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

Virtual meeting.

- Session One: 17–19 March 2021
- Session Two: 14-15 April 2021

RECOMMENDATIONS OF THE MEETING

For reasons of public health and safety associated with COVID-19, this meeting is being convened virtually. Delegates are kindly requested to access all meeting documents electronically for download as necessary.

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 SPA-RAC (and France) for (respectively) the organization and funding of four (4) Pre-STAC9 sessions to present the works done by the four (4) SPA 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 SPA 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 (SPAW 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.