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

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

**TERMS OF REFERENCE FOR THE SPA W STAC
AD HOC WORKING GROUPS**

This meeting is being convened virtually. Delegates are kindly requested to access all meeting documents electronically for download as necessary.

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**Terms of Reference
of the SPAW STAC *ad hoc*
Working Groups**

Approved: 11 January 2022

Scientific and Technical Advisory Committee (STAC)
to the Protocol concerning Specially Protected Areas and Wildlife (SPAW)
in the Wider Caribbean Region Electronic consultation [December 2021]



Definitions

1. For the purposes of these Terms of Reference,
 - a. “Rules of Procedure” means the “Rules of Procedure for the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention).”
 - b. "Convention" and "Secretariat" have the same meaning as in the Rules of Procedure: "Convention" means the 1983 Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, adopted in Cartagena de Indias on 24 March 1983.
"Secretariat" means the United Nations Environment Programme (UNEP), the institution which, pursuant to article 15 of the Convention, has been designated by the Contracting Parties to carry out the Secretariat functions. Within UNEP, and on behalf of UNEP, the Caribbean Regional Coordinating Unit (UNEP-CAR/RCU) is responsible for the administration of the Convention and its related protocols and therefore acts as the Secretariat under the Convention.
 - c. SPAW Protocol” means the Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region.
 - d. "Contracting Party" means a State or Regional Economic Integration Organization that has ratified, accepted, approved or acceded to the SPAW Protocol in accordance with the provisions of the SPAW Protocol.
 - e. “SPAW-RAC” means the Regional Activity Centre for the SPAW Protocol, established under the laws and regulations of the French Republic in the French Department of Guadeloupe, as provided in the 6 July 2000 Agreement between the Government of the French Republic and the United Nations Environment Programme for the Contracting Parties to the Cartagena Convention, pursuant to the relevant decisions of the Contracting Parties and designated by the Contracting Parties to coordinate and carry out specific technical functions and activities in support of the SPAW Protocol.
 - f. “STAC” means the Scientific and Technical Advisory Committee to the SPAW Protocol, established under Article 20 of the SPAW Protocol (note that the STAC conducts its business through meetings as well as intersessionally).
 - g. “COP” means the Meeting of Contracting Parties to the SPAW Protocol.
 - h. “Observer” means an entity participating pursuant to Rules of Procedure 52, 53, or 54.

Introduction

2. The First Meeting of the Contracting Parties (COP) of the SPAW Protocol, Havana, Cuba (24-25 September 2001), in its Decision I.7, awarded “*specific mandates to the STAC (Scientific and Technical Advisory Committee) for the creation of ad hoc Working Groups to deal with those themes that, owing to their complexity or level of specialization, thereby require [special attention]. These groups should deliver reports on their work to the STAC.*”
3. As of December 2021, four such ad hoc Working Groups, dedicated respectively to Protected Areas, to Species, to Exemptions, and to Sargassum exist and others may be established by the STAC in the future.
4. The Working Groups facilitate ongoing discussions on topics of interest to the STAC. In response to requests by the STAC, their work can result in the provision of information or recommendations to the STAC.
5. Where a specific matter is addressed in these Terms of Reference, the STAC intends that the Terms of Reference, rather than the Rules of Procedure, apply to the meetings and work of STAC Working Groups and sub-groups. Otherwise, the STAC intends for the Rules of Procedure to apply.

Creation and Duration

6. Working Groups are established by the STAC.
7. Once established, Working Groups may remain active unless otherwise decided by the STAC. There is no time limitation on the duration of a Working Group unless so decided by the STAC.

General Tasks

8. Working Groups address specific issues or questions identified by the STAC to facilitate continued discussions on topics of interest to the STAC. They always ultimately report back to the STAC.
9. Specific tasks of the Working Group are determined by the STAC, and the tasks of existing Working Groups may be revised by the STAC, as it deems appropriate. The tasks for each Working Group are outlined in a separate document (see paragraphs 36-38).
10. The outcomes of each Working Group depend on its tasks assigned by the STAC. The outcomes may be reviews or comments on documents submitted to the STAC, or information or recommendations on specific issues or questions, as requested by the STAC.

Participation

11. Working Groups experts are designated as follows:
 - a. Each Contracting party may designate up to two experts to each Working Group.
 - b. Each observer may designate one expert to each Working Group, as long as the total number of observer experts does not exceed the number of Contracting Parties to the SPAW Protocol¹. Observers should communicate their designations to the SPAW-RAC, which then confirms designated experts meet relevant scientific or technical qualifications.
12. Working Groups, if there is no objection from Contracting Parties, may create sub-groups to carry out specific tasks. Sub-group experts are designated separately from Working Group experts following the same process outlined in paragraph 11. A sub-group reports to the Working Group through which it was created and exists only for the duration of the task.
13. An expert's participation in a Working Group or sub-group is limited to the Working Group or sub-group to which they were designated.
14. A Working Group or sub-group may invite additional experts to participate in the Working Group or sub-group or to address a specific subject or contribute to a specific task, as needed. Such additional experts' participation is limited to providing advice on the specific subject or task to which they were invited to contribute.
15. Staff of the SPAW-RAC and the Secretariat participate, including through contribution of technical knowledge, in any Working Groups and sub-groups as representatives of the SPAW-RAC or the Secretariat, respectively.
16. All experts are designated or invited for their scientific and/or technical competence; their availability and readiness to be responsive; and to cover, to the greatest extent possible, the geographic and thematic scope of the subject matter.
17. All experts participate in their individual capacities, and do not represent the official views or positions of the Contracting Parties and observers that designate them. This excludes staff of the SPAW-RAC and the Secretariat, who participate as representatives of the SPAW-RAC and the Secretariat, respectively.
18. The SPAW-RAC manages the rosters of designated Working Group experts, designated sub-group experts, and any invited additional experts.
19. Updated lists of designated Working Group experts, designated sub-group experts, and any invited additional experts are transmitted to the STAC as annexes to interim reports and as annexes to any Working Group reviews or reports that are submitted for the STAC's consideration.

¹ As of December 2021, there were 18 Contracting Parties to the SPAW Protocol.

Chairs of the Working Groups

20. Working Groups may be chaired by an expert designated by a Contracting Party or by a representative of the SPAW-RAC or the Secretariat. If the Chair is an expert designated by a Contracting Party, the SPAW-RAC and the Secretariat should provide administrative and logistical support.
21. The STAC designates the Chair of each Working Group for a term of one biennium. The STAC may re-designate the same Chair to serve for additional terms.

Roles and Responsibilities

22. The Chair of the Working Group coordinates the experts of the Working Group; facilitates the Working Group's completion of its mandated tasks; through the SPAW-RAC and the Secretariat keeps the STAC up to date on the status of the Working Group's work; and participates in the discussions of the Working Group.
23. The Chair of each Working Group should provide the experts participating in the Working Group with a precise timetable of the expected outcomes, including a description of the roles of Working Group experts with respect to each outcome.
24. The Chair of each Working Group with input from the experts participating in the Working Group, should prepare interim progress reports for the SPAW-RAC and the Secretariat to transmit to the STAC approximately every six months. Interim reports should be available in the three official languages of the Convention.
25. At least two weeks prior to each Working Group meeting, the Chair of the Working Group should distribute an agenda and other meeting documents to all Working Group designated experts and any additional experts invited to participate in the meeting.

Working methods

26. Whenever possible, Working Group outcomes, including recommendations or reports, are to be drafted by consensus of the designated experts.
27. In the event that consensus among the Working Group designated experts cannot be reached on a particular outcome, including recommendations, the Working Group Chair includes a description of the full diversity of designated expert opinions in any communications, reports, or other documents transmitted to the STAC.

Platform

28. Working Groups and sub-groups accomplish their work virtually and use a virtual collaboration platform for communication.
29. When the experts of a Working Group or sub-group are designated or invited, the SPAW-RAC invites them to join a virtual platform specific to the Working Group or sub-group, as appropriate.

Languages

30. Working Groups and sub-groups conduct their work in English, except the outcomes, including but not limited to reports and recommendations which are submitted to the STAC and are translated into the three official languages of the Convention.
31. If resources allow, Working Groups and sub-groups may hold meetings with interpretation in Spanish and French and/or translate draft documents into Spanish and French.

Budget

32. There is no structural budget available for Working Groups, sub-groups or additional experts.

Submission of documents for Working Group Review

33. Official proposals for the listing of protected areas² or species³, exemptions reports⁴, and other proposals that require Working Group review before consideration by the STAC should be submitted to the Secretariat and the SPAW-RAC four (4) months (120 days) prior to the meeting of the STAC at which such proposals or reports are to be considered by the STAC.
34. Working Groups should conclude their reviews and reports 60 days prior to meeting of the STAC at which such reviews and reports are to be considered by the STAC so that the reviews and reports may be translated and posted 42 days prior to the meeting, in accordance with the Rules of Procedure.

² Nominations for inclusion of a protected area in the SPAW Protected Areas list must be in accordance with the 2010 "Guidelines and Criteria for the Evaluation of Protected Areas to be Listed under the SPAW Protocol."

³ Nominations for species inclusion or deletion from the Annexes of the SPAW Protocol must be in accordance with the 2014 "Revised criteria for the listing of species in the Annexes of the SPAW Protocol and Procedure for the submission and approval of nominations of species for inclusion in, or deletion from Annexes I, II and III."

⁴ Guidance and an optional format for reporting exemptions are presented in the 2017 "Guidance document: Criteria and process to assess exemptions under Article 1(2) of the Specially Protected Areas and Wildlife Protocol (SPAW)."

Updating tasks and chairs for each biennium

35. At least 120 days before each STAC meeting, the SPAW-RAC with the support of the Secretariat, is to consult with each Working Group on the development of priorities for the SPAW Workplan and Budget and possible Working groups tasks for the next biennium.
36. Within 30 days of each SPAW COP, Contracting Parties, with support from the SPAW-RAC and the Secretariat, as appropriate, are to review and update the tasks and Chairs for the ad hoc Working Groups, as appropriate and taking into account the recommendations from the STAC, as approved by the COP.
37. The Secretariat circulates the revised tasks and Chairs to the STAC for intersessional approval by Contracting Parties.
38. The Secretariat circulates the final, approved tasks and Chairs to the STAC.



2021-2022 Tasks and Chairs of the SPAW STAC *ad hoc* Working Groups

Approved : 11 January 2022

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1. Protected Areas Working Group

Chair: SPAW-RAC

1.1. Mandatory tasks:

- Review and provide the basis for recommendations on proposals from Contracting Parties to add new Protected Areas to the SPAW Protocol annexes.
- Review as needed the procedure through which Contracting Parties can propose new Protected Areas to be listed as SPAW sites.

1.2. Specific tasks, as mandated by STAC9:

- Review 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 Protected Areas for future discussions at STAC10 and subsequent consideration of COP12.
- In collaboration with the Secretariat and the 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.
- 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.

2. Species Working Group

Chair: SPAW-RAC

2.1. Mandatory tasks: review, evaluate, and provide recommendations on proposals from Contracting Parties to add new species to the SPAW Protocol Annexes or change the listing status of species currently on the Annexes.

2.2. Specific tasks, as mandated by STAC9:

- Strengthen work on 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, and paragraphs 50-56 of UNEP(DEPI)/CAR WG.42/INF.24, as appropriate.

- 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.

3. Exemptions Working Group

Chair: SPAW-RAC

3.1. Mandatory tasks:

- Review the exemptions reports submitted by Contracting Parties.

3.2. Specific tasks, as mandated by STAC9:

- With the assistance of the Secretariat and/or the 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.

4. Sargassum Working Group

Chair: SPAW-RAC

4.1. Mandatory tasks:

N/A

4.2. Specific tasks, as mandated by STAC9:

STAC9 did not request any further action from the Sargassum Working Group.