations to the Secretariat as well to the representative of the Netherlands as they were a part of the support group when it came to building the set of recommendations.
465. The Chairperson asked the Secretariat to respond to the question of Colombia.
466. The Secretariat (Ms Lopez) requested that Colombia send their conclusions from the previous comments during the presentation of the first meeting.
467. The Chairperson clarified to the Secretariat that Colombia was asking if they could send their recommendations to the Secretariat. They requested that Colombia confirm.
468. The delegate of Colombia confirmed that they wanted to share, possibly at the end of the meeting, some of their remarks to the Secretariat and Netherlands as Rapporteur of the group.
469. The Chairperson thanked Colombia and asked if it was now clear on their request to the Secretariat.
470. The Secretariat (Ms Lopez) responded that they were going to take note of all the recommendations and modifications requested. This would be as draft number three to be written and presented on the second day of this session.
471. The Chairperson thanked the Secretariat and Colombia for their intervention.
472. The delegate of the Netherlands stated that one of the aspects that would have to be discussed in the second session was the nomination of the experts in the Working Groups. In the first session of the STAC it was mentioned that the deadline to nominate experts to Working Groups would be in the second session of the STAC. He requested that tomorrow and, in the future, the meeting should look

at the agenda items that were the core of the STAC, agenda items that Contracting Parties felt were very important. It was of utmost importance that an outcome is achieved. He still believed that an outcome was not achieved, and it was not the correct decision to complete the discussion without an outcome.

473. The Chairperson thanked the delegate of the Netherlands for their intervention.

474. The head of delegation of the US requested to comment on a point raised by the Netherlands which was an important point for clarification regarding how the nomination of experts to the Working Group would work. The US indicated that their proposal was for the Secretariat and the SPAW RAC, with participation of Contracting Parties and others, as appropriate, to review the working group terms of reference in light of all of the recommendations from the STAC and that this could be done after the COP. Some of the terms of reference may need to be reviewed and revised, they should wait to issue a call for nominations of experts to participate in the working groups until after the review of the Terms of Reference has been concluded. Once there was a revised term of reference for the working groups and a clear path forward for them, then the Secretariat and the SPAW RAC could issue a call for Contracting Parties and others, as appropriate, to nominate experts to sit on the working groups.

475. She also suggested that the US could identify or propose a number of recommendations related to marine mammals. She believed the Netherlands suggested some potential changes to those or additions, so her proposal was that those recommendations that have been put forward by Contracting Parties, pertaining to marine mammals, should be the basis of our work moving forward. If any other Contracting Parties had marine mammal recommendations they wished to raise, they should be considered as well. She concluded that she just wanted to clarify the marine mammal recommendations they were currently working with.

476. The Chairperson thanked the US for their intervention.

477. The Director of SPAW RAC (Ms. Pivard) apologized and stated that she did not hear the intervention of the delegate of the US in its entirety and requested that she repeat her intervention.

478. The head of delegation of the US thanked the Chairperson and Ms. Pivard. She summarised her intervention in response to the Netherlands question of when the nomination of experts was needed.

479. Ms Pivard thanked the delegate of the US for repeating the intervention. The Terms of Reference required precise tasks discussed to be presented for their next STAC. They needed to have experts confirmed by the STAC. If the Focal Points wished to wait until after the COP, she asked if they needed, to stop any work of the working groups and recalled the Working Groups functioning is for the STAC to decide and that this include to have experts nomination quickly, the experts lists to be reviewed for validation and also next tasks to be discussed as the next biennium may allow less than one year of work again if STAC10 is confirmed in 2022

480. She brought to the attention of the meeting that they still had not presented the report of the Species Working Group as the time was used for procedural questions. The SPAW RAC, would like to know, , if the meeting would wish to hear also about the significant work of the working group regarding the management of the species as a lot of work was conducted by the experts and improving the management of Species already listed seemed to be a very supported task by the Parties during last STAC8.

481. The Chairperson thanked SPAW RAC for their intervention.

482. The delegate of Colombia thanked the US for their intervention and for clarifying the working group issue. They asked the meeting if they would like to add anything to add to what the US said. They wanted to remind everyone that tomorrow in recommendation 4.5 the discussion would be on working groups or the creation of new working groups. Colombia provided some considerations in this regard as they were very active in the expert groups, and they thought it was important to review the Terms of Reference because in the last few years there has been a very low participation of Spanish speaking countries. She also thanked the observers for participating.
483. The Chairperson thanked Colombia for their intervention. He mentioned that it would be important for all the Parties to deliberate on the topics that were discussed as well as the recommendations proposed today. He called on countries like Aruba and Barbados that there were all invited to offer their opinions on recommendations for the COP.
484. The head of delegation of France thanked Colombia, the US and the Netherlands for their comments as well as comments from other parties. France had already requested many times that more than two experts could be nominated for the working group. This was rejected up until now and he expressed that he was glad to see that the US has brought the subject up again.
485. Regarding priorities, he mentioned that different priorities cannot be stated. The work plan should be reviewed to be able to provide collective priorities. There were a certain number of recommendations made however there were procedures that needed to be followed and monitored. He asked the Secretariat if this was done within the procedures. With regards to working groups he was pleased to hear his colleagues calling for a greater application in the working groups because sometimes the work of the working groups lead to nothing and it is important to encourage the application of their work. The Secretariat with the member states were going to be able to apply the work that had been carried out to the COP which is to take place in June.
486. The Chairperson thanked the delegate of France for their intervention. He mentioned that the delegate of France posed a question to the Secretariat and asked Ms Lopez if she took note of the question. Ms Lopez responded that she did not as she did not interpret it as a direct question for the Secretariat. She asked the delegate of France to repeat the request.
487. The head of delegation of France repeated his question regarding the procedure. A certain set of recommendations were made during the meeting. He asked if it was done within the procedures on how recommendations should be issued. He expressed that he found it interesting and feasible to be able to do this but requested, from the Secretariat, a reminder of what the procedural rules are concerning issuing recommendations.
488. The Secretariat (Ms Lopez) thanked the delegate of France. She provided a response. The recommending Parties were assigned different tasks which took the form of recommendations for the COP so that they could be adopted. That was the procedure for this type of process as the discussion was on internal procedures of Terms of Reference of Working Groups. There was a rule that stated that the STAC and working groups matters have to be discussed during a STAC meeting and not during the COP. She expressed that she would like the Contracting Parties that what they recommend can be referred to the COP only if the COP accepts. They would be compiling all the recommendations that were shared in the meeting. The recommendations needed to be specific, and they must be submitted in writing to the Secretariat so that they could be presented on day two of this session.
489. *The delegate of Aruba, Ms. Wouters, made an intervention in the chat.* She stated that Aruba had nominations for working groups and they have had participation of candidates for species in the past. These remained the same. For a Protected Area they had one nomination. Furthermore, they await the

document to present for revision.

490. The delegate of the US (Ms Koyama) responded to a comment by the SPAW-RAC. The US had stated their view on the relationship between externally funded projects and the recommendations and decisions of the SPAW STAC and COP. She wanted to acknowledge some of the tasks that Ms. Pivard referred to. The US proposed another recommendation that could perhaps address some of what the SPAW RAC was referring to. That recommendation would read:

- i. Recommend the SPAW Sub-Programme, to include the Secretariat and SPAW-RAC, enhance coordination and communication with regional fisheries bodies to enhance conservation and management of species listed in the Annexes of the SPAW Protocol.

That would be a broad recommendation to work on coordination with regional Fishers bodies that are working on actions related to SPAW listed species.

491. The Chairperson thanked the US for their intervention.

492. The head of delegation of the US made a quick point of clarification regarding comments in the chat about a document that might come from the US regarding their proposal for how Contracting Parties, the SPAW RAC, the Secretariat and other participants as appropriate could review and update the terms of reference. The US had no plans to circulate a document for how this could be done. They were suggesting that the Secretariat through the SPAW-RAC could convene a drafting group to collectively review and update the terms of reference and this is already reflected in the draft recommendations that the Secretariat circulated a few days ago. This would be under recommendation VIII called Working Groups and there was a little bit of chapeau language followed by three points of recommendations, and she read the first two. She stated that they may require a bit of tweaking based on the discussion today, but she wanted to draw the Contracting Parties and others attention to that draft recommendation that was available for everyone to decide on how they could proceed with providing this and updating the terms of reference.

493. The Chairperson thanked the US for their intervention. He asked the Secretariat if they were going to allow observers to speak. The Secretariat (Ms Lopez) confirmed yes. He also requested that delegate of the Netherlands as Rapporteur to present a summary to the Meeting regarding the reflections on marine mammals to provide a general idea of the recommendations mentioned.

494. The Observer from Lightkeepers (US), Ms Vail stated that as a long-time observer to the SPAW Protocol for over 20 years, she was concerned about the integrity and the value of the Protocol and appreciated the continuing opportunity to participate in this forum. She expressed she wanted to provide two points, a reflection and a clarification. She mentioned that in 2005, as a member of the drafting group of the original marine mammal action plan a standing marine mammal working group was established and was in existence for some time. She stated that it begged the question whether a separate marine mammal working group should be established separate from the subgroup under the Species Working Group considering the daunting tasks that had been proposed including the revising and updating of the original marine mammal action plan. She requested clarification on whether that might have been appropriate to re-establish that standing Marine Mammal Experts Working Group.

495. Regarding the reflection, she stated that she endorsed the conclusions and spirit of the comments of the Netherlands and France regarding Agenda item 6. She reiterated that the role of the STAC was to make recommendations based on the science and the data presented as this was a technical body. For some of the species, the working group enhanced information to support the standing species proposals. For other species new information was presented like for the parrotfish. She was aware that they continue to defer any discussions at the next STAC, or perhaps the next COP, related to this additional technical data that had accumulated over the last two years. There was a decision that perhaps the consensus

would not be reached around the data or the merits of those standing proposals. However, she was not sure that's actually true because that discussion never happened. Furthermore, many of the parties present today were not part of that working group.

496. Therefore, from her vantage point some recommendations could be made and including any outstanding weaknesses of the species proposals. She also recognized and endorsed the US comments that national action should occur regardless of what annex the species are listed upon. She suggested that even recommendations, on the merit of the proposals and the additional scientific data, should occur in this meeting so that those proposals could be refined and acted upon by the COP. She stated that the easiest solution was always to push it off to another working group or another year and she reminded everyone that they were there to evaluate proposals and to make recommendations to the COP using best available data. That was the role of the STAC.
497. The Chairperson thanked Ms. Vail for her intervention. The Chairperson pointed out that they touched on the topic based on timeframe. Species must be preserved, and it was not arguable and was clear. The discussion today was on procedures which was very significant. He requested to hear from the Rapporteur on the summary of the session.
498. The head of delegation of France stated that France was aligned with the comments of Ms Vail. He stated that discussions were ongoing for quite a while on these species. France reiterated the fact that the results of this working group was not shared on fish. He highlighted that the fish was largely absent from the discussions for e.g., parrotfish. A high level of scientific work was done with high quality articles including high level experts and it would be important to hear a summary from this working group at least tomorrow if possible. Contracting Parties should not be prevented from hearing this summary because it was the conclusion of all of the work that had been conducted and given.
499. The Chairperson thanked the delegate of France for his intervention and requested that the Rapporteur representative from the Netherlands provide a summary.
500. The delegate of the Netherlands, as Rapporteur, read the summary of the draft recommendations to the Meeting.
501. The Chairperson thanked the delegate of the Netherlands in his capacity as Rapporteur for reading the summary to the meeting and generally for his work in that regard. He also thanked the Vice-Chairperson for his collaboration and the Parties for your dedication and your consideration.

SESSION II: SPAW STAC9 MEETING - APRIL 15, 2021

502. The Chairperson welcomed everyone to day two of the second session of the STAC meeting. He saluted and thanked each one of the participants, his Vice Chairperson, Gonzalo Cid, and the Rapporteur for their remarkable work. He thanked them and to everyone for taking great strides in the journey towards the SPAW Protocol. He sent greetings from the DR as well. The delegate of Aruba requested to speak.
503. The delegate of Aruba (Ms Wouters) thanked the Chairperson for the opportunity to speak. She mentioned that the discussions yesterday were very well rounded. There were two points that were of interests for Aruba because they would have national consequences. These were regarding the recommendation that member states enhance and report the progress on implementation of protection and management of sharks and rays. The other one was recommendation to start a sub program that would enhance collaboration with fisheries agencies.

504. For Aruba on a local level this had some constraints mainly due to them not having the infrastructure to have continuous monitoring of fisheries activities. This was also reflected in their local legislation with regards to nature conservation which prohibited the species that were on the SPAW annexes. This meant that in Aruba they did not manage species that might be important for fisheries as they do in countries, such as the US or the Netherlands, where there were size limits quotas and seasonal closures. Because of this there was friction when it came to working with fisheries agencies and organizations in Aruba. This had led to times where the laws are not enforced or not adhered to and these issues are further exacerbated by politics in regard to data collection and sustainable management of fisheries.

505. With regards to the setup of a subprogram, to enhance collaboration with fisheries institutions, they would like to propose that there be support from regional institutions such as CANARI to highlight and research the constraints and participation of local fishermen and users of these resources to highlight the importance of livelihoods to stimulate marine stewardship from local entities and to enhance governance by perhaps providing recommendations for co management and or similar systems last such as locally managed marine areas that are seen elsewhere in the world. This would result in perhaps enhanced data collection and amendment of the current nature laws that exist to fully protect species that are on the SPAW annexes. Aruba would not be able to adhere to further reporting on the species and their amounts that were caught per year without addressing this human resource infrastructure constraints. They strongly suggested that, in such as a program that there was regional support. She concluded that those were the two points of attention for the recommendations posed yesterday. Regarding the other recommendations Aruba supported them.

506. The Chairperson thanked the delegate of Aruba for their proposal.

507. The delegate of the US (Ms Koyoma) thanked the Chairperson for the floor and Aruba for their remarks. She expressed that it was very informative to hear their perspective and wanted to provide clarification. The recommendation proposed was for the SPAW Secretariat and the SPAW-RAC to enhance their coordination with regional fisheries bodies to work on cooperative measures with other regional fisheries bodies that are working on species listed in the SPAW annexes and management and conservation measures for those species on behalf of SPAW.

508. The Chairperson thanked the delegate of the US for their intervention.

AGENDA ITEM 9: EMERGING ISSUES (Ocean Acidification and Stony Coral Tissue Loss Disease [SCTLD])

509. The Meeting was invited to consider relevant emerging issues such those relating to ocean acidification and Stony Coral Tissue Loss Disease (SCTLD).

510. The Chairperson announced that the first presentation was from Alicia Cheripka, Program Analyst with the U.S. National Oceanic and Atmospheric Administration (NOAA) Oceanic and Atmospheric Research International Activities Office, to present on NOAA's Efforts to Address Ocean Acidification in the Caribbean (UNEP(DEPI)/CAR WG.42/INF.20).

511. Ms. Cheripka gave a brief overview of ocean acidification in the region and NOAA's efforts to address the issue. These include collaborating with existing monitoring programs (including the U.S. National Coral Reef Monitoring Program), using satellite measurements and models in the Ocean Acidification Product Suite (OAPS), and collecting in situ observations (transects) using NOAA cruises and ships of opportunity. She noted that there have been two NOAA cruises since 2007, and there is another planned for 2021. Ms. Cheripka highlighted NOAA's numerous long-term studies and measurements of the chemical progression of ocean acidification, studies on biological impacts, and NOAA's contributions

to data portals such as the NOAA OA Data Stewardship, which is open access and has been critical for researchers in the region.

512. Ms. Cheripka, on behalf of NOAA and the US, encouraged further engagement with the Global Ocean Acidification Observing Network (GOA-ON) and The Ocean Foundation on capacity building trainings and information sharing workshops. She recalled the past efforts and benefits of these groups in the region, including expanded ocean acidification monitoring capacity through the distribution of “GOA-ON in a Box” kits and training on quality data collection and management. The GOA-ON in a Box kit is a low-cost kit that contains all of the lab equipment, chemicals, and sensors needed for collecting ocean acidification measurements of sufficient quality for use in models. GOA-ON in a Box kits have been distributed to scientists in Ecuador, Mexico, Argentina, Colombia, Panama, and Jamaica.
513. The Chairperson invited Ms. Dana Wusinich-Mendez, Atlantic and Caribbean Team Lead for NOAA's Coral Reef Conservation Program, to present on NOAA's Strategy for Stony Coral Tissue Loss Disease Response and Prevention (UNEP(DEPI)/CAR WG.42/INF.14).
514. Ms. Wusinich-Mendez gave an overview of Stony Coral Tissue Loss Disease (SCTLD), noting that it affects approximately 30 species of stony corals including the primary reef-building species in the Atlantic-Caribbean region. The disease has a very large geographic range, is highly prevalent in susceptible species, spreads rapidly, and often lead to colony level mortality.
515. Ms. Wusinich-Mendez shared information on NOAA's work to address SCTLD domestically and in the Wider Caribbean through: co-leading organized local response efforts in affected U.S. states and territories; funding local and national response coordinators; leading coral rescue efforts to preserve genetic material for future restoration, developing treatments; conducting research to identify pathogens and vectors; facilitating the sharing of experience and information across the Caribbean region and; working with partners to build capacity for SCTLD prevention, detection, and response.
516. Ms. Wusinich-Mendez provided an overview of the NOAA SCTLD Strategy and the SCTLD Caribbean Cooperation Team. The NOAA SCTLD Strategy aims to: expand capacity to respond to the disease outbreak in the Atlantic-Caribbean region; support timely, efficient, and effective action to slow the outbreak by unifying regional efforts under a NOAA response framework that is national in scope; and prevent and prepare for the potential spread of SCTLD to the Indo-Pacific region. NOAA co-leads (with AGRRA) the SCTLD Caribbean Cooperation Team as part of Florida's response to SCTLD. The team works to: partner with regional networks and initiatives to track disease spread and distribute information; share lessons learned from ongoing response efforts including intervention and treatment techniques; share key informational products for distribution in the region; build capacity for SCTLD detection and response in the region; and identify potential resources to support detection and response activities in the Caribbean region.
517. Finally, Ms. Wusinich-Mendez noted that outstanding priority needs that the SPAW sub-programme could support include: (1) coordination with the shipping community through the IMO and RAC-REMPEITC to address ballast and biofilms as potential disease vectors and (2) capacity building, including funding, for Caribbean countries and territories to support SCTLD detection and intervention/treatment.
518. The head of delegation of the US made an intervention in the chat. The NOAA Strategy for Stony Coral Tissue Loss Disease Response and Prevention is included in the STAC9 documents as INF.14. It was also available here: https://coast.noaa.gov/data/coralreef_noaa_gov/media/docs/NOAA_SCTLD_Strategy_2020.pdf.

An executive summary was available here:

https://coast.noaa.gov/data/coralreef_noaa_gov/media/docs/2020_SCTLD_Handout.pdf.

519. The Chairperson thanked NOAA for their presentations. He stated that they were very relevant for our region and for the work that was being done within the realm of our Protocol. It was important that we keep fostering the relationship between the Protocol and NOAA. He suggested that it would be a good strategy to create a Spanish summary of the presentations to share with the Spanish speaking Parties. These two topics were very important when speaking of economic and conservation activities. The Chair opened the floor to the Parties for their questions and comments.
520. The head of delegation of France thanked the US for their presentations. These were very important subjects on coral reefs. France had taken some action on the SCTLD but he reminded everyone that there were many other threats to coral reefs. For example, consideration must be made for the parrot fish species as they were very important for the survival of coral reefs and were undergoing many different threats. He repeated a request from the meeting yesterday, for Contracting Parties to receive a report on the species working group. He reminded everyone that the SCTLD was a very important issue for France. A lot of action had been taken on the ground by the state and they were ongoing. There was not only that threat but also the parrot fish species which we have to take into account the threats that they're under as well.
521. The Chair thanked the delegate of France for his remarks.
522. The delegate of the Netherlands thanked the US for their presentations as they were very helpful and important and expressed that the issue of SCTLD was one that was very relevant in their waters. He stated that he fully endorsed the intervention of France and would still welcome a presentation on the work of the Species Working Group.
523. The Chairperson thanked the Netherlands for their intervention. He gave the floor to the Chris Corbin of the Secretariat to speak.
524. The representative of the Secretariat (Mr Corbin) thanked the Chairperson and advised the meeting that he also represented the Secretariat but from the perspective of the Land Based Sources of Pollution (LBS) Protocol. He felt it was important to respond to a few of the of the issues raised in the presentation by NOAA which were very important, not only just for this purpose of the SPAW Protocol Parties but also for the Parties to the oil spills and LBS Protocol. Firstly, he highlighted that they endorsed the recommendation about partnership through the Regional Activity Centre (RAC REIMPETC) in Curacao working on issues of ballast water and oil spills. Just earlier this year the Secretariat was able to mobilise resources for a webinar to present information about the potential links between ballast water discharge and the SCLTD. They do think, if the Parties deemed it appropriate, that a recommendation that goes towards enhancing and strengthening those linkages is very much appropriate.
525. He also indicated on behalf of the Secretariat, earlier this year, the SPAW and LBS Protocol were able to mobilize resources from the Government of Sweden. Some of those resources were used to support the webinars that RAC REIMPETC held but they also used some resources to partner with the Gulf and Caribbean Fisheries Institute (GCFI) to prepare a summary information technical paper concerning SCLTD in the region. They were not able to finalize the technical paper in time to present at the STAC but proposed that the paper would be used as information background documents for the COP for their review. He stated that it was not being presented for any particular decision-making process but just to inform Parties of the activities that were ongoing. His final point was directed to the colleagues from NOAA on the role of citizen science. He asked if there was an opportunity to enhance the roles of

citizen science in monitoring as far as SCTL D in particular. This was an opportunity, given the regions limited resources, that could be explored. He thanked the Chair and concluded by stating that the two issues presented on ocean acidification and SCTL D are two issues which he believed involved both Parties of the LBS and SPAW Protocol and offer an opportunity for closer integration between the subprograms.

526. The Chairperson thanked Mr Corbin for his intervention. The Vice-Chairperson stated that Mr Corbin posed a direct question to Ms Wusinich-Mendez and requested that she be allowed to answer.

527. Ms Wusinich-Mendez of NOAA responded to the question posed by Mr Corbin. She confirmed that citizen science was playing a significant role in the monitoring for the detection of SCTL D. Many places, to address this issue of a lack of capacity for the disease, were working with stakeholders in the scuba diving community to provide training on disease detection to provide them with resources. NOAA had created a series of field identification cards to help discern between SCTL D and other things that that might look like it for e.g. like coral bleaching and how it's different. If adequate training was provided, then citizen scientists could play a large role in helping to track the spread of the disease. With regards to treating the disease it might be more challenging to train citizen scientists adequately and have the confidence in the treatment application. However, monitoring was certainly playing a huge role in many places across the region.

528. The Observer from The Ocean Foundation (US), Alejandra Navarette. thanked the Chairperson for the opportunity to dialogue as an observer and to participate in the second day of the SPAW STAC meeting. The Ocean Foundation reaffirmed its commitment to the region and the countries, to work on Ocean Acidification, reiterating the recommendations on the SPAW STAC 8th meeting and the adoption of the resolution of the COP 15th. of the Cartagena Convention. They have an MOU in place with the Caribbean Environmental Program to work on this issue and they propose to pursue a larger project with the contracting parties and look jointly for funds. They proposed to work on the science with ocean monitoring and capacity building, with partners like NOAA and with the countries on legislation and policy.

529. The Chairperson thanked Ms Navarette for her remarks.

530. The Observer from AIDA (Mexico), Camilo Thompson, thanked the Chairperson, the Secretariat and all the member states for allowing them the opportunity as observers to take the floor. He mentioned that action was needed on SCTL D. The issue was very important as was also mentioned by the Netherlands and France. It was important to tackle the most pressing issues amongst the species populations. He explained there were possible solutions to address the problem however was a need for immediate action in a preventive and quick way due to issues of climate change and ecosystem degradation. He stated that he was happy to hear of the decisions being made to delay the depletion processes. It was understood that different countries had discrepancies, and they had needs so there was a need to act more rapidly and to allocate resources that were focused on addressing monitoring needs. They were aware of the shared responsibilities therefore there needed to be an answer to the problem and an outcome as well.

531. The Chairperson thanked Mr Thompson for his intervention.

532. *The delegate of the DR (Ms Lysenko) made an intervention in the chat.* , They congratulated the intervention of the NOAA, and informed the meeting that the DR was working on the issue of SCTL D disease by conducting monitoring in different locations of the country, training stakeholders in the identification of the disease, with the collaboration between the Vice Ministry of Coastal and Marine Resources and the RAD (RED Arrecifal Dominicana), a public-private alliance that groups together

several NGOs that work on the issue of conservation of coastal and marine resources

AGENDA ITEM 10: DRAFT WORKPLAN AND BUDGET OF THE SPAW SUBPROGRAMME FOR THE 2021- 2022 BIENNIUM

533. The Chairperson invited Contracting Parties to have an exchange and give their input on the “Draft Workplan and Budget of the SPAW Subprogramme for the 2021-2022 Biennium” (contained in document UNEP(DEPI)CAR WG.42/3), prepared by the Secretariat on the basis of the recommendations of previous STAC and COP Meetings, as well as on the outcome of activities of the 2019- 2020 Workplan for SPAW and other relevant emerging regional and international issues.

534. As there were no immediate requests from the floor, the Chairperson invited the Secretariat to provide their input.

535. The Secretariat (Ms Lopez) reminded Contracting Parties that the presentation on the Workplan and Budget was done during the first segment of the STAC9. She invited the Contracting Parties to assist the Secretariat and the SPAW RAC to enhance how they draft the Workplan and Budget aiming to follow the objectives and needs of the SPAW Protocol. Unfortunately given the experiences in the past, they did not make it in advance to be presented with participation of Contracting Parties. They welcomed the suggestion that was made by some of the Contracting Parties, this is done for example at the LBS Protocol, and it was appreciated as it was a lesson learnt. The Secretariat would like to reflect what the Contracting Parties wished to see streamlined with the objectives of the Protocol, the resources and also the collaboration of the different partners. The Secretariat confirmed receiving recommendations that were incorporated in the draft recommendations that was received by Contracting Parties in Spanish and English and would shortly receive in French. If Contracting Parties did not have recommendations available verbally, she stated that there was also discussion within the drafting group calling for a group to recommend for the Secretariat to review the changes requested by some Contracting Parties before April 30 and for that group to be established so that the inputs can be fully streamlined.

536. The Chairperson requested that the parties provide their comments.

537. The head of delegation of the US expressed appreciation for the presentation on the Workplan and budget presented by Secretariat and the SPAW-RAC last month. They recognized there were some elements of the Workplan and Budget that were a bit confusing and there were few pieces that, as they are currently drafted, are a bit concerning. The Workplan and Budget was the foundational document for the Secretariat and the SPAW-RAC and would guide the work of SPAW subprogram over the course of the next two years. For this reason, it was really critical that Parties understood the Workplan and Budget including all of its implications. She provided some suggestions on how the document could be strengthened and referred to Ms Lopez statement regarding how comments provided by Contracting Parties could be incorporated into the Workplan in a very transparent manner to ensure that everyone was on the same page going into the COP.

538. There were a few sections of the draft Workplan and Budget that was particularly concerning because they seemed to prejudge some of the outcomes of this STAC9 meeting. The US strongly suggested that these sections be revised to appropriately reflect the outcomes of STAC9. There were a few other sections that seemingly directed Contracting Parties to take certain actions, which was a bit confusing because the Workplan and Budget outlined the work of the Secretariat and SPAW-RAC and did not direct Contracting Parties. Therefore, modifying the language in these instances would probably be a relatively quick solution.

539. The US was concerned that as the document was currently presented it seemingly prioritized the objectives of some externally funded projects over the implementation of the recommendations and decisions coming out of the SPAW Protocol and of the STAC and the COP. Therefore, they suggested that these sections be rewritten after STAC9 to be remodelled after the STACs recommendations. The US strongly suggested that there needed to be better effort over the course of the next biennium to integrate STAC and COP recommendations and decisions as well as the work of the working groups throughout the course of the next Workplan and Budget. The US prepared a set of recommendations for the STACs consideration which she proposed to read if the Chairperson allowed.
540. The Chairperson thanked the delegate of the US for their intervention. and stated that she could read the draft recommendations.
541. The head of delegation of the US read the recommendations to the meeting as well as proposed recommendations to the COP.
542. *The Observer from AIDA (Mexico), Camilo Thompson, made an intervention in the chat.* In 1981, the Governments of the region urged the United Nations Environment Programme to assist them in safeguarding their coastal and marine resources, which are the basis for the future economic and social development of the region. During the Intergovernmental Meeting that year in Montego Bay, under the auspices of the United Nations Environment Programme's Regional Seas Programme, the states of the Wider Caribbean unanimously concluded that the only way to solve the critical issues faced by marine ecosystems in the region was by adopting an integrated, cooperative and regional approach.
543. The Chairperson thanked the delegate of the US.
544. The delegate of the Netherlands stated that he was not able to hear the intervention of the Secretariat but was able to hear the intervention of the US. He requested that the Secretariat summarize her presentation on the Workplan and Budget. He responded to the intervention made by the US stating that he fully agreed with their proposal for the 2023-2024 Workplan and Budget to be circulated to the Contracting Parties before the STAC for input at the COP. However, he had some concerns with the suggestion regarding the forming of a drafting group to provide inputs to the COP after the STAC. They suggested to be careful in setting a precedent in which after these kinds of fora, Contracting Parties will bilaterally provide inputs on these documents which will lead to the COP having multiple versions of the new Workplan and Budget, which may be new to several Contracting Parties. This will make it difficult to make decisions and would also negatively impact the sense of equality within the Protocol, as not every Contracting Party will have sufficient opportunity to review the new versions of the Workplan and Budget. The Netherlands looked forward to the interventions by other Contracting Parties with their views on this.
545. The Chairperson thanked the delegate of the Netherlands for their intervention. He requested if the Secretariat could kindly summarize her presentation.
546. The Secretariat (Ms Lopez) summarized her presentation. The Secretariat acknowledged that given this opportunity, the SPAW and SPAW-RAC, prepared the Workplan and budget without engaging with Contracting Parties. They appreciated the experience from the LBS Protocol, where they learnt that they followed another course of action. In the future they would be more than willing to follow this proposal to have full engagement before drafting the Workplan and Budget. They welcomed the recommendations from Contracting Parties and were willing to provide, and aimed to enhance, the Workplan and Budget to fully reflect and streamline the objectives of the Cartagena Convention and to follow the course of actions that Contracting Parties guide the Secretariat to follow-up.

547. The Chairperson thanked the Secretariat for summarizing her presentation and asked the delegate of the Netherlands if he was satisfied with her summary. The delegate of the Netherlands responded no in the chat as he again could not hear her, but that would like to intervene later on in the meeting.
548. The head of delegation of France thanked the Chairperson. He thanked the Secretariat for summarizing their presentation and the US and the Netherlands for their remarks. He stated that he would appreciate if the Secretariat could make a more substantive presentation of the Workplan. With regards to creating the working group before April 30, that was mentioned several times in both meetings. This idea was accepted even noting the reservations of the Netherlands on creating a working group. France would like to create a working group on an issue e.g. species that has led to some disagreement as a consensus was not reached. He expressed his view that the working group should be put in place before the COP or by April 30 to work on the species or provide a solution. He was not sure about the position of Colombia and the DR as not every state had expressed their position. He called on the support of the Contracting Parties to work collectively and consensually as it was currently not the case.
549. The Chairperson thanked the delegate of France for their commitment towards the efforts made on the regional platform. He acknowledged the specific question to the DR. He responded that on April 14 a meeting was held which reviewed agenda item 6 and Parties discussed procedures and timeframes. As far as he was concerned all Parties agreed on postponing the discussion on the item in order to follow procedures and the agenda of the meeting. Opinions were not expressed but they welcomed the decisions of the majority. This was to make a proposal. The DR acknowledged the importance of the species and the pressure under which they live and how endangered their habitats are. There was no doubt that was a pressing issue that the Protocol needed to address. However, a decision was made following the meeting. The DR respected the view of France and think that they had every right to express them however a decision was made, and they wished to abide by the decision which was done in consensus with other Parties.
550. *The Observer from Foundation for Development Planning Inc (US Virgin Islands), Mr Gardner made an intervention in the chat.* He stated that he was not sure why the Secretariat was being required to solicit input of Parties to the preparation of the workplan and budget, when there was a related requirement for obtaining input from Parties prior to the STAC. Those requirements impose constraints and burdens on the Secretariat, and review prior to the STAC should be sufficient. The same applied to the recommendation requiring input from the Working Groups.
551. *The delegate of Aruba (Ms Wouters) made an intervention in the chat.* She stated that Aruba supported the Netherlands and France in the discussion.
552. The delegate of the Colombia saluted the Secretariat, the Chairperson, the Vice-Chairperson and the rest of the Parties. Regarding the Workplan and Budget, as the Secretariat mentioned, this was presented at the first session of the STAC Meeting and was submitted in the first set of recommendations. She mentioned that in line with France's comments, they wanted to reiterate the importance of procedural regulations. They inquired on the outreach of the Protocol, the comment made by France, lead them to speak on this. They requested that the Secretariat formally reply to their emails. They wanted to reinforce the activities performed in the different countries. In Colombia sometimes there were national Focal activities but there was lack of communication. There was a need to strengthen synergy with projects and activities that were taking place. The PROCARIBE programme was important including the budget and the financial aspect which were also relevant. They called for an inclusive and equitable distribution of tasks and budget across the region and requested that Contracting Parties reflect further. Colombia had insisted on the implementation of strategies so that Spanish Speaking countries could be efficient. She noted the low participation of Spanish Speaking countries and expressed that they want

it to be a priority and they want to be included.

553. The Chairperson thanked Colombia for their intervention.

554. The delegate of the DR (Ms. Lysenko) stated that they had multiple representation in the meeting as there were two representatives. Jose Mateo her colleague represents coastal marine areas. Her focus was on the analysis that they were performing from the Vice Ministry and stated that they were joining efforts on national representation. She commented on the Workplan stating that the way it was viewed was ambitious. She mentioned a comment from a previous SPAW meeting and a Cartagena meeting 2019. The concept, development and efficient management of Protected Marine Areas as a category of Marine Protected Areas (MPA). In the past a proposal was developed and the Workplan included some of these aspects. They were working on it along with other regional initiatives like the *Biological Corridor of the Caribbean* and attended workshops over the past few days. In that workshop they came up with a definition of a marine area in the region. She shared her concerns with the regards to the Workplan, for e.g., when it came to the creation of MPAs in North America there was a very clear definition of the concept while elsewhere in the Caribbean the definition of the category was considered a little bit weak. It was important that the proposal was to present this and to share this with the SPAW Protocol for its further discussion and maybe for its further inclusion in the Workplan for the next period.

555. *The delegate of the DR (Ms Lysenko) made an intervention in the chat.* They supported the proposals of the US regarding the revision of the Work Plan and the aspects of inclusion and consensus.

556. The delegate of the Netherlands thanked the Chairperson and the representatives of Colombia and the DR for their interventions. He expressed that he had two comments on the Workplan and budget. He agreed with the comments of the DR and thought them to be very important. The Workplan and budget was not always clear. It was important that at the start of the Workplan and Budget, to make it very clear and transparent, how the SPAW Secretariat and the SPAW RAC were directed for the different activities. He supported the comments of France on the Working Groups and the comments of Colombia. He reiterated that there was no consensus yesterday about removing or ending the discussion on the contents of the species proposals. As mentioned earlier in this meeting today, he thought it was still important to have the presentation by the SPAW-RAC on the Species Working Group and the discussion on the contents of the species proposals. The Netherlands supported the proposal of France to have a Working Group of Species to still provide the COP with sufficient information to allow them to make a decision.

557. The Chairperson thanked the delegate of the Netherlands for his intervention.

558. The head of delegation of France thanked Colombia, DR and the Netherlands for their interventions. France aligned themselves with the statement from the Netherlands regarding no consensus. France agreed with the comments of Colombia that the Workplan and Budget was ambitious, but they thanked the Secretariat for their proposition. They reiterated the proposition they made as well as other states, that the responsibilities of the Secretariat or the SPAW-RAC be clearly stated. France supported the Netherlands and Colombia on having a formal response from the Secretariat regarding the procedure on the nomination of species or provide a solution on what the Working Group could do to find a solution for the Species. He thanked everyone for their comments and acknowledged the quality work being done by each state even if there is no agreement however there is a real will to change and improve things.

559. The Chairperson thanked the delegate of France for his intervention. He mentioned respectfully that during the session on April 14, Contracting Parties discussed for two hours agenda item 6 and believe

that there was a consensus in how they were going to proceed. There were some Parties who did not give their vote or speak but gave consensus to delay agenda item 6. The Chairperson had made every effort to make documents as accessible as possible and to touch of items not specified in the agenda. Parties did not express disagreement with continuing the meeting. It was also stated yesterday that Parties could take action within their countries to ensure that whatever Annex these species fall in they can try to preserve them in their countries. He requested that Parties respect the decisions made at yesterday's meeting. He requested that the Secretariat address some of the concerns expressed by the Parties however the Contracting were given first preference to speak. He stated that there was an intervention in the chat from Aruba. He requested that representatives to be brief and concise.

560. *The Observer from AWI (US), Ms Millward made an intervention in the chat.* She stated as a long-time observer to this Protocol, she wanted to lodge her support for the interventions relating to the species listings made by France and the Netherlands and supported by Aruba. Specifically, regarding nominations for species listing, it was her recollection that such nominations were made by Parties, and that the Species Working Group was merely tasked with undertaking evaluations of the listing proposals. This was made clear by France yesterday and it was confirmed by the UNEP lawyer that such proposals are carried over from meeting to meeting if not resolved.

561. *The delegate of the Netherlands made an intervention in the chat.* In the discussion on consensus, we were talking about two distinct topics:

- i. Consensus of whether or not the procedures were adhered to,
- ii. Consensus on whether or not to talk about and discuss the proposals on its content. The Netherlands, France and Colombia are mentioning this second part.

562. *The Observer of Lightkeepers (US), Ms Vail, made an intervention in the chat.* She stated that as a long-time observer, member of several expert working groups including species, marine mammals and exemptions working groups, she endorsed the comments by the France, Netherlands, and the SPAW RAC regarding the importance and legitimacy of reviewing the data from the species working group in support of the original standing species proposals by France and the Netherlands that are still active. Consensus about the data itself was not required for critical review by the STAC.

563. The head of delegation of the US thanked the Chairperson and the delegates who provided interventions. She first addressed comments regarding the Workplan and budget. The US intent in proposing that the Secretariat could convene some type of drafting group following this STAC and before the COP was in the interest of transparency and inclusivity. They wanted all Contracting Parties to have equal opportunity to provide input and understand how it will be addressed. The Workplan and budget was not developed collectively, and they did not have an opportunity to provide comments during the drafting process. A number of Contracting Parties and others have provided very insightful advice and recommendations on how the Workplan and Budget could be streamlined and improved.

564. The US thought it was in everyone's interest to understand how the comments provided during this STAC would be incorporated. It was their understanding that Secretariat and the SPAW-RAC would take into account all of the recommendations that have been made during the STAC and revise the Workplan and budget before it is submitted to COP. She suggested that perhaps it would also be helpful if the Secretariat could circulate the tracked changes version of the document because it is anticipated that it would change based on the STACs recommendations.

565. She also responded to a question that was in the chat regarding some of the proposed or suggested recommendations for the STAC to provide input into the drafting of the Workplan and budget in the next biennium. She stated that there might have been some confusion with their proposal that the STAC

could provide input after the meeting in comments and then convene as a drafting group to strengthen the Workplan and Budget for the 2021-2022 biennium. Looking forward to the future the Secretariat could solicit input from Contracting Parties and the Working Groups when they were in the process of developing the draft Workplan and Budget for the 2023-2024 biennium which she thinks overall would really help build a collective and transparent process like how the Workplan and Budget is created for the LBS Protocol.

566.Regarding the discussion on species, the US cautioned against forming any kind of Working Group to do any further work on the documents presented to the STAC. She stated that creating a drafting group to advance work on these reports would only further confuse what was seen so far because as it was noted that the authority to submit nomination proposals and supporting documentation was on Contracting Parties.

567.Regarding the consensus issue the US presented their view and stated that the draft recommendations did note in the chapeau that there was a lack of consensus regarding whether the assessments presented by the Species Working Group for the species that we've discussed were appropriately submitted for consideration by STAC9. Due to the fact that there was this lack of consensus there were some proposed recommendations for the COP to consider. The US wanted to flag this for Contracting Parties consideration that it did not seem that the recommendations were suggesting that there was consensus on that specific issue but due to the lack of consensus the STAC makes certain recommendations.

568.The Chairperson thanked the US for their intervention.

569.The delegate of Colombia thanked France and the Netherlands for mentioning the participation of Colombia. She stated that Colombia had sent inquires to the Secretariat on two issues they wanted to focus on: procedures and technical issues. It was mentioned that technical discussions took priority over other discussions at the STAC meeting. They had a lot of doubts and concerns about Article 36. She asked if recommendations to documents were to be discussed during the STAC meeting or as it was mentioned. She was aware that recommendations could be received after a STAC meeting and asked if there was a deadline to receive comments.

570.The Chairperson thanked Colombia for their intervention.

571.The head of delegation of France thanked the Chairperson and the Netherlands. He reiterated his comment earlier that there was no consensus. France and the Netherlands had clearly stated their opposing positions with Colombia as well who had expressed their concerns and the necessity to discuss the content. He thanked the US for their concern regarding following the procedures, but they are very concerned about the content and that they did not reach a consensus.

572.The Chairperson thanked the delegate of France for his intervention. He requested that the Secretariat respond to the questions of the Contracting Parties.

573.The Secretariat (Ms Lopez) thanked the Contracting Parties for their interventions. She acknowledged the interest of Contracting Parties for the wellbeing of the Caribbean Ocean, the species and the conservation management of the ecosystems. She also acknowledged the Rules of Procedures and the text of the Protocol which is the guiding instrument that was ratified and confirmed by Contracting Parties. She confirmed that yesterday there was no consensus and due to the lack of consensus and because there was no agreement it was deferred to STAC10, and this will be confirmed during COP11. She emphasized that in the past there was time to discuss these issues however this was currently not the case. There would be no consensus because some Contracting Parties disregarded the Rules of Procedures as well as the text of the Protocol which was clear. Ms Lopez proceeded to read a few lines

of the text to the meeting. She responded briefly to some of the questions asked by the Parties.

574. With regards to the low participation by Spanish Speaking countries, Ms Lopez stated that these countries were not excluded and were always welcomed however participation was voluntary. The low participation may be due to the lack of capacity or lack of personnel on a national level. With regards to the upcoming PROCARIBE Project, she invited Contracting Parties to play an active role and perhaps seek the legal way how it could be a part of the mandate of the Cartagena Convention Secretariat. With regards to what all Contracting Parties agreed on specifically providing a clear distinction between the SPAW RAC and the SPAW activities, this was welcome and very important to address and could be one of the inputs that was provided to the Workplan.

575. She agreed that the Workplan and Budget was very ambitious and requested guidance from the Parties. In the past it was just accepted as presented however the Secretariat welcomed the engagement and responsiveness of Contracting Parties as well as having targets and indicators included. She explained that the presentation on the Workplan and budget would not be repeated. Regarding the absence of the presentation yesterday on the Species Working Group, this was due to lack of consensus on whether the proposals would be approved or not approved, it would not be possible to discuss the topic, and therefore it was decided by the Parties to defer to COP11. She concluded that the Secretariat had taken into consideration the concerns of the Contracting Parties and they would be making the effort over the next biennium to ensure successful implementation of the Protocol and the sub programme with participation of the Contracting Parties.

576. The Chairperson thanked the Secretariat for her summary and addressing the concerns of the Parties. He moved on to the next agenda item 11, Any Other Business. He invited Mr Chris Corbin to present on two aspects *The Strategy of the Cartagena Convention* and *The Format for Report Elaboration*.

AGENDA ITEM 11: OTHER BUSINESS

577. The Chairperson invited Mr Chris Corbin of the Secretariat to present on the CEP Strategy and the Format for Report Elaboration.

578. Mr Corbin thanked the Chairperson for the introduction. He provided a brief background of the CEP Strategy. Contracting Parties welcomed the Strategy but requested from the Secretariat additional time to provide comments and feedback. This was provided intercessionally. A short-term consultant was hired to incorporate the feedback of the Contracting Parties. The final updated draft will be updated with the next week and will be presented to the COP11 for their formal adoption. His presentation outlined how the CEP Strategy was developed and how it responded to the key emerging concerns highlighted by Contracting Parties.

579. Initially they are looking at a ten-year strategy for the Secretariat. He provided the geographical scope and stated that there were two members of the CEP that were not yet Contracting Parties to the Convention, Haiti and Suriname. The Secretariat works closely with those countries to have them become Contracting Parties.

580. Mr Corbin provided the overall vision and mission of the Cartagena Convention its work and action plans. Based on the comment by Colombia, he highlighted the role of the CLME+ Project action plan and the Gulf of Mexico action plan as being relevant to the work of Cartagena Convention and the Protocols given the work on marine pollution and biodiversity.

581. The Strategy has a well-defined objective which focuses on enhancing and strengthening the role of the Cartagena Convention Secretariat, the RACs the Partner Agencies as well the Contracting Parties to

fulfil their mandate in support of the Convention and the Protocols with a focus on SDG 14.

582. Mr Corbin mentioned that they had introduced a more inclusive term of all the partners and instruments they have as a Convention. There has been a greater effort over the last biennium for greater integration between the work of the SPAW sub program and the AMEP sub program on pollution. It was not an all-inclusive list but showed that they recognized these strategies and how they all supported Contracting Parties in meeting their obligations.
583. He highlighted the link between the bureaus, the committees, the working groups, the RACs, the Secretariat and the critical role of all the country Focal Points. As expressed during the discussion so far for the SPAW STAC, perhaps there is a need for a clearer understanding of the working relationship between all the various instruments/groups. The Strategy recognizes that these are important instruments to deliver the work of the Secretariat and they welcome and the continued contribution by Contracting Parties as to how it could be enhanced and strengthened.
584. They took the opportunity to build on an approach being undertaken by the UN Environment Programme in how they are defining their medium-term strategy. As a Secretariat they see themselves supporting three main programmatic areas that are consistent with current Protocols: pollution, biodiversity and ecosystems and maritime issues. There are key aspects cross cutting across the three thematic areas the issue of: governance, advocacy and communication and the circular and blue economy which allowed them to be strategic to take opportunity of new funding that may be available from global and bilateral partners.
585. He explained the three core areas: knowledge management and communications, pollution prevention, reduction and control and marine biodiversity management. He noted that based on the discussion and feedback from Contracting Parties under the original draft strategy, the aspect of governance has emerged as an important topic and as a Secretariat they felt it was important to include an objective related to governance and ocean-based economies.
586. The Strategy tried to present a definition of the strategic objectives. For e.g., there had made changes to make the language more direct and referred to the importance of integration of sustainable resources. He highlighted objective 4 which referred to the governance framework and how can we strengthen the institutional policy and legal frameworks. This aspect of governance is a critical one for the Secretariat and would allow them to position themselves as to the ideal framework that would facilitate cooperation but also greater support to the Contracting Parties.
587. He outlined that some of guiding principles of the CEP Strategy are consistent with the Convention document as well as in the Protocols. It also includes some of the emerging areas that have been highlighted in the global agenda specifically discussions on the post 2020 biodiversity framework.
588. One of the major objectives for the Secretariat is that as they may not have the resources or a mandate to do everything, however they see themselves as having an important role in catalysing and enabling being very strategic in how they use their programmes projects and activities to assist Contracting Parties in meeting their obligations under not only SDG 14 but other SDG goals.
589. Mr Corbin briefly spoke on the projects which are being strategically used to support governments in the region and Contracting Parties in meeting their obligations. There is not always a 100 percent match. As a Secretariat they get involved with those projects that are consistent with the mandate provided to the Secretariat by Contracting Parties.
590. He brought Contracting Parties up to date with the progress being made to finalise the new CEP Strategy

and look forward to the Contracting Parties making their comments and feedback and informed them the Consultant may contact their Focal Points. He expressed that he looked forward to it being discussed further and being adopted at the upcoming COP.

591. The Chairperson thanked Mr Corbin and asked him about the proposal to create reports.
592. Mr Corbin responded to the Chairpersons question, that as part of the reporting process the Secretariat was going to provide Contracting Parties with a brief update on some of the ongoing discussions regarding the reporting template of the Cartagena Convention. Given that they were two different topics, he felt it was best to provide two to five minutes for any immediate reaction on the strategy development and if there were none or limited feedback he would, with the permission of the Chair, give a much shorter verbal update as it relates to the reporting on the Cartagena Convention.
593. The Chairperson confirmed that they would proceed in the way presented by Mr Corbin. He told participants that the links to the strategy presented by Mr Corbin could be accessed in the chat. Participants were invited to raise any other issues not covered by the preceding agenda items, but which are relevant to the scope of the Meeting.
594. The delegate of the Netherlands stated that regarding the CEP Strategy, he thanked Mr Corbin for his very clear presentation and asked about the functional review of the Secretariat and the SPAW RAC and this Protocol that is being undertaken. He also asked if the functional review will be completed before the COP so it could be taken into consideration for the strategy and if that is a separate trajectory as he feels it should be aligned. He reiterated that regarding the functional review it was very important to include all Focal Points and Working Group participants.
595. The Chairperson thanked the Netherlands for their intervention.
596. The head of delegation of the US thanked the Chairperson. She also thanked Mr Corbin for his presentation. The US appreciated the opportunity to learn about the CEP Strategy and to hear an update of where it currently stands. They looked forward to considering the CEP Strategy especially herself as SPAW Focal Point and the SPAW Experts to thinking about the CEP Strategy with SPAW framing in mind. The US supported the Netherlands intervention regarding the functional review. It may make sense to consider how the strategy could take into account any outcomes of the functional review.
597. The Chairperson thanked the delegate of the US for their intervention. He requested that Mr Corbin comment on the functional review he presented before.
598. Mr Corbin thanked the Chairperson and the delegates from the Netherlands and the US for their feedback. With regards specifically to the functional review, the Secretariat considered it a very critical exercise being undertaken, and they fully endorsed the observations that they should interact. The Secretariat had already made the provisions for the Consultant who was incorporating the comments into the CEP Strategy to have a direct discussion with the Consultant undertaking the functional review and that connection had already taken place. The Secretariat had provided contacts to the Consultant undertaking the functional review to meet with as many SPAW Focal Points as possible.
599. The Secretariat noted the recommendation from the Netherlands to be as inclusive as possible. He expressed that they have a challenge with time but stated that the discussions were critical. He was aware that the Consultant was doing their best to meet with as broad a representative of Focal Points as possible as well as members of the Bureau, the SPAW RAC and the staff of the Secretariat. With regard to the timing, it was the intent that the functional review would be fully completed and circulated in advance of the meeting of the COP and there was an ongoing discussion now as to whether there could

be a preparatory meeting of the COP to discuss critical issues like the functional review and the CEP Strategy to allow additional time for discussion. He concluded that was his review on the feedback regarding the linkages between the functional review and the CEP Strategy.

600. He mentioned briefly regarding the reporting template, as delegates may be aware, the meeting of Contracting Parties through the Cartagena Convention adopted a template that all Contracting Parties are required to complete every two years for submission to the Secretariat. Initially it was a word document however over the last biennium the Secretariat has made it available as an online version. The template was usually sent to National Focal Points and copied to the Protocol Focal Points for completion. He explained that the link would be sent shortly to Focal Points. During discussions on the LBS Contracting Parties, there had arisen an opportunity to take a critical look at the existing reporting template to be more specific on areas related to marine pollution and marine biodiversity. While the reporting template remained the same, the Contracting Parties to the LBS Protocol provided some edits that could be made particularly with reporting on the state of marine pollution.
601. In discussion with Ms Lopez, the SPAW Programme Manager, it was felt that the Contracting Parties to the SPAW Protocol may also wish to consider and review the questions that were now listed on the SPAW Protocol. This would be presented to the Meeting of Contracting Parties so there was no real decision or recommendations other than SPAW Contracting Parties considering if there was a need to edit the existing questions under the template that related to the SPAW Protocol. He clarified that the template was not specific to each of the Protocols and was a template for the Convention as a whole. In this context, the questions for Contracting Parties were related to Article 10 of the Convention on Specially Protected Areas. So, questions apply to all Contracting Parties but not to the individual details in the SPAW Protocol. Delegates were provided a link to the template as well as the proposed edits by the Contracting Parties to the LBS Protocol for future consideration by the SPAW STAC.
602. The Chairperson thanked Mr Corbin and asked if the Contracting Parties had any interventions.
603. The delegate of the Netherlands thanked the Chairperson and Mr Corbin for his intervention. He stated he had one addition to the intervention of the Secretariat (Ms Lopez) which the SPAW-RAC could provide some context for. The intervention by the Secretariat was very clear and helpful but one aspect was not mentioned, but should be included, was precedence. Rules of Procedures in intergovernmental bodies, Treaties and Conventions were often worded abstractly but with a level of flexibility because it was a common effort between different countries. Precedence helped as a guide to interpret them. He stated that precedence already existed within the SPAW Protocol and the STAC. Certain countries like the Netherlands and France have nominated certain species and they have put time and effort in the Working Groups with the understanding that it was according to the precedence and to the Rules of Procedures. He expressed that it was difficult to foresee that all the work and effort of a Contracting Parties turned out to not be constructive or taken up because the current STAC decided to break certain precedence. He stated that there was a divergence from previous precedence, and he requested that the SPAW RAC provide some context on how it was dealt with this in the past.
604. The Chairperson thanked the delegate of the Netherlands for their intervention.
605. The head of delegation of France thanked the Chairperson and the Netherlands. France supported the comments of the Netherlands. He stated that it would be good to hear from the SPAW-RAC and receive some clarification which thought Contracting Parties would appreciate. Regarding the strategy and the Cartagena Convention he thanked the Secretariat and Chris Corbin for the presentation. There were many interesting points in the principle to guide the strategy, specifically, the one on ecosystems. There was a specific recommendation that some states voted for that was co-sponsored by the US and France and also by other bodies. He emphasized that the parrot fish species question should not be left out. He

thanked NOAA for the presentations on ocean acidification and SCTL.

606. The Director of SPAW-RAC (Ms Pivard) thanked Mr Corbin for his very interesting presentation on the CEP Strategy and the work. She spoke as the chair of the Exemptions Working Group and reminded Parties of a suggestion that the group made that could be considered by the Secretariat, the Contracting Parties and for the next biennium. Among those was the method of reporting the exemptions from countries and it could be also a method used to report more about exemptions.
607. Answering to France and Netherlands questions on the elaboration process of the terms of references, Ms. Pivard recalled that SPAW-RAC was in charge of the guidelines and conducting everything related to species and protected areas. She recalled the STAC8 discussions, the terms of reference to which the countries speaking had volunteered, especially the delegates of France, Netherlands, the USA and Colombia, one observer and the Secretariat. She recalled that all along the process, the background and procedures had been reminded and that the work done had been done according to the rules and instructions of the STAC or at least what was discussed and seemingly agreed then. She confirmed again that the Working Group has never intended to propose or nominate species, answering to STAC8 request and on initial proposals. She could clearly see that all this needed to be better clarified and detailed in the future and that this applied to the rules, but also the future tasks and the workplan.
608. The Chairperson thanked the Director of SPAW-RAC for her explanation.
609. The Secretariat (Ms Lopez) acknowledged that there were several requests to listen to the presentation on the proposals as everyone was aware that the experts, the observers and the Working Group had spent a lot of time using their experience and knowledge to create the report. She requested that the Parties advise the Secretariat if they preferred to see the presentation on the report instead of having the break. The Secretariat did not want to open the agenda item again however they advised Contracting Parties that they may listen to the 10-minute presentation of the Species Working Group which they intended to show yesterday. Therefore, the proposal would be a change in the break to allow the ten (10) minute presentation on the Species Working Group. If Contracting Parties agreed, then Ms Pivard would be asked to give the presentation. The Secretariat emphasized that the presentation would not be open for comments or to reopen the discussion on the item. It was just to know about the report.
610. The Chairperson expressed he had no issues with the SPAW RAC doing their presentation if the Parties were willing and agreed. The Parties were asked to indicate their decision by stating yes or no in the chat. The Chairperson stated that there was a request to speak from France. The Chairperson asked the Parties to respect the item in the agenda that was being discussed.
611. The Chairperson asked the Vice-Chairperson for his guidance on the decision. Colombia, Bahamas and Aruba selected to have the presentation. It was decided that the presentation from the SPAW-RAC would be done after the break.
612. The Secretariat (Ms Lopez) reconvened the meeting after the 15-minute break.
613. The Chairperson invited Ms. Pivard, Director of the SPAW-RAC, to present quickly "SPAW STAC Species Working Group report" including what had been achieved and developed by the Species Working Group over the past two (2) years. He pointed out that it will be only a short presentation and that it would not be opened to discussions.
614. Ms. Pivard thanked the Chairperson and the high commitment and work of the Species working group during the last year. Skipping the introduction, she very quickly recalled the specific background of

the SPAW Species listings. (annexes, classes and IUCN Red list status of the species, mandatory information and criteria for inscription of a species to be listed under SPAW Annexes as defined in Article 21).

615. Ms. Pivard highlighted the objectives of the species Working Group: ‘address as priority species deemed a priority by the STAC, evaluate the status of those species to determine whether species or group of species may warrant listing in the SPAW Protocol Annexes and provide results of reviews to the STAC’ and ‘strengthen the implementation of management measures of the species listed under the Annexes of the Protocol and develop priorities and strategies for regional collaboration and implementation of management measures to improve protection of migratory species (Nassau grouper (annex III), sawfish (annex II), marine turtles (annex II), species of sharks and rays (annex III) and marine mammals (annex II))’. As it was mentioned already, Ms. Pivard skipped quickly the background for the proposal of listing five species of sharks and rays in Annex II: Great hammerhead shark, Smooth hammerhead shark, Oceanic whitetip shark, Whale shark and Giant manta ray, as well as the proposal of listing parrotfish formulated by France in 2018.
616. An overview was provided concerning parrotfish. The STAC species working group was dedicated to the task and seventeen (17) experts answered the final consultation. The group at unanimity strongly supported the inclusion of all parrotfishes in Annex III of the Protocol notably based on the importance of parrotfish to the protection of vulnerable coral reef ecosystems, effectiveness of the partial or full measures or protection taken by several SPAW parties already and population decline. Moreover, a very large majority, except for one expert, supported the listing of *Scarus guacamaia*, *Scarus coeruleus* and *Scarus coelestinus* in Annex II based on increased decline, vulnerability and their major and unique ecosystem services.
617. As regards Oceanic whitetip shark (*Carcharhinus longimanus*) fifteen (15) experts answered the final consultation. Most of them considered the species meets key criteria notably because of evidence of drastic decline, the most recent IUCN assessment for the global population that is Critically Endangered and the necessity to fully protect the species to align with other international treaties. One expert considered Annex II listing is not justified because of lack of information about population size, and no evidence of restrictions on its range of distribution or population fragmentation and evidence of recovery for the Atlantic population. All emphasized that Parties must focus on improving national and regional management and facilitating collaboration between states.
618. Respectively sixteen (16) and fifteen (15) experts answered the final consultation on Whale shark (*Rhyncodon typus*) and Giant manta ray (*Manta birostris*). Almost all experts considered Annex II listing justified because of scientific acknowledgement of global decline, very increased vulnerability to threats, the most recent IUCN assessment for the global population as Endangered with decreasing trend, the necessity to fully protect the species to align with other international treaties. They agreed the lack of full scientific certainty, normal for such rare species cannot be evoked to prevent the listing of the species and cannot be a barrier to implementing effective management. However, one expert considered Annex II listing is not justified because of limited information supporting that the species is in decline globally and within the Caribbean region, about population size, and no evidence of restrictions on its range of distribution or population fragmentation (criteria #1). The amount of data available at this time is insufficient to warrant a precautionary approach (criteria #2).
619. Fourteen (14) experts answered the final consultation regarding Great hammerhead shark (*Sphyrna mokarran*) and Smooth hammerhead shark (*S. zygaena*). A majority of experts considered of great importance to uplist the species in Annex II, especially the Great hammerhead shark, considering evidence of significant decline for all hammerhead shark species, status under the IUCN, and intensified pressure due to the commercial trade in shark fins, the necessity to increase the level of protection of

this species to align with other international treaties and effectiveness of cooperative efforts on the protection and recovery for species. Other experts disagreed with listing because of successful national-level management strategies (in the US) showing that enforcement of management measures alone could work, the potential success of those strategies in increasing the West Atlantic population, regular misidentification, or identification only to genus in fisheries.

620. Several recommendations were made to be considered by the STAC for the COP but with no time to present them as well as to detail all the general management recommendations made by the experts on species already listed in the Annexes (II or III). Those can be read on the full presentation available at https://www.car-spaw-rac.org/IMG/pdf/ppt0x_item_x_report_of_the_species_wg.pdf, or in the original documents.

621. The Chairperson thanked the SPAW RAC for their presentation and for doing it in the allotted time requested.

AGENDA ITEM 12: ADOPTION OF THE RECOMMENDATIONS OF THE MEETING

622. The Chairperson requested that the Rapporteur of the Meeting read the recommendations of the Meeting. The delegate of the Netherlands as Rapporteur asked the Chairperson and the Secretariat for guidance on how they wished for him to go through the recommendations.

623. The Secretariat, Ms Lopez, advised that her colleague, Ms Donna Henry-Hernandez would display the recommendations on the screen and the Rapporteur would read. She reminded everyone that they had already received the translations in their native languages so they could follow.

624. The delegate of the Netherlands as Rapporteur of the Meeting presented the draft recommendations of the Meeting (UNEP(DEPI)/CAR WG.42/8). The Meeting was invited to adopt the recommendations, with amendments and corrections to be introduced as appropriate. After considerable discussion relating particularly to Recommendation X (10) and, the recommendations were approved as contained in Annex III and would be forwarded by approval by the SPAW COPII for adoption in July 2021.

625. *The delegate of Colombia, Kelly Moreno, made an intervention in the chat.* She stated that they did not see their comments (sent in writing) reflected to the Secretariat yesterday. They requested that the Secretariat clarify whether they should continue making comments as the reading of the recommendations progressed.

626. The head of delegation of the US thanked the Chairperson and stated that she was going to address the section highlighted in yellow under recommendation I. She explained that they were requesting the Secretariat to compile a list of procedural deadlines. The US recommends removing the brackets and adding the word 'procedural' before the word 'deadlines'. She added an editorial suggestion which was similar to what was done for the LBS recommendations which was to include a line before recommendation I to state; *Prior to the Convening of the 11th SPAW COP and 19th IGM.*

627. The delegate of Colombia stated that they had added some comments to the chat and spoke to the Secretariat yesterday. However, the comments were not seen in the fourth draft. They wanted to know if they could answer to the recommendations after each recommendation however it seemed to be the case. They agreed with the US to remove the brackets.

628. The delegate of the Netherlands stated that one of the requests was to the Secretariat regarding clarity on procedures regarding the nomination. They agree with the deleting of brackets however the Netherlands would like the Secretariat to not only compile a list of deadlines but also, very clearly, an

overview of the guidelines and other procedures. He stated that he was open to hearing from other Contracting Parties.

629. The Secretariat (Ms Lopez) requested that Contracting Parties state the exact words they wished to change with regard to the language and not the why. She requested that the delegate of the Netherlands state their precise change. The delegate of the Netherlands responded that he was not ready now but would respond in the future as he was the only representative of his country and also the Rapporteur.
630. The delegate of the Netherlands as Rapporteur continued to read recommendation II.
631. The Chairperson invited comments from the Parties on recommendation II.
632. The delegate of Colombia (Ms Gonzalez) thanked the Chairperson and the delegate of the Netherlands. She requested clarification on point one (1) of recommendation II and asked if it was aligned with discussions held that morning.
633. The head of delegation of the US thanked Colombia for her comment. She suggested that the first point could be resolved by the recommendation the US raised before in the chat. If it was clarified that the documents that they were submitting comments for were the draft Workplan and Budget it would be helpful as it was the major document discussed that they were submitting for comment. She recommended that point 4 be moved up to point 2. They suggested changing the language to the chapeau of the section.
634. The delegate of the Netherlands reiterated that he had some concerns on the language in recommendations II. It may result in different versions of the Workplan and Budget being submitted to the COP without a clear understanding of which Contracting Party recommended a specific version of the Workplan and Budget. He requested the feedback of other Contracting Parties.
635. The head of delegation of the US thanked the Netherlands for their comments and the concerns raised. Their understanding was that the draft Workplan and Budget would change. The idea of providing comments and convening a drafting group was to ensure they were incorporated in a way that was transparent. She included an intervention in the chat. Contracting Parties provide comments on the “Draft Workplan and Budget of the Specially Protected Areas and Wildlife (SPA) Sub-programme for the 2021-2022 Biennium” (UNEP(DEPI)/CAR WG.42/3) prior to submission to SPAW COP11 for approval.
636. The delegate of Colombia stated that they wished to draw attention towards clarity in the wording of the document specifically point 3 (Workplan and Budget for 2021-2022) and 4 (creation of a drafting group) of recommendation II. In the Spanish translation it was a bit difficult to follow the wording of the document. She stated that as they move on in the document, they may be able to discern how to provide better wording to the part that referred to the Workplan and Budget for 2021-2022. She explained that Spanish was a very rich language and could be rather confusing at times.
637. The Chairperson thanked the delegate of Colombia for their intervention and assured her that the Secretariat would note their concerns.
638. The head of delegation of France thanked the Chairperson and the Contracting Parties. He stated that he understood the concerns expressed by the Netherlands that it needed to be clear that the modification should be included. . He provided two options: (1) take the clarification comments, that have already been made, on board. The Secretariat should make these modifications going back to the debate on the roles (who does what) and then once there were results to go back to the COP (2) take the work of the

Secretariat (as suggested by the US) for the states that want to, and were able to, to make comments to the COP. There should be a deadline for the exchange between the states. If there were modifications, track changes should be included for transparency. The programme of activities and the budget were key documents. The Parties must be attentive collectively and aware of what the Secretariat proposed and what the Contracting Parties have suggested.

639. *The delegate of the Netherlands made an intervention in the chat.* Hearing the intervention of France, could a proposed language be: "[...] circulate the revised Work Plan and Budget with additions by Contracting Parties in track-changes [...]".

640. *The head of delegation of France made an intervention in the chat.* They approved The Netherlands proposition. Maybe they could resume to finish the reading and elaboration of the convention.

641. The Secretariat (Mr Corbin) intervened and stated that they were trying to bring the experience from the LBS STAC. The points that were raised by the delegate of France, the Netherlands and the US were relevant. The Secretariat thinks there are three steps in this process:

- i. Contracting Parties providing comments on the existing workplan and budget. The Secretariat agrees with the delegate of France that there needs to be a date by which those comments are received e.g., April 30, if agreed by Contracting Parties.
- ii. During that period, the Secretariat would convene the drafting group. The drafting group would then need to work for a period of time to address and incorporate the comments. Contracting Parties may decide that it requires an additional 2-3 weeks for the process to happen.
- iii. The final stage would be sending of that revised workplan and budget to all of the Contracting Parties for their endorsement prior to submission to COP11 for approval.

642. He suggested that recommendations I and II may have to be combined a bit or to have specific sub bullets that clearly identify those steps and the deadline by which those activities would be completed. The Secretariat can work on this if the Contracting Parties believe it is the consensus, but they would perhaps need guidance as to what Contracting Parties think is an appropriate timeframe for the review and the finalization of the draft workplan before it is translated and made available for consideration by Contracting Parties.

643. *The head of delegation of France made an intervention in the chat.* In tracking mode: the Parties need to know who has made which comments and the proposals of the Secretariat should reflect the dissensus on the species proposals: France, Colombia and Netherlands having expressed different views than US on this topic.

644. The Secretariat (Ms Lopez) stated that the deadlines that were established should be in accordance with the Rules of Procedure to allow them to submit the reports before the COP.

645. The delegate of the Netherlands stated that was a part of the comment he was going to make as well regarding the STAC assembly under recommendation II. He asked for clarification on the term 'assembly' based on his interpretation it meant a meeting. He suggested that it would be beneficial to everyone that this was made clearer. The term STAC assembly is not usually included in the recommendations. He suggested the US may provide some language as they are generally more fluent in English, it may be just his understanding of the term and the semantics. However, he proposed that it be changed to STAC Members or Focal Points and the COP Focal Points.

646. The head of delegation of France thanked Mr Corbin and the Contracting Parties who provided comments. Considering the comments by Mr. Corbin, he agreed that they needed to be aware of the source of the proposals. France suggested the following: First, there were usually 2-6 states that were

active in the group and not all states had the same means. Some had more time and people involved in the STAC therefore the reaction was not the same. They all had different context. Once they get to the COP, everything that was suggested as modifications should say in brackets 'proposals from the respective states' e.g. France, Colombia etc. In the COP document once the Focal Points have taken it, it would be different. Secondly, regarding the STAC, the observers would not be consulted only the Contracting Parties, that was what he understood.

647. The Chairperson thanked the delegate of France and expressed concern with the time left in the meeting regarding completing the recommendations and requested the opinion of the Parties on the next steps.

648. The head of delegation of the US proposed that instead of reading through the recommendation, Parties could raise their hand and intervene only when they had a suggested change. It may help to move the process along more efficiently. Considering the concerns regarding the drafting group, the US had no intention to make the process complicated. She was not sure if presenting the COP with a document in track changes was optimal. She suggested that in the interest of time, to move on from the recommendation and for a common ground, they proposed that the Secretariat incorporate all the concerns and comments they received during the STAC9 meeting to prepare a revised workplan and budget to be submitted to COP11.

649. The Chairperson thanked the delegate of the US and welcomed their proposal. He requested that the meeting move on to recommendation III. The delegate of the Netherlands as Rapporteur proceeded to read the recommendation.

650. The head of delegation of France stated his agreement with the way that the section was drafted. He requested that additional time be taken outside of this forum to discuss as the two additional days was not sufficient.

651. The Chairperson expressed that he was at a loss. He requested that the Secretariate intervene.

652. The Secretariat (Ms Lopez) explained that they could not accommodate additional time. They had considered expanding the event for an additional day however due to financial constraints they were unable to do so. She stated that the draft recommendations were shared in the three languages followed by a working group where Parties gave comments. She provided a suggestion in the interest of time to focus on addressing a specific recommendation or notation. She requested the input from the Contracting Parties but reiterated that additional time could not be granted.

653. The Chairperson reiterated that due to the lack of time, it was not possible to address all the changes.

654. The delegate of Colombia thanked the delegates for their interventions as well as the Secretariat. She confirmed that the recommendations were received yesterday however their changes/input was not reflected in the current version. Colombia did not see a reaction from other countries on this, so they are not aware of comments, questions or doubts concerning the text of the fourth version. She supported the suggestion by France that it would be relevant and necessary for the document to clearly state the source of the inputs (i.e., who said what) this was also not included in the email exchange.

655. The Chairperson requested that delegates raise their hands on a specific point.

656. The delegate of Colombia inquired about the proposal that could be provided for the text highlighted in yellow.

657. The Secretariat (Ms Lopez) told the meeting that they made a request for the interpreters to stay for an additional time however they declined. The Chairperson recommended that Parties send comments via email and they would review and discuss with the Parties. He requested a timeline for receiving comments and disseminating drafts and requested the Secretariat intervene. The Secretariat (Ms Lopez) agreed with the recommendation of the Chairperson. They would outline the source of the inputs to the recommendations in a matrix and send to the Parties for their review. The timelines would also be communicated to the Parties and how the process would continue. Ms Lopez confirmed that the draft would be sent to the delegates by the Monday following this meeting with request for comments a week later. The Secretariat would review comments and send back to the Parties, if there are any contradictions. Parties would send back to the Secretariat for their review and that would end the process.
658. The Chairperson) thanked all the delegates for their understanding during these challenging times. It had been a great pleasure to lead the meeting. There were three additional requests to speak. DR, SPAW RAC and France.
659. *The delegate of the DR (Ms Lysenko) made an intervention in the chat and she repeated it on the floor.* She stated that they agreed with what was proposed by Ileana on the form of review, deadlines and on the form of the matrix to receive recommendations from France in terms of being more transparent. The only path here is to offer recommendations online with strict deadlines, and thinks we will be able to finish before the COP.
660. *The Director of SPAW RAC (Ms. Pivard) made an intervention in the chat and repeated it on the floor.* SPAW-RAC was not taking any prevalence of the Contracting Parties but wished to be able to provide comments. However sometimes they could have some practicalities and also question for the groups and they would really appreciate to be associated and copied on the Countries parties' recommendations/ suggestions as they would also be in charge of their implementation after and it would help to understand the expectations and the needs in which they should work.
661. The head of delegation of France insisted that the proposals from the Secretariat must reflect the reality of the discussions. Especially regarding the issue of consensus regarding the species. France, Colombia and the Netherlands expressed differing views from the US on the topic. It was important that their proposal be shown as different to the one that was made. He reiterated that the timeline was too short and suggested making a species proposal that was compliant with the COP. Also, it might be good to have a short virtual meeting regarding the species.
662. *The head of delegation of France made an intervention in the chat.* The STAC would therefore, not be completed until the recommendations have been developed.
663. The delegate of the Netherlands supported the intervention from the delegate of France. He proposed to the Secretariat that the recommendations that were made in the chat and in the meeting would be included in the draft recommendations before circulation. Those include the proposed recommendation from France and the Netherlands on the Species Working Group for submission to the COP. Also, the request from the Netherlands to the Secretariat on a formal statement regarding the nomination procedure in relation to the Rules of Procedures. He thanked everyone.
664. The Chairperson thanked everyone for their collaboration over the last two days.
665. The Secretariat thanked the Chairperson, the Vice-Chairperson. the Rapporteur and all the Parties, friends and colleagues. Thanks to the interpreters, the SPAW RAC team and everyone working behind the scenes.

AGENDA ITEM 13: CLOSURE OF THE MEETING

666. The Meeting closed on Thursday 15 April 2021 at 12:39 p.m. by the Chairperson of the Meeting and the Secretariat.

ANNEX I - PROVISIONAL AGENDA

PROVISIONAL AGENDA

1. Opening of the Meeting
2. Organisation of the Meeting
 - 2.1. Rules of Procedure
 - 2.2. Election of Officers
 - 2.3. Organisation of Work
3. Adoption of the Agenda
4. Status of Activities of the SPAW Subprogramme for 2019-2020, including activities of the Regional Activity Centre for SPAW (SPAW-RAC) in Guadeloupe
5. Report of the MPA working group (including the review of the proposals by Parties for listing under the SPAW Protocol)
6. Report of the Species working group (including potential new species to be added under the Annexes of the SPAW Protocol)
7. Report of the Exemption working group, including the Reporting Format for Exemptions under Article 11(2) of the SPAW Protocol proposed by the Ad Hoc Working Group
8. Report of the Sargassum working group. General discussion about the functioning, feedbacks and lessons learned during this first biennial of the new working groups: experts lists validation and tasks for the new biennium. Workplan and Budget of the SPAW Subprogramme for the 2021-2022 Biennium
9. Emerging Issues (Herbivorous fish, Stony Coral Tissue Loss Disease [SCTLD])
10. Work Plan and Budget of the SPAW Subprogramme for the 2021-2022 biennium
11. Other Business
12. Adoption of the Recommendations of the Meeting
13. Closure of the Meeting

ANNEX II - LIST OF DOCUMENTS

PROVISIONAL LIST OF DOCUMENTS

Symbol	Title	Agenda Item
<u>Working Documents</u>		
UNEP(DEPI)/CAR WG.42/1	Provisional Agenda	
UNEP(DEPI)/CAR WG.42/2	Provisional Annotated Agenda	
UNEP(DEPI)/CAR WG.42/3	Draft Workplan and Budget of the Specially Protected Areas and Wildlife (SPAW) Sub-programme for the 2021-2022 Biennium	
UNEP(DEPI)/CAR WG.42/4	Report of the STAC Working Group on the Listing of Species under the Annexes to the SPAW Protocol	
UNEP(DEPI)/CAR WG.42/5	Report of the STAC Working Group on Marine Protected Areas	
UNEP(DEPI)/CAR WG.42/6	Report of the STAC Exemptions Working Group	
UNEP(DEPI)/CAR WG.42/7	Report of the STAC Sargassum Working Group	
UNEP(DEPI)/CAR WG.42/8	Recommendations of the Ninth Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean region (<i>to be prepared during the meeting</i>)	
UNEP(DEPI)/CAR WG.42/9	Report of the Ninth Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region (<i>to be prepared after the meeting</i>)	
<u>Information Documents</u>		
UNEP(DEPI)/CAR WG.42/INF.1	Provisional List of Documents	
UNEP(DEPI)/CAR WG.42/INF.2	Provisional List of Participants (<i>to be finalised during the meeting</i>)	
UNEP(DEPI)/CAR WG.42/INF.3	Status of Activities of the SPAW Subprogramme for 2019- 2020 (<i>includes status of STAC8 Recommendations and COP10 Decisions</i>)	
UNEP(DEPI)/CAR WG.42/INF.4	Report of the SPAW Regional Activity Centre (SPAW-RAC) in Guadeloupe: operations and budget for the period 2019-2020	
UNEP(DEPI)/CAR WG.42/INF.5	The State of Nearshore Marine Habitats in the Wider Caribbean	
UNEP(DEPI)/CAR WG.42/INF.6	Regional Strategy Action Plan for the Valuation, Protection and/or Restoration of Key Marine Habitats in the Wider Caribbean 2021–2030	
UNEP(DEPI)/CAR WG.42/INF.7	Update on The Caribbean Marine Protected Areas Management Network and Forum (CAMPAM) and its Major Activities During the 2019-2020 Biennium	

UNEP(DEPI)/CAR WG.42/INF.7 Add.1	Assessment of the Impact and Effectiveness of the Caribbean Marine Protected Area Network and Forum (CaMPAM)
UNEP(DEPI)/CAR WG.42 /INF.8	Strategic Directions and Plan for CaMPAM
UNEP(DEPI)/CAR WG.42/INF.9	CaMPAM Database and Citizens Science Monitoring
UNEP(DEPI)/CAR WG.42/INF.10	Developing an Ecological Network between the SPAW-listed MPAs of the Wider Caribbean
UNEP(DEPI)/CAR WG.42/INF.11	Proposal of Parke Marine Aruba for Listing Under the SPAW Protocol
UNEP(DEPI)/CAR WG.42/INF.12	Terms of Reference of the SPAW STAC Ad Hoc Working Groups
UNEP(DEPI)/CAR WG.42/INF.13	Ecosystem-based Management and the application of a Decision Support System in the Wider Caribbean: Lessons learnt from EBM Application in the Wider Caribbean: concept to action
UNEP(DEPI)/CAR WG.42/INF.14	NOAA Strategy for Stony Coral Tissue Loss Disease Response and Prevention.
UNEP(DEPI)/CAR WG.42/INF.15	Proposal for potential inclusion of all parrotfishes (Perciformes: Scaridae) in Annex III of the Protocol on Specially Protected Areas and Wildlife in the Wider Caribbean Region of the Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (SPAW Protocol)
UNEP(DEPI)/CAR WG.42/INF.15 Add.1	Fact Sheets presenting the framework to regulate the protection of herbivorous fish and coral reefs of the Greater Caribbean (prepared by AIDA)

Information Documents

UNEP(DEPI)/CAR WG.42/INF.16	Manual for the Ecological Restoration of Mangroves for the Wider Caribbean Region
UNEP(DEPI)/CAR WG.42/INF.17	Report of WIDECASST Activities – WIDECASST: Expanded conservation network of Caribbean Sea Turtles
UNEP(DEPI)/CAR WG.42/INF.18	SPAW Protected Areas of the Wider Caribbean: A comprehensive Booklet
UNEP(DEPI)/CAR WG.42/INF.19	Protected Areas Management Effectiveness (PAME) of SPAW Sites
UNEP(DEPI)/CAR WG.42/INF.20	
UNEP(DEPI)/CAR WG.42/INF.21	"The U.S. National Oceanic and Atmospheric Administration's Efforts to Address Ocean Acidification in the Caribbean."

UNEP(DEPI)/CAR WG.42/INF.22	Exemptions Ad Hoc Working Group – Compliance to the SPAW Protocol (including Reports on Exemptions under Article (2) of the format from Curaçao and the US)
UNEP(DEPI)/CAR WG.42/INF.22 Add.1	Review of the Dominican Republic’s proposal for listing of the “Cotubamana National Park” under the SPAW Protocol
UNEP(DEPI)/CAR WG.42/INF.23	
UNEP(DEPI)/CAR WG.42/INF.24	Proposal of the “Cotubamana National Park” by the DR for Listing Under the SPAW Protocol
UNEP(DEPI)/CAR WG.42/INF.24 Add.1	Proposal of a Reporting Format on the Status of the Listed Sites to Contracting Parties
	Effective national legal protection and regionwide management of sharks and rays
UNEP(DEPI)/CAR WG.42/INF.24 Add.2	
UNEP(DEPI)/CAR WG.42/INF.24 Add.3	Proposal for the inclusion of the Oceanic whitetip shark <i>Carcharhinus longimanus</i> in Appendix II of the Protocol concerning Specially Protected Areas and Wildlife (SPAW Protocol)
UNEP(DEPI)/CAR WG.42/INF.24 Add.4	Proposal for the inclusion of the whale shark <i>Rhincodon typus</i> in Appendix II of the Protocol concerning Specially Protected Areas and Wildlife (SPAW Protocol)
UNEP(DEPI)/CAR WG.42/INF.24 Add.5	Proposal for the inclusion of the Giant manta ray species <i>Manta birostris</i> in Appendix II of the Protocol concerning Specially Protected Areas and Wildlife (SPAW Protocol)
UNEP(DEPI)/CAR WG.42/INF.25	
UNEP(DEPI)/CAR WG.42/INF.26	
UNEP(DEPI)/CAR WG.42/INF.27	Proposal for the Uplisting of the Great Hammerhead Shark <i>Sphyrna Mokarran</i> from Annex III to Annex II of the Protocol Concerning Specially Protected Areas and Wildlife (SPAW Protocol)
UNEP(DEPI)/CAR WG.42/INF.27 Add.1	Proposal for the Uplisting of the Smooth Hammerhead Shark <i>Sphyrna Zygaena</i> from Annex III to Annex II of the Protocol Concerning Specially Protected Areas and Wildlife (SPAW Protocol)
	Recommendations for preventing sawfish extinction
	Report of GCRMN – Caribbean network activities for the period 2019-2020
	SPAW-RAC 2020 Call for proposals: Interim Reports (<i>including feedbacks and lessons learned</i>)
	Call for proposals Short-term Small Grants – year 2020 - Information note for the SPAW Protocol Scientific and Technical Advisory Committee

Information Documents

UNEP(DEPI)/CAR WG.42/INF.28	Cari'Mam: an interim report
UNEP(DEPI)/CAR WG.42/INF.29	Implementation highlights of the Action Plan for the Conservation of Marine Mammals (MMAP) in the Wider Caribbean and recommendations
UNEP(DEPI)/CAR WG.42/INF.29 Add.1	Implementation of the Action Plan for the Conservation of Marine Mammals (MMAP): A Scientific and Technical Analysis
UNEP(DEPI)/CAR WG.42/INF.29 Add.2	Current status of national legislation on Marine mammals in countries and territories of the wider Caribbean region report.
UNEP(DEPI)/CAR WG.42/INF.30	Inclusion of marine mammals in the MPA management plans: regional study, tools and recommendations for an improved consideration
UNEP(DEPI)/CAR WG.42/INF.31	Recommendations to support sustainable marine mammal watching in the Wider Caribbean Region
UNEP(DEPI)/CAR WG.42/INF.31 Add.1	Recommendations for a regional label/certificate for a sustainable commercial marine mammals observation activity in the Wider Caribbean Region
UNEP(DEPI)/CAR WG.42/INF.31 Add.2	Synthesis report of the legal study prior the implementation of a regularly instrument for marine mammal touristic activities in the wider Caribbean region
UNEP(DEPI)/CAR WG.42/INF.32	Tool kit for implementing marine mammal watching guidelines in the Wider Caribbean Region
UNEP(DEPI)/CAR WG.42/INF.33	Raising awareness and promoting a natural heritage for the conservation of marine mammals in the Caribbean area through online games, for smartphones and tablets and identity cards
UNEP(DEPI)/CAR WG.42/INF.34	Pending
UNEP(DEPI)/CAR WG.42/INF.35	Sargassum White Paper 2021: Turning the Crisis into an opportunity.
UNEP(DEPI)/CAR WG.42/INF.36	Pending
UNEP(DEPI)/CAR WG.42/INF.37	Carib-coast: an interim report
UNEP(DEPI)/CAR WG.42/INF.38	Recommendations for conserving the Nassau Grouper
UNEP(DEPI)/CAR WG.42/INF.39	Recommendations for the protection and recovery of the Caribbean Sea turtles
UNEP(DEPI)/CAR WG.41/INF.11	The GEF Caribbean Large Marine Ecosystem (CLME+) Project – Final Report (Secretariat to provide based on narrative)
UNEP(DEPI)/CAR WG.41/INF.12	Collaborative Development and Institutionalization of A Regional Integrated SOMEE Reporting Mechanism and Its Contributions to Socio-Economic Development in The Wider Caribbean Region: An Update (CLME+ to provide)

Information Documents

UNEP(DEPI)/CAR WG.41/INF.13	Regional Spatial Data Infrastructure Coordination and Collaboration Supporting Integrated Ocean Governance in the Caribbean and North Brazil Shelf Large Marine Ecosystems (CLME+ to provide)
UNEP(DEPI)/CAR WG.41/INF.14	“Integrated Large-Scale Action on Habitat Restoration and Pollution in the CLME+ Region: A Baseline and Feasibility Assessment Report on the Needs and Opportunities for Investment.” (CLME+ to provide)
UNEP(DEPI)/CAR IG.40/4	Report of the Tenth Meeting of the Contracting Parties (COP) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region (Roatán, Honduras, 3 June 2019)
UNEP(DEPI)/CAR IG.40/INF.8	Action Document for Capacity Building Related to Multilateral Environmental Agreements in ACP Countries – Phase III (ACPMEAs 3)
UNEP(DEPI)/CAR WG.40/7	Report of Eighth Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region (Panama City, Panama, 5 - 7 December 2018)
UNEP(DEPI)/CAR WG.40/INF.8 Rev.1	Sargassum White Paper - Sargassum Outbreak in the Caribbean: Challenges, Opportunities and Regional Situation
UNEP(DEPI)/CAR WG.40 /INF.9	US Exemptions Report to the Specially Protected Areas and Wildlife Protocol of the Cartagena Convention for 2017
UNEP(DEPI)/CAR WG.40/INF.10	Updating CaMPAM MPA Database - Product of a consultant agreement with GCFI
UNEP(DEPI)/CAR WG.40/INF.11	Caribbean Wildlife Enforcement Network (CaribWEN) Briefing
UNEP(DEPI)/CAR WG.38/3 Rev.1	Draft Reporting Format for Exemptions under Article 11(2) of the Specially Protected Areas and Wildlife Protocol (SPAW) -Annex (includes case study from the Government of Curaçao)
UNEP(DEPI)/CAR WG.38/ INF.10	Agoa Caribbean Marine Mammals Preservation Network (CARI’MAM) White Paper: Strengthen Regional Cooperation for The Conservation of Marine Mammals within the Caribbean Region and Beyond
UNEP(DEPI)/CAR WG.38/ INF.13	Overarching Principles and Best Practice Guidelines for Marine Mammal Watching in the Wider Caribbean Region (WCR)
UNEP(DEPI)/CAR WG.38/ INF.16	The Sister Sanctuaries Program for Marine Mammals in the Wider Caribbean – A US/NOAA, Dominican Republic, France and the Netherlands Initiative
UNEP(DEPI)/CAR WG.38/ INF.17	GCRMN-Caribbean Guidelines for Coral Reef Biophysical Monitoring

Information Documents

UNEP(DEPI)/CAR WG.37/INF.7 Rev.3	The GEF Caribbean Large Marine Ecosystem (CLME+) Project and its joint implementation through the AMEP and SPAW Subprogrammes
UNEP(DEPI)/CAR WG.37/INF.10	Annex A and C (Agreement) – CLME+: Catalysing Implementation of Strategic Action Programme for the Sustainable Management of shared Living Marine Resources in the Caribbean and North Brazil Shelf Large Marine Ecosystems
UNEP(DEPI)/CAR IG.36/INF.7	Report on the Ratification of the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region and its Protocols (Cartagena Convention)
UNEP(DEPI)/CAR IG.37/3	Guidance document - Criteria and process to assess exemptions under Article 11(2) of the Specially Protected Areas and Wildlife Protocol (SPAW) (includes draft format for reporting exemptions)
UNEP(DEPI)/CAR WG.39/INF.11	OSPAR and Caribbean Environment Programme Cooperation Project Document

Reference Documents

EU/UNEP/2018	Applying Marine and Coastal Area-based Management Approaches to Achieve Multiple Sustainable Development Goal Targets Summary for Policy Makers
UNEP/RSRS/205/2018	The Contributions of Marine and Coastal Area-based Management Approaches to Sustainable Development Goals and Targets - UN Environment Regional Seas Reports and Studies No. 205
CLME+-PCM-SFP Phase II Report	Proposals for a permanent Coordination Mechanism and a Sustainable Financing Plan for Ocean Governance in the Wider Caribbean region
SOMEE: Booklet	An Information Booklet - State of the Marine Environment and associated Economies CLME+ SOMEE in the Wider Caribbean (a collaborative, integrated long-term reporting mechanism)
CLME+ SAP v1.6.3	CLME+ Strategic Action Programme (SAP) Information Booklet (v1.6.3), June 2019
MTS 2018-2021	UNEP Medium Term Strategy 2018-2021
UNEP(DEPI)/CAR WG.40/5 Rev.1	Draft Workplan and Budget of the Specially Protected Areas and Wildlife (SPAW) Sub-programme for the 2019 - 2020 Biennium

UNEP(DEPI)/CAR IG.42/7

Report of the Meeting - Eighteenth Intergovernmental Meeting of the Action Plan for the Caribbean Environment Programme and Fifteenth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Roatan, Honduras, 5- 6 June 2019

UNEP(DEPI)/CAR IG.42/3

Workplan and Budget for the Caribbean Environment Programme for the Biennium 2019-2020

Reference Documents

UNEP(DEPI)/CAR IG. 42/6

Decisions of the Meeting - Eighteenth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Fifteenth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, Roatan, Honduras, 5-6 June 2019

UNEP(DEPI)/CAR WG.38/INF.6

Evaluation of CaMPAM Activities and Recommendations for Improvement - An analysis of the last 15 years

UNEP(DEPI)/CAR WG.36/INF.10

Report on the Workshop of Global Coral Reef Monitoring Network (GCRMN) for the Wider Caribbean: Review, improve and revitalize the network and the nodes for more effective coral reef monitoring and data management, Curacao, 6 - 8 August 2014

UNEP(DEPI)/CAR WG.36/INF.9

Report of the First Meeting of Managers of the Protected Areas Listed under the SPAW Protocol of the Cartagena Convention at the 66th Gulf and Caribbean Fisheries Institute (GCFI) Conference, Corpus Christi, Texas, USA, November 5, 2013

UNEP(DEPI)/CAR WG.36/INF.8

Report on the LifeWeb-Spain UNEP-CEP Meeting on Scenarios for Transboundary Marine Mammal Management in the Wider Caribbean, San Juan, Puerto Rico, 23 - 24 April 2014

UNEP(DEPI)/CAR WG.36/INF.6

Update on the Implementation of Activities in Support of the Action Plan for the Conservation of Marine Mammals (MAMP), including the Government of Spain-UNEP Lifeweb project "*Protecting Habitats and Migration Corridors for Marine Mammals in the South and Northeast Pacific and the Wider Caribbean through Marine Protected Area Networks*"

UNEP(DEPI)/CAR WG.34/INF.9

Report of the Regional Workshop on Marine Mammal Watching in the Wider Caribbean Region (Panama City, Panama, 19-22 October 2011)

UNEP(DEPI)/CAR WG.31/INF.6

IUCN Caribbean Red List of Threatened Species – A Proposal

UNEP(DEPI)/CAR WG.29/INF.5

Exemptions to the SPAW Protocol Under Article 11(2): A Legal Review

UNEP(DEPI)/CAR WG.32 INF.9 Rev.3	Template for National Reporting on the Cartagena Convention and its Protocols
UNEP(DEC)/CAR WG.26/4	Draft Grid for the Objective Evaluation of Proposals for Inclusion in the SPAW Protected Areas List
UNEP(DEC)/CAR IG.20/4	Structure and Scope of the Scientific and Technical Advisory Committee (STAC) of the SPAW Protocol
UNEP(OCA)/CAR IG.11/7	Proposed Legal Framework for the Administrative, Technical and Financial Operations of RACs and RANs
UNEP(DEPI)/CAR IG.36 CRP.1	Amendment to the Financial Rules for the Cartagena Convention
UNEP, 2010	Rules of Procedure for the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)

Reference Documents

UNEP, 2008	Action Plan for the Conservation of Marine Mammals (MMAP) in the Wider Caribbean Region. United Nations Environment Programme – Caribbean Environment Programme, Kingston, Jamaica. 2008. (English and Spanish)
UNEP, 1991	Final Act of the Conference of Plenipotentiaries for the Adoption of the Annexes to the Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region
UNEP, 1990	Final Act of the Conference of Plenipotentiaries Concerning Specially Protected Areas and Wildlife in the Caribbean Region
UNEP, 2012	Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, Protocol Concerning Cooperation in Combating Oil Spills, Protocol Concerning Specially Protected Areas and Wildlife and the Protocol Concerning Pollution from Land-Based Sources and Activities

ANNEX III – RECOMMENDATIONS OF THE MEETING

RECOMMENDATIONS OF THE MEETING

Having convened the Ninth Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region virtually from 17-19 March 2021, and from 14-15 April 2021;

The Meeting recommends,

(1) Prior to the Convening of the Eleventh SPA COP and Nineteenth IGM

RECOMMENDATION I

Organization of meetings

Thanking the SPAW-RAC (and France) for (respectively) the organization and funding of four (4) Pre-STAC9 sessions to present the works done by the four (4) SPAW STAC *Ad hoc* working groups and to facilitate the discussions during the STAC.

Taking note of the following challenges and concerns expressed in the Pre-STAC9 sessions between 1st March and 12th March:

- a) Several Working Documents received were not in accordance with Rule 10 of the Rules of Procedure, "... supporting documents for each ordinary meeting shall be distributed by the Secretariat to the Contracting Parties at least forty-two days before the opening session of the ordinary meeting in the three working languages."
- b) Contracting Parties attending the pre-STAC9 sessions (or as decided by the Secretariat to mention it) indicated that the agenda proposed, by the Secretariat for 17, 18 and 19 March 2021, did not provide sufficient time for robust discussion of issues that needed to be carefully considered.

Taking note of the Cartagena Convention Secretariat's proposal for the Contracting Parties' consideration of the path forward to anticipate the needs expressed during the Pre-STAC9 to:

- a) Temporarily adjourn STAC9, and extend the meeting, in order to conclude internal revisions of the documents, prepare for and provide additional time for discussions by Contracting Parties, putting STAC9 in a better position to make recommendations
- b) Resume STAC9 on 14th April, extending the SPAW STAC9 meeting to cover two additional days (5-hour sessions, 14-15 April).

Recommends that:

1. The Secretariat **compile** a list of procedural deadlines, for submission before meetings, which Contracting Parties should bear in mind for future submissions.
2. The Secretariat **verify** that the Rules of Procedures are followed for all processes including observer's participation.

RECOMMENDATION II

Review of Documents

Taking note of the request from Contracting Parties to provide comments and technical input on certain documents before they are presented to the Eleventh SPAW COP and Nineteenth Intergovernmental Meeting (IGM) on the Action Plan for the Caribbean Environment Programme (CEP) and Sixteenth Meeting of the Contracting Parties to the Cartagena Convention for approval as appropriate;

Recommends that:

1. Contracting Parties **provide** comments on the “Draft Workplan and Budget of the Specially Protected Areas and Wildlife (SPAW) Sub-programme for the 2021-2022 Biennium” (UNEP(DEPI)/CAR WG.42/3) prior to submission to SPAW COP11 for approval.
2. The Secretariat **circulate** the “Draft Strategy for the Caribbean Environment Programme” and “Revised Template for national reporting on the Cartagena Convention and its Protocols” to encourage the involvement of all Contracting Parties in reviewing sections relevant to the SPAW Protocol prior to submission to the Nineteenth IGM and Sixteenth Meeting of the Contracting Parties to the Cartagena Convention for approval.

(2) To the Eleventh SPAW COP and Nineteenth IGM

RECOMMENDATION III

Programme of Work and Budget 2021-2022

Having reviewed the “Status of Activities of the SPAW Sub-Programme for the 2019-2020 biennium” (UNEP(DEPI)/CAR WG.42/INF.3) and commending the work undertaken by the Secretariat and the SPAW Regional Activity Center (SPAW-RAC);

Having reviewed the “Report of the SPAW Regional Activity Centre (SPAW-RAC) in Guadeloupe: RAC Operations and Budget for the period 2019-2020” (UNEP(DEPI)/CAR WG.42/INF.4) and **gratefully acknowledging** the generous contribution of the Government of France;

Expressing deep appreciation to the Contracting Parties and other partners that have provided additional financial and other resources for the implementation of the activities of the 2019-2020 biennium, including the Italian Agency for Cooperation and Development (AICS); Swedish Government; the Organization of African, Caribbean and the Pacific Group of States (OACPS), in collaboration with the European Union; the UNDP/GEF CLME+ Project; and welcoming the financial resources mobilized by the Secretariat, including the SPAW-RAC, for the same purpose;

Inviting the Contracting Parties to consider increasing their voluntary contributions in cash and/or in-kind in support of the implementation of the 2021-2022 Programme of Work;

Urging the Contracting Parties and other partners, including industry, to contribute adequate human and financial resources to meet the external funding requirements for priorities still unfunded under the 2021-2022 Programme of Work and Budget and to support the resource mobilization activities of the Secretariat;

Having reviewed the “Draft Workplan and Budget of the Specially Protected Areas and Wildlife (SPA) Sub-Programme for the 2021-2022 Biennium” (UNEP(DEPI)/CAR WG.42/3) and **noting** its linkages and contributions to the 2030 Agenda, the SAMOA Pathway and Aichi Targets;

Taking into consideration Decision IX of the Seventeenth Intergovernmental Meeting (IGM) of the Action Plan for the Caribbean Environment Programme and Fourteenth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region which calls for further integration of the Sub-Programmes on Specially Protected Areas and Wildlife (SPA) and Assessment and Management of Environmental Pollution (AMEP);

Acknowledging the Workplan presented for the biennium 2021-2022 and the limited budget available; and

Further recognizing that a work programme with such a broad scope demands setting priorities and increased capacities of the Secretariat and the SPAW-RAC;

Recommends that:

1. The Workplan and Budget, taking into account comments made during STAC9, **be presented** to COP11 for approval.
2. The implementation of the Workplan and Budget **take into account** synergies with the work of the Parties and other agencies to achieve the objectives of the Protocol.
3. The Secretariat **continue** to integrate activities under the Assessment and Management of Environmental Pollution (AMEP) and SPAW Work Programmes, as appropriate, and further recommends that Contracting Parties **encourage** greater integration of the sub-programmes in the implementation of work plans for the 2021-2022 biennium.
4. The SPAW Secretariat and SPAW RAC **enhance and maintain** collaboration and communication with clearly defined roles, activities and funding related to the workplan.
5. The SPAW Secretariat and SPAW RAC solicit input from Contracting Parties during the development of the SPAW Workplan and Budget for 2023-2024, with an opportunity for review and comment in advance of STAC 10.

RECOMMENDATION IV

SPAW Protocol and Sub-Programme

Having reviewed the “Status of Activities of the SPAW Sub-Programme for the 2019- 2020 biennium” (UNEP (DEPI)/CAR WG.42/INF.3) and commending the work undertaken by the Secretariat and the SPAW Regional Activity Center (SPA W RAC);

Recommends that:

1. Governments of the region **join** the SPAW Protocol as Contracting Parties and further recommend that the Secretariat **continue** efforts to secure ratification with Governments which have initiated actions to join or are in the process of joining the Protocol.
2. The COP11 **provide further** guidance to the Secretariat regarding the priority actions for the SPAW work programme, as well as assistance for securing increased resources both for activities and Programme management by the Secretariat.
3. The SPAW Secretariat **actively reach out** to and **inform** Contracting Parties of upcoming procedural deadlines in advance of STAC 10.
4. A Committee or Working Group **be established** to monitor progress in implementing the recommendations of the STAC, the decisions of the COP, and the SPAW Workplan and Budget, and to provide guidance to the Secretariat, as appropriate, with the objective of achieving effective and efficient implementation of the Convention and Protocol.

RECOMMENDATION V

Protected Areas

Having reviewed the Report of the STAC Protected Areas Working Group and (UNEP(DEPI)/CAR WG.42/5) and the following information documents UNEP(DEPI)/CARWG.42/INF.22 and UNEP(DEPI)/CAR WG.42/INF.22 Addendum 1);

Welcoming the proposal by the Government of Dominican Republic to nominate the Cotubamana national park as a SPAW-listed site;

Welcoming and noting the proposal by the Government of Aruba as part of the Kingdom of the Netherlands to nominate the Parke Marino Aruba as a SPAW-listed site, noting and thanking the SPAW Secretariat for their apologies on the internal confusion and delayed response.

Taking note of the renewed interest in developing a co-operation programme for the protected areas listed under the Protocol, as per Article 7 of the Protocol;

Recognizing the contribution from the SPAW-RAC and the experts participating in the Protected Areas Working Group;

Welcoming the efforts and results of initiatives in the Caribbean region on protected area networks, such as MPA Connect;

Taking note of the review by the Protected Areas Working Group and the report under the coordination of SPAW-RAC (UNEP(DEPI)/CAR WG.42/5); and

Acknowledging the accomplishments under the ACP MEAs III project, including the reports on the “Assessment of the Impact and Effectiveness of the Caribbean Marine Protected Area Network and Forum” (UNEP(DEPI)/CAR WG.42/INF.7 Addendum 1) and “Developing an Ecological Network between the SPAW-listed MPAs of the Wider Caribbean” (UNEP(DEPI)/CAR WG.42/INF.10);

Recommends that:

1. The SPAW-RAC continues to maintain, improve and update the database related to the protected

areas listed under the SPAW Protocol, including the web-based tool where Parties prepare and submit reports that have been submitted as part of the STAC nomination for consideration.

2. The COP11 **approve** the inclusion of Protected Area Cotubanama National Park, proposed by the Government of the Dominican Republic, as a SPAW-listed site.
3. The Secretariat **invite** Parties to submit proposals for protected areas to be listed under the Protocol, to be considered during the next biennium for future discussion at STAC10 and subsequent consideration of COP12.
4. Contracting Parties **welcome** the proposal of the Government of Aruba as part of the Kingdom of the Netherlands to include Parke Marino Aruba in the SPAW list of Marine Protected Areas and to request the Protected Areas Working Group to review the proposal and be considered during the next biennium for future discussions at STAC10 and subsequent consideration of COP12.
5. The Secretariat **continue** to identify synergies between the ACP MEAs III Project and the implementation of the SPAW Protocol including projects and work done by the SPAW RAC and the Protected Areas Working Group.
6. Contracting Parties **request** that the Protected Areas Working Group , in collaboration with the Secretariat and SPAW-RAC, as appropriate, review the recommendations presented in the “Assessment of the Impact and Effectiveness of CaMPAM” (UNEP(DEPI)/CAR WG.42/INF.41 Add.1) and the “Evaluation of Connectivity Between the SPAW-Listed Protected Areas to Guide the Development of a Functional Ecological Network of Protected Areas in the Wider Caribbean” (UNEP(DEPI)/CAR WG.42/INF.10) and present an options paper to STAC10 that assesses the feasibility of implementing the recommendations and suggests possible means of doing so in the short, medium-, and long-term.
7. Contracting Parties **request** that the Protected Areas Working Group review the procedure through which Contracting Parties may nominate new protected areas to be listed as SPAW sites and prepare suggestions to simplify and streamline the process for consideration during the next biennium for future discussions at STAC10 and subsequent consideration at COP12.
8. The Secretariat and SPAW-RAC **identify** options for increasing collaboration with existing protected area networks and capacity building initiatives in the region, to strengthen capacity building efforts.

RECOMMENDATION VI

Exemptions Reports

Having reviewed the Report of the STAC Exemptions Working Group (UNEP(DEPI)/CAR WG.42/6) and the document Exemptions *Ad Hoc* Working Group – Compliance to the SPAW Protocol (UNEP(DEPI)/CAR WG.42/INF.21);

Welcoming and noting the United States Exemptions Report (2017) (contained in document UNEP(DEPI)/CAR WG.40/INF.9);

Recommends that:

1. The Exemptions Working Group, with the assistance of the Secretariat and/or SPAW-RAC, **consider** ways to facilitate reporting of exemptions and **make** recommendations for consideration

during the next biennium for future discussions at STAC10 and subsequent consideration at COP12.

2. The COP11 **call on** Contracting Parties to comply with the provisions of the Protocol and, in the event that taking of any species listed under Annex II of the Protocol occurs, that an exemption report be submitted to the STAC in order to assess the pertinence of such take.

RECOMMENDATION VII

Sargassum

Taking note of the Report of the Secretariat, "Sargassum White Paper 2021: Turning the Crisis into an opportunity" (UNEP(DEPI)/CAR WG.42/INF.35), as well as the "Report of the Sargassum Working Group" (UNEP(DEPI)/CAR WG.42/7);

Taking note of the fact that brown algae of the genus Sargassum plays a crucial ecological role in serving as nursery and cover habitat for a range of species in the Wider Caribbean Region;

Recognizing the importance of cooperation of the SPAW Secretariat with relevant organisations and initiatives, including with the Abidjan Convention and others such as the GEO-BluePlanet Sargassum Information Hub, SARG-Net, with a view of consolidating a common platform for Sargassum management in the Wider Caribbean Region;

Further recognizing relevant work conducted under the LBS Protocol, in particular regarding the Assessment and Management of Environmental Pollution (AMEP) Sub-Programme, including efforts to address nutrient pollution and to enhance environmental monitoring and assessment in supports to countries in the Wider Caribbean;

Welcoming the work provided by the STAC Sargassum Working Group coordinated by the SPAW-RAC and having reviewed its report (UNEP(DEPI)/CAR WG.42/7);

Recommends that:

1. The SPAW Sub-Programme **use** the term 'Sargassum influx' when addressing the challenges and impacts posed by large landings of Sargassum, to more adequately reflect outbreaks/massive landings and avoid erroneously characterizing the genus Sargassum itself as an undesirable group of species.
2. The Secretariat **continue** coordination and collaboration with relevant regional and global initiatives to study the causes of and promote synergies and solutions to coastal Sargassum influxes, within the scope of the SPAW Protocol and the Cartagena Convention.
3. Contracting Parties **request** that the CEP Secretariat increase collaboration and joint programming between the SPAW and LBS Protocols, in the context of the SPAW Sargassum Working Group.

RECOMMENDATION VIII

Working Groups

Recognizing Contracting Parties' continued support for the SPAW STAC *Ad Hoc* Working Groups; and

Taking note of discussions at STAC9 requesting the *Ad Hoc* Working Group to carry out new tasks over the next biennium;

Recommends that:

1. The Secretariat, through the SPAW-RAC, with the participation from interested Contracting Parties, **review and update** the Terms of Reference for the Ad Hoc Working Groups, as appropriate and taking into account the suggestions made during STAC9, including clarifying the structure of, tasks of, and participation in the Species Working Group
2. The Secretariat, through the SPAW-RAC, **circulate** the revised Terms of Reference to the STAC Assembly for intersessional approval by Contracting Parties.
3. The Secretariat, through the SPAW-RAC, invite Contracting Parties to **nominate** experts to the *Ad Hoc* Working Groups, in accordance with the Terms of Reference.
4. Request the Secretariat to consult with the Working Groups on the development of priorities for the SPAW Workplan and Budget for 2023-2024, as appropriate.

RECOMMENDATION IX**State of Habitats and Regional Strategy**

Taking note of and welcoming the Report on the State of Nearshore Marine Habitats in the Wider Caribbean (UNEP(DEPI)/CAR WG.42/INF.5) and Regional Strategy Action Plan for the Valuation, Protection and/or Restoration of Key Marine Habitats in the Wider Caribbean 2021–2030 (UNEP(DEPI)/CAR WG.42/INF.6);

Taking note of Recommendation VII from STAC8 and Decision 14 from COP10 requesting the Secretariat to “continue progress towards completing the draft State of Habitat and the 2020-2030 Regional Strategy and Action Plan and Investment Plan, supported by the CLME+ Project”

Recommends that:

1. Contracting Parties, the Secretariat and SPAW-RAC, Observers, and other stakeholders, as appropriate, **consider** the range of suggested actions contained in the reports as possible options for strengthening management of coastal ecosystems and maintaining and improving habitat integrity.

RECOMMENDATION X**Emerging Issues**

Taking note of and welcoming the United States National Oceanic and Atmospheric Administration’s (NOAA) Strategy for Stony Coral Tissue Loss Disease Response and Prevention (UNEP(DEPI)/CAR WG.42/INF.14) to respond to the disease outbreak in the Atlantic-Caribbean region; and

Taking note of and welcoming the U.S. National Oceanic and Atmospheric Administration's report on Efforts to Address Ocean Acidification in the Caribbean (UNEP(DEPI)/CAR WG.42/INF.20) to address ocean acidification as a regional topic of common concern to be acknowledged by the SPAW Protocol;

Recommends that:

1. The Secretariat and SPAW-RAC **respond to** Stony Coral Tissue Loss Disease capacity-building

needs and work with partners in the region to facilitate information sharing and implement training programs, as appropriate, to promote the prevention of, detection of and response to this new threat to Caribbean coral reef ecosystems.

2. Contracting Parties **continue building** their capacities to respond to coral disease outbreaks, including through monitoring, standardized data collection, and developing response plans.
3. The Secretariat and SPAW-RAC **encourage** collaboration among Contracting Parties; the Regional Activity Centre-Regional Marine Pollution Emergency, Information and Training Centre (RAC-REMPEITC); the shipping industry; and other stakeholders, as appropriate, to reduce the risk of coral disease spread via ballast water, biofilms and wastewater.
4. The Secretariat and SPAW-RAC **continue** to communicate and collaborate with the regional sub-commission of the Intergovernmental Oceanographic Commission (IOCaribe) regarding any potential future work on ocean acidification.

RECOMMENDATION XI

Species

Noting the species nomination proposals submitted by France to STAC8 in 2018 to list whale shark, oceanic whitetip shark, giant manta ray, great hammerhead, and smooth hammerhead in Annex II of the SPAW Protocol (UNEP(DEPI)/CAR WG.40/INF.7);

Recalling France's nomination to include *Carcharhinus longimanus*, *Rhincodon typus*, *Manta* sp. cf. *Birostris*, *Sphyrna mokarran* and *Sphyrna zygaena* to Annex II in 2018 and also recalling the Netherlands' initial nominations in 2016, ...which some Contracting Parties considers not yet concluded.

Acknowledging that STAC8 recommended, and COP10 requested, the Species Working Group to “address as a priority parrotfish..., the whale shark *Rhincodon typus*, the manta ray *Manta birostris*, as well as other species proposed by Contracting Parties...,” (UNEP(DEPI)/CAR WG.40/6)

Welcoming and acknowledging the assessments, evaluations, and recommendations of the Species Working Group on oceanic whitetip shark, whale shark, giant manta rays, great hammerhead shark, smooth hammerhead shark and parrotfish (UNEP(DEPI)/CAR WG.42/INF.24 Add.1-5 and UNEP(DEPI)/CAR WG.42/INF.15).

Taking into account that STAC9 did not have a discussion on the contents of the Species Working Group’s assessments on whale shark, oceanic whitetip shark, giant manta ray, great hammerhead shark, smooth hammerhead shark, and parrotfish;

Also taking into account that STAC9 did not reach consensus nor come to a conclusion on whether or not species nomination proposals were presented to STAC9 in accordance with the SPAW Protocol; 2014 Procedure for the submission and approval of nominations of species for inclusion in, or deletion from, Annexes I, II, and III; and the Rules of Procedure;

Welcoming and thanking the United Nations Environment Programme Law Division for their guidance and sharing of knowledge on procedures in intergovernmental decision-making,

Noting there was a lack of consensus regarding how this guidance could apply to the SPAW Protocol and whether or not a species nomination could be considered still pending if it was not formally accepted, rejected or withdrawn;

Recognizing the importance of coordination with other relevant international conventions regarding the conservation of the marine biodiversity in the Caribbean;

Noting that the oceanic whitetip shark was listed on Appendix I of the Convention on Migratory Species at COP13 in 2020;

Noting that the IUCN has categorized the oceanic whitetip shark as critically endangered, the manta ray, the whale shark and great hammerhead shark as endangered and the common hammerhead shark as vulnerable;

Welcoming the work of the Working Group on Species for evaluations and recommendations related to priorities and strategies for regional collaboration and the implementation of management measures to improve the protection of species included in the Annexes to the Protocol;

Recognizing that Articles 11 and 21 of the SPAW Protocol call for the development and implementation of programmes for protected species, as well as guidelines and criteria for the management of protected species, including migratory species;

Further recognizing that Annex II of the SPAW Protocol lists all species of marine mammals of the Wider Caribbean Region as threatened and endangered;

Welcoming (or acknowledging) the Species Working Group's work to draft a toolkit for implementing marine mammal watching guidelines in the wider Caribbean region;

Reaffirming the Action Plan for the Conservation of Marine Mammals (MMAP) in the Wider Caribbean that was adopted in 2008 at SPAW COP5; and

Acknowledging the comprehensive evaluation of the implementation of the Marine Mammal Action Plan in the report, "Implementation of the Action Plan for the Conservation of Marine Mammals (MMAP) in the Wider Caribbean: A Scientific and Technical Analysis," (UNEP(DEPI)/CAR WG.42/INF.29 Add.1), and the need for enhanced communication and collaboration on marine mammal conservation and implementation of the Marine Mammal Action Plan by Contracting Parties;

Recognizing the SPAW-RAC's active participation in the CARI'MAM Project, in line with guidance from STAC8 and COP10;

Thanking France and the European Union for carrying out this project and all the actors from many Caribbean countries participating in it;

Recommends that:

1. COP11 **invite** Contracting Parties to consider the assessments of the Species Working Group on whale shark, oceanic whitetip shark, giant manta ray, great hammerhead, smooth hammerhead, and parrotfish and to submit species nomination proposals, or revised proposals as appropriate, and supporting documentation for these species for consideration by STAC10 and COP12.
2. The Secretariat **invite** Parties to submit nomination proposals for additional species to be listed in the Annexes of the SPAW Protocol for consideration by STAC10 and COP12.
3. The STAC **strengthens** the work of the Species Working Group with the aim of improving the conservation and management of species listed in the Annexes of the Protocol, taking into account the recommendations in paragraph 4 of UNEP(DEPI)/CAR WG.42/INF.25, paragraphs 8-10 of UNEP(DEPI)/CAR WG.42/INF.38, and paragraph 8 of UNEP(DEPI)/CAR WG.42/INF.39,

(UNEP(DEPI)/CAR WG.40/INF.7) as appropriate.

4. COP11 **call on** Contracting Parties to strengthen conservation and sustainable management of shark and ray species listed in Annex III of the Protocol, taking into account the recommendations in **UNEP(DEPI)/CAR WG.42/INF.24**, paragraphs 51-56, as appropriate.
5. COP11 **invite** Contracting Parties to report to STAC10 on progress in implementation of management measures in line with Article 11(1)c of the Protocol for each of the nine shark and ray species listed on Annex III in their waters.
6. The SPAW Sub-Programme, including the Secretariat and SPAW-RAC, **enhance** coordination and communication with regional fisheries bodies to enhance conservation and management of species listed in the Annexes of the SPAW Protocol.
7. The STAC, through the Marine Mammal Experts of the Species Working Group, **revise and update** the MMAP, considering new information and developments since 2008, including the “Scientific and Technical Analysis of the Implementation of the Action Plan for the Conservation of Marine Mammals (MMAP) in the Wider Caribbean,” and **present** the updated MMAP to STAC10 for its review and consideration.
8. The Secretariat and SPAW-RAC, in close consultation with SPAW Contracting Parties, and other relevant stakeholders, **consider** the potential costs, benefits, and operational framework of a Marine Mammal Regional Activity Network (RAN), taking into account the good results of the CARI’MAM project and network, and draft a proposal for discussion at SPAW STAC10 regarding how such a RAN could operate.
9. The Secretariat and SPAW-RAC, subject to the availability of external resources, pursue and support actions to enhance knowledge and monitoring of SPAW Annex II and III megafauna species populations in the Wider Caribbean Region.
10. COP11 **call on** Contracting Parties to strengthen conservation and sustainable management of parrotfish.

ANNEX IV - LIST OF PARTICIPANTS

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