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Twelfth Meeting of the Contracting  
Parties (COP) to the Protocol  
Concerning Specially Protected Areas  
and Wildlife (SPAW) in the Wider  
Caribbean Region

Oranjestad, Aruba  
3 October 2023

## DECISIONS OF THE MEETING

The Contracting Parties:

**Having convened** the Twelfth Meeting of the Contracting Parties (COP) to the Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region;

**Taking note** of the “Status of Activities of the SPA Sub-programme for 2021-2022” (*includes status of STAC9 Recommendations and COP11 Decisions*)” (UNEP(DEPI)/CAR WG.43/INF.5) and “Report of the SPA Regional Activity Centre (SPA- RAC) in Guadeloupe: Operations and Budget for the period 2021-2022” (UNEP(DEPI)/CAR WG.43/INF.6);

**Having reviewed** the “Recommendations of the Tenth Meeting of the Scientific and Technical Advisory Committee (STAC) of the Protocol Concerning Specially Protected Areas and Wildlife (SPA) in the Wider Caribbean Region”, Virtual, 30 January - 1 February, contained in the Report of the Meeting (UNEP(DEPI)/CAR WG.43/4) and included as an Annex to these decisions;

**Having reviewed** the “Draft Workplan and Budget of the Specially Protected Areas and Wildlife (SPA) Sub-programme for the 2023-2024 Biennium” (UNEP (DEPI)/CAR WG.43/3 Rev.1);

**Decide to:**

### **DECISION I** **Workplan and Budget**

1. **Adopt** the Workplan and Budget of the Specially Protected Areas and Wildlife (SPA) Sub-programme for the 2023-2024 Biennium (UNEP(DEPI)/CARWG.43/3 Rev.1) as presented to the meeting.
2. **Request** the Secretariat and SPAW-RAC, as appropriate, with guidance from the Bureau, in the implementation of the Workplan and Budget, to prioritize activities that provide direct support to strengthen implementation of the Protocol.
3. **Urge** the Secretariat to identify and strengthen synergies with other relevant developments in the Wider Caribbean Region to the benefit of the implementation of the Workplan and Budget of the Specially Protected Areas and Wildlife (SPA) Sub-programme for the 2023-2024 Biennium (UNEP(DEPI)/CARWG.43/3 Rev.1).
4. **Urge** Contracting Parties to contribute through their relevant institutions to the extent possible for the implementation of the Workplan and Budget of the Specially Protected Areas and Wildlife (SPA) Sub-programme for the 2023-2024 Biennium (UNEP(DEPI)/CARWG.43/3 Rev.1).

### **DECISION II** **Protected Areas and Species**

1. **Adopt** the Recommendations of the Tenth Meeting of the Scientific and Technical Advisory Committee (STAC) to the SPAW Protocol including:
  - i. To approve the inclusion of Parc Naturel Marin de Martinique, proposed by the Government of France, in the list of protected areas under the SPAW Protocol.
2. **Uplist** the Oceanic Whitetip Shark and Lesser Antillean Iguana, Whale Shark and the Giant Manta Ray from Annex III to Annex II.
3. **List** all Parrotfishes and the Caribbean reef shark in Annex III.
4. **Invite** the Scientific and Technical Advisory Committee, through the species working group, to develop conservation and management recommendations for the Whale Shark, Giant Manta Ray and Hammerhead Sharks to be presented to the 11<sup>th</sup> meeting of the Scientific and Technical Advisory Committee.

### **DECISION III**

#### **Adoption of Documents**

1. **Adopt** the SPAW Regional Activity Centre Strategic Plan 2023-2028 (UNEP(DEPI)/CAR WG.43/INF.7).
2. **Adopt** the Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region (UNEP(DEPI)/CAR WG.43/INF.31).

### **DECISION IV**

#### **Ratification**

1. **Encourage** increased ratification of the SPAW Protocol and implementation of its obligations.

### **DECISION V**

#### **Working Groups**

1. **Encourage** Contracting Parties to designate experts with scientific and/or technical competence to the SPAW STAC *Ad Hoc* Working Groups, in accordance with the Terms of Reference for the SPAW STAC *Ad Hoc* Working Groups (UNEP(DEPI)/CAR WG.42 INF.12/Rev.1).
2. **Request** the Secretariat/and or SPAW RAC perform an assessment on the functioning of the Working Groups with the participation of the Contracting Parties and identify possible mechanisms for strengthening the technical and scientific basis on which the STAC can make recommendations.
3. **Request** the Secretariat and the RACs to strengthen the integration between the AMEP and SPAW subprogrammes in the 2023-2024 biennium, including integration of thematic linkages on issues such as eutrophication, Sargassum inundation, and the impacts of nutrient pollution on marine biodiversity, as well as coordination between RACs and RANs and cross-representation of experts between Working Groups, as appropriate, and in accordance with the relevant Terms of Reference.

### **DECISION VI**

#### **Programme Coordination and Management**

1. **Recognize** the contribution of non-governmental organisations to the implementation of the Cartagena Convention, in particular to the SPAW Protocol and welcome the establishment of the SPAW Consortium.

### **DECISION VII**

#### **Governance**

1. **Request** that the Bureau, with the support of the Secretariat and SPAW-RAC if needed, conduct active outreach to Contracting Parties on the contents and decision-making of Bureau meetings, with the aim to reflect the positions of all Contracting Parties in meetings of the Bureau. The Bureau should, in its first meeting, decide on the manner in which it will decide to inform and include other Contracting Parties, taking into account the Terms of Reference of the Bureau.
2. **Urge** the Secretariat to facilitate the collaboration of the SPAW COP, LBS COP and the Cartagena Convention COP Bureaus to work efficiently to the benefit of the implementation of the subprogrammes.

**DECISION VIII**  
**Sargassum**

1. **Encourage** the Secretariat and the SPAW RAC to improve knowledge and support Contracting Parties to tackle the consequences of Sargassum inundation and the issues related to it in collaboration with Contracting Parties, RACs and other UN conventions and agencies, as appropriate and as proposed in the relevant Recommendation VI of the STAC.

## **RECOMMENDATIONS OF THE MEETING**

**Having convened** the Tenth 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 30 January 2023 – 1 February 2023.

**The Meeting recommends,**

### **(1) Prior to the Convening of the Twelfth SPAW Conference of the Parties (COP12) and Twentieth Intergovernmental Meeting (IGM20)**

#### **RECOMMENDATION I**

##### **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 Twelfth SPAW COP (COP12) and Twentieth Intergovernmental Meeting (IGM20) for approval as appropriate;

##### **Recommends that:**

1. Contracting Parties provide additional comments on the “Draft Work Plan for the Specially Protected Areas and Wildlife Sub-Programme for the 2023-2024 biennium” (UNEP(DEPI)/CAR WG.43/3), no later than February 15, for submission to SPAW COP12 for approval.
2. If needed, the Secretariat convene Contracting Parties in a drafting group to review and address the comments submitted on the Draft Work Plan and circulate the revised Draft Work Plan to Contracting Parties prior to submission to SPAW COP12.
3. Contracting Parties provide comments on the “SPAW Regional Activity Centre Strategic Plan 2023-2028” (UNEP(DEPI)/CAR WG.43/INF.7) to the SPAW-RAC by, 28th February 2023, to be addressed prior to the submission of the Strategic Plan to SPAW COP12 for approval.
4. Contracting Parties provide comments to the Secretariat on the Update of the Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region (UNEP(DEPI)/CAR WG.43/INF.31) by February 15 for review, revision, and submission to SPAW COP12 for approval.
5. The Secretariat convene Contracting Parties in a drafting group to review and address the comments submitted on the Update of the Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region (UNEP(DEPI)/CAR WG.43/INF.31) and circulate the revised Action Plan to Contracting Parties prior to submission to SPAW COP12.
6. Considering the extenuating circumstances regarding the Parke Marino Aruba proposal, SPAW STAC10 request the Protected Areas Working group to assess the response of Aruba representing the Kingdom of the Netherlands on three key points in their nomination of Parke Marino Aruba:
  - i. The nomination document should include more references to publications, documents and all relevant sources of information provided on ecological and cultural/ socio-economic aspects.
  - ii. A Management Plan must be elaborated and validated in consultation with a broad range of stakeholders then implemented prior to submitting the application.
  - iii. An evaluation framework to monitor the success of the management must be established.

The response of Aruba to the key points must be sent to the Secretariat as timely as possible but

before February 15, in order to allow the Working group to give the proper attention to the assessment and to facilitate that the outcomes of the assessment could be presented to STAC 10 for advice regarding whether the nomination fulfills the “Guidelines and Criteria for the Evaluation of Protected Areas to be Listed Under the SPAW Protocol” (2010 Guidelines) before the presentation to SPAW COP12 consistent with relevant deadlines.

**(2) To the Twelfth SPAW Conference of Parties (COP12) and Twentieth Intergovernmental Meeting (IGM20)**

**RECOMMENDATION II**  
**Programme Coordination and Management**

**Recommends that:**

1. SPAW STAC10 notes the SPAW Consortium Concept Brief as presented in (UNEP(DEPI)/CAR WG.43/CRP.1) and recognize the contribution of non-governmental organizations to the implementation of the Cartagena Convention, in particular to the SPAW Programme, and further recommends SPAW COP12 notes the same.
2. SPAW COP12 notes with interest the Information Paper on Protecting Blue Corridors (UNEP(DEPI)/CAR WG.43/CRP.1) and the importance of the information for the Wider Caribbean Region.

**RECOMMENDATION III**  
**Programme of Work and Budget 2023-2024**

**Recommends that:**

1. SPAW COP12 acknowledge the involvement of the SPAW-RAC in the CAMAC project (UNEP(DEPI)/CAR WG.43/INF.36), which promotes the implementation of the SPAW programme and the achievement of the SPAW objectives.
2. SPAW COP12 encourage the SPAW-RAC to include interested Contracting Parties to the extent possible and identify opportunities for CAMAC to support such interested Contracting Parties in achieving SPAW objectives, including those outlined in the Update of the Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region.

**RECOMMENDATION IV**  
**Protected Areas**

**Having reviewed** the Report of the STAC Protected Areas Working Group and (UNEP(DEPI)/CARWG.43/INF.12) and the following information documents UNEP(DEPI)/CAR WG.43/INF.13 and UNEP(DEPI)/CAR WG.43/INF.14;

**Welcoming** the proposal by the Government of the France to nominate the Martinique Marine Nature 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;

**Recognizing** the contribution from the SPAW-RAC and the experts participating in the Protected

Areas Working Group;

**Taking note of** the review by the Protected Areas Working Group and the report under the coordination of SPAW-RAC (UNEP(DEPI)/CARWG.43/INF.12);

**Recommends that:**

1. The Secretariat and SPAW-RAC, as appropriate, work with Contracting Parties, including managers of SPAW-listed protected areas, and other relevant partners, as appropriate, to develop a proposal for the creation of a network for SPAW-listed protected areas coordinated by the Secretariat or SPAW-RAC with the purpose of understanding and addressing the needs of protected area managers to improve protected area effectiveness. The proposal should include a suggested strategic vision, workplan, institutional structure, and budget and should be presented to SPAW STAC11 and COP13 for consideration.
2. SPAW COP12 recognize that the creation or establishment of additional protected areas in the Wider Caribbean Region may contribute to achieving Target 3 of the Kunming-Montreal Global Biodiversity Framework.
3. The SPAW-RAC continue to maintain, improve and update the database related to the protected areas listed under the SPAW Protocol directly on the SPAW-RAC website (<https://www.car-spaw-rac.org/?Protected-Areas>).
4. The Secretariat invite Contracting Parties to prepare and submit nominations according to the “Guidelines and Criteria for the Evaluation of Protected Areas to be Listed Under the SPAW Protocol” using the “Annotated Format for the Presentation Reports for the Areas Proposed for Inclusion in the SPAW List” approved by SPAW Contracting Parties at the 6th SPAW COP (UNEP(DEC)/CAR WG.29/4Rev.13), available on the SPAW-RAC website.
5. SPAW COP12 approve the inclusion of Parc Naturel Marin de Martinique, proposed by the Government of France, in the list of protected areas under the SPAW Protocol.
6. The Protected Areas Working Group review the “Guidelines and Criteria for the Evaluation of Protected Areas to be Listed Under the SPAW Protocol” (2010 Guidelines), building on earlier discussions and preliminary recommendations, and prepare suggestions to simplify and streamline the process, including possible modifications to the 2010 Guidelines, for consideration at SPAW STAC11 and COP13.
7. Contingent upon intersessional review and positive advice by the STAC, SPAW COP12 include Parke Marino Aruba in the list of protected areas under the SPAW Protocol.

## **RECOMMENDATION V**

### **Exemptions Reports**

**Having reviewed** the Report of the STAC Exemptions Working Group (UNEP(DEPI)/CAR WG.43/INF.33)

**Welcoming and noting** the United States Exemptions Report (2018-2021) (contained in document UNEP(DEPI)/CAR WG.43/INF.34);

**Recommends that:**

1. SPAW COP12 endorse the recommendations of the Report of the Exemptions Working Group (UNEP(DEPI)/CAR WG.43/INF.33).
2. The Secretariat and SPAW-RAC support capacity building for improved reporting of exemptions including through Peer-to-Peer exchanges and assessments of Contracting Parties’ needs.

## **RECOMMENDATION VI**

### **Sargassum**

#### **Recommends that:**

1. Contracting Parties engage in and contribute to relevant fora, as appropriate, including the Sargassum Information Hub and the Sargassum Working Group coordinated by the Group on Earth Observations (GEO) Blue Planet Initiative, as well as the IOC of UNESCO Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE), as well as, as appropriate, the SARGCOOP Program.
2. Upon request, the Secretariat and SPAW-RAC, as appropriate, 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, and provide information on SPAW and its work to such fora.
3. The Sargassum Working Group survey Contracting Parties on their needs related to managing Sargassum influx and how such influx may affect their implementation of obligations under the SPAW Protocol and Cartagena Convention, as well as the LBS Protocol, as appropriate.
4. Taking into account the findings of the survey and consultations, as well as any consultations with additional experts as appropriate, the Sargassum Working Group update and prioritize the proposed action plan of the Sargassum Working Group in UNEP(DEPI)/CAR WG.42/7 for consideration by SPAW STAC11 and COP13.

## **RECOMMENDATION VII**

### **Working Groups**

#### **Recommends that:**

1. The SPAW-RAC invite Contracting Parties to designate experts with scientific and/or technical competence to the SPAW STAC Ad Hoc Working Groups, in accordance with the Terms of Reference, within two months following SPAW COP12.

## **RECOMMENDATION VIII**

### **Emerging Issues**

#### **Recommends that:**

1. The Secretariat and SPAW-RAC, as appropriate, continue to engage with the Ocean Acidification Community of Practice and communicate with the regional sub commission of the Intergovernmental Oceanographic Commission (IOCaribe) regarding any potential future work on ocean acidification, including sharing announcements of related funding calls for the region.
2. With regard to the issue of Deep Seabed Mining and potential implications for Contracting Parties, Contracting Parties and the Secretariat are encouraged to share relevant information about the SPAW Protocol through the existing mechanisms for the ongoing International Seabed Authority negotiations.



## RECOMMENDATION IX

### Species

#### Recommends that:

1. SPAW COP12 decide on the proposals for the uplisting of the whale shark, giant ray manta and hammerhead sharks from Annex III to Annex II of the SPAW Protocol, noting the lack of consensus of the Contracting Parties on the submitted proposals.
2. SPAW COP12 adopt the recommendations for the conservation of Sawfishes (Pristidae) in UNEP (DEPI) CAR WG.43/INF.25, paragraphs 6-11, and requests the Species Working Group to assist the Secretariat and SPAW-RAC with implementation of the recommendations, as appropriate.
3. SPAW COP12 request the Secretariat and SPAW-RAC to report to STAC 11 on the progress implementing the recommendations for the conservation of Sawfishes (Pristidae), in UNEP(DEPI)CAR WG.43/INF.25.
4. SPAW COP12 adopt the recommendations in UNEP(DEPI)CAR WG.43/INF.26, paragraphs 12-14, for the conservation of Nassau Grouper (*Epinephelus striatus*), and invite Contracting Parties, the Secretariat, and SPAW-RAC to report on progress implementing these recommendations to STAC 11.
5. The Species Working Group and Protected Areas Working Group undertake the joint task in UNEP(DEPI)CAR WG.43/INF.26, paragraph 15, for the conservation of Nassau Grouper (*Epinephelus striatus*), and report progress and make recommendations, as appropriate, to STAC 11.
6. SPAW COP 12 adopt the recommendations in UNEP(DEPI)CAR WG.43/INF.24, paragraphs 4-12, and request the Secretariat and SPAW-RAC to work with WIDECASST and other experts, as appropriate, to implement the recommendations, subject to availability of resources.
7. SPAW COP12 requests the Secretariat and SPAW-RAC to report to STAC 11 on the progress implementing the recommendations in UNEP (DEPI) CAR WG.43/INF.24.
8. SPAW COP12 adopt the endorsed submitted proposals on the uplisting of the Oceanic Whitetip Shark and Lesser Antillean Iguana from Annex III to Annex II and the inclusion of all Parrotfishes and the Caribbean reef shark in Annex III.
9. The Species Working Group develop a set of prioritized recommendations for the conservation and management of parrotfish in the Caribbean, using UNEP(DEPI)/CAR WG.42/INF.15 as the basis for such recommendations, and that SPAW COP 12 invite the Secretariat and SPAW-RAC to support interested Contracting Parties in the implementation of conservation and management measures for parrotfish, as appropriate. In the development of recommendations and implementation of conservation and management measures, the Secretariat, SPAW-RAC and Species Working Group could consider, inter alia:
  - i. The possible development of a regional management plan for parrotfish in the Caribbean.
  - ii. Developing recommendations to protect and enhance existing populations by reducing the negative effects of overexploitation and unsustainable fishing methods.
  - iii. Developing recommendations to improve the status of the marine habitats on which parrotfish depend and prevent further degradation of these habitats.
  - iv. Opportunities to improve the understanding of the status of parrotfish by supporting fisheries-independent research into the physiology, life history and ecology of parrotfish.
  - v. The possible creation of a fishery-dependent data collection programme to better record fisheries and landings data to determine the effects of fishing on parrotfish populations.
  - vi. Conducting socio-economic assessments to understand the role of parrotfish in local economies.
  - vii. Opportunities to strengthen outreach, communication and public awareness.

- viii. Opportunities to support programmes to facilitate the transition of fishers to alternative livelihoods.
10. The Secretariat work with Contracting Parties, with input from the SPAW-RAC as appropriate, to further elaborate and evaluate the legal and institutional mechanisms to establish a potential Marine Mammal Regional Activity Network (RAN), taking into consideration the various options outlined in UNEP(DEPI)/CAR WG.43/INF.32, including the proposed RAN architecture described in section 3.2. The resulting report should be prepared within one year of SPAW COP12 and should include a review of the legal and institutional considerations related to a potential RAN's governance structure.
  11. The updated Marine Mammal Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region, taking into account comments made during STAC10 and during the subsequent review period referenced in recommendation I, be presented to SPAW COP12 for adoption as a set of recommended actions and compilation of relevant resources to address the priority threats to marine mammals in the region.
  12. Subject to the adoption of the updated Marine Mammal Action Plan for the Conservation of Marine Mammals in the Wider Caribbean Region, that STAC10 recommends that, upon request, the Secretariat and SPAW-RAC assist SPAW Contracting Parties in its implementation, as appropriate and subject to the availability of resources.
  13. The Secretariat and SPAW-RAC report to STAC11 on their activities in support of implementation of the Action Plan.