



**United Nations
Environment
Programme**



UNEP

Distr.
LIMITED

UNEP(DEC)/CAR WG.25/INF.3
3 June 2003

ENGLISH
Original: ENGLISH

Second 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

Curaçao, Netherlands Antilles, 3 – 6 June 2003

**STATUS OF IMPLEMENTATION OF THE DECISIONS OF THE SPA W COP 1 AND
COP 2 AND OF THE RECOMMENDATIONS OF THE FIRST MEETING OF STAC**

Introduction

1. **The Secretariat has prepared this document to report on the status of implementation of the decisions and recommendation of the following meetings of the Contracting Parties to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW):**
 - **First Meeting of the Contracting Parties (COP 1) to the SPAW Protocol (Havana, Cuba, 24-25 September 2001)**
 - **First Meeting of the Scientific and Technical Advisory Committee to the SPAW Protocol (STAC 1) (Havana, Cuba, 27-29 September 2001)**
 - **Second Meeting of the Contracting Parties (COP 2) to the SPAW Protocol (Montego Bay, Jamaica, 6 May 2002)**

2. **This report also aims to highlight the areas where action or implementation is still required on the part of the Contracting Parties, the STAC, the secretariat and others. The STAC might want to give further consideration and analysis to these areas to facilitate their implementation.**

DECISIONS OF THE FIRST MEETING OF THE CONTRACTING PARTIES (COP 1) TO THE SPAW PROTOCOL (HAVANA, CUBA, 24-25 SEPTEMBER 2001)

The Meeting of the Contracting Parties:

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

Taking into account the draft “Evaluation of the Work of the Interim Scientific and Technical Advisory Committee (ISTAC) since its inception (1992-2000)” (UNEP(DEC)/CAR IG.20/3);

Having examined the proposed “Scope and Structure of the Scientific Technical Advisory Committee (STAC) of the SPAW Protocol” (UNEP(DEC)/CAR IG.20/4) and the relationship between the SPAW Protocol, Subsidiary Body of Technical and Technological Advice (SBSTTA) to the Convention on Biological Diversity (CBD) (UNEP(DEC)/CAR IG.20/5); and

Taking into account the proposed “Priorities for implementation by the Parties and the secretariat since the entry into force of the Protocol, including priorities for the STAC” (UNEP(DEC)/CAR IG.20/6) and the “Draft Workplan and Budget for the Caribbean Environment Programme for the biennium 2002-2003 (includes Workplan and Budget for the SPAW Regional Programme)” (UNEP(DEC)/CAR IG.19/8);

DECISION I

Taking into account the provisions established in Article 24.2 of the Cartagena Convention whereby only the Contracting Parties of a Protocol would be able take decisions relative to it;

Taking into account Article 20 of the SPAW Protocol with respect to the responsibilities of the Scientific and Technical Advisory Committee;

Considering the need to establish an advisory body able to function on a practical basis and capable of implementing the mandates agreed to by the Parties; and

Taking into account the debates carried out during the First Meeting of the Parties on the basis of the documents UNEP (DEC)/CAR IG.20/3 and UNEP (DEC)/CAR IG.20/4 and the Parties' views of these;

Decides to:

1. **Reaffirm** that the STAC is an advisory body of the Contracting Parties on scientific and technical matters, that acts on the express mandate of the Meeting of the Parties and whose function will be to advise the Parties on the aforementioned matters and issue recommendations on the requested themes.
2. **Request** that the STAC, in accordance with the provisions of Article 20 of the Protocol, advise the Conference of the Parties on the following activities:
 - a) Identification of regional and national needs related to protected area management and species conservation priorities;
 - b) Identification of ways to integrate the conservation of biodiversity into national policies;
 - c) Promotion of initiatives for the protection and conservation of biodiversity;
 - d) Creation of training programs;
 - e) Promoting co-ordination of regional activities related to protected areas and species conservation;
 - f) Promoting co-ordination at the regional level between the activities under the framework of the SPAW Protocol and those of relevant environmental treaties;
 - g) Scientific and technical issues relevant to the implementation of the SPAW Protocol; and
 - h) Elaboration of project proposals for regional implementation in support of the Protocol's objectives.

3. **Reaffirm** that, in accordance with the provisions of Article 20 of the SPAW Protocol, those functions that appear in Articles 7 (Co-operation program and listing of Protected Areas), 11 (Co-operative measures for the protection of wild flora and fauna), 13 (Environmental Impact Assessment), 15 (Changes in the status of Protected Areas or Protected Species) and 21 (Establishment of common guidelines and criteria) of the Protocol are also specific functions of the STAC.
4. **Request** the STAC to propose to the Meeting of the Parties all scientific and technical issues it identifies as requiring the attention of the Parties.
5. **Request** that the STAC prepare a report of each of its meetings, and any intersessional activities, to be presented to the Meeting of the Contracting Parties at the earliest possible opportunity. Such a report should reflect the deliberations of the STAC and its priority actions, and should include, as necessary, recommendations to the Meeting of the Parties.
6. **That the Meeting of the Contracting Parties** should evaluate the work of the STAC and consider the recommendations made by it, with the aim of guiding the STAC towards improving its work.
7. **Award** specific mandates to the STAC for the creation of ad hoc Working Groups to deal with those themes that, owing to their complexity or level of specialisation, thereby require. These groups should deliver reports on their work to the STAC.
8. **Adequately reflect** in the Programme and Budget of the Regional SPAW sub-programme the financial implications of the establishment of the ad hoc groups that are approved.
9. **Reaffirm** that the Contracting Parties of the Protocol will participate as members with full rights in the STAC, without prejudice to the prerogatives of observers, in agreement with international practice.
10. **Widely recommend**, in accordance with the guidelines provided in Agenda 21, the scientific and technical contribution of major groups in the achievement of the work objectives of the STAC, including their participation in any ad hoc Working Groups that are established.
11. **With a view to fulfil its objectives**, the STAC meet in ordinary meetings annually and extraordinarily as and when decided by the Contracting Parties, based on the availability of funds.

Status of Implementation:

The STAC has been functioning since September 2001 when it met for the first time (Havana, Cuba, 27-29 September 2001). The following have been the main areas of work since then:

- **Preliminary review of the draft Rules of Procedure of the STAC. The STAC agreed that further review and adoption be undertaken in the context of the**

development of the Rules of Procedure for the Caribbean Environment Programme Meetings of the Contracting Parties to the Cartagena Convention.

- **The STAC created an Ad Hoc Group, encompassing Parties, non-Parties and NGOs, to review the criteria for the listing of species in the Annexes to the Protocol which worked electronically and presented its reports to the Contracting Parties (see STAC 1 Recommendations 4 to 7 below and document UNEP(DEC)/CAR WG.25/3).**
- **The STAC reviewed and made recommendations to the Workplan and Budget for the SPAW Programme for the 2002-2003 biennium.**
- **The Report and Recommendations of the First Meeting of the STAC were submitted for consideration and approval to the First Meeting of the Contracting Parties to SPAW (Montego Bay, Jamaica, 6 May 2002)**

DECISION II

Considering the close inter-relation that should exist between the Convention on Biological Diversity and the SPAW Protocol, within the area of conservation and the sustainable use of the components of biological diversity and

Taking into account the current Memorandum of Co-operation between the CBD and the SPAW Protocol and the similarity and agreement in the functions of the Subsidiary Body of Scientific, Technical and Technological Advice of the Convention on Biological Diversity (SBSTTA) and the STAC, as scientific-technical advice entities that could facilitate a wide range of collaboration prospects between the two secretariats;

Decides to:

1. ***Identify the following as fundamental elements of collaboration between both secretariats:***
 - a) *Participation of a representative of the SPAW secretariat as a permanent observer in the SBSTTA.*
 - b) *Participation of a representative of the secretariat of the CBD, in the SPAW forums.*
 - c) *Strengthening the work relations, the promotion and support for the development of the Clearinghouse Mechanism (CHM) as a means of facilitating the scientific and technical co-operation of the Convention on Biological Diversity in the Region, as an important base for information exchange.*
 - d) *Developing indicators of biological diversity and of appropriate guidelines and methodologies for the evaluation of marine and coastal biological diversity, the*

economic valuation of biological diversity and the establishment of protected areas.

- e) Establishing, preparing and developing case studies relevant to the Region.*
- f) Harmonisation of national agendas, reporting formats, databases and other tools.*
- g) Developing and/or strengthening the training and research programmes on themes such as the following:*
 - i. Indicators of biological diversity in marine ecosystems and protected areas;*
 - ii. Evaluation and monitoring of coral reefs and other highly important ecosystems in the Region, such as mangrove swamps and wetlands;*
 - iii. Elaboration and establishment of sustainable management and use of coastal and marine systems and resources; and*
 - iv. Design and implementation of pilot studies and case studies in the demarcation or mapping of the marine ecosystem, of species recovery plans, on the economic assessment of biological diversity and the effectiveness of marine protected areas in the conservation of biological diversity.*

- 2. Urge the Parties of the SPAW Protocol to increase their participation in the development and compliance with the specific agreements and initiatives between the SPAW and the Convention on Biological Diversity.*

Status of Implementation:

As reported in the Status of Activities for 2002-2003 (document UNEP(DEC)/CAR WG.25/4), after reviewing the outcome of CBD's COP-6 (7-19 April 2002), the SPAW secretariat provided the CBD secretariat with information and ideas for possible areas of collaboration between the respective workplans of both secretariats, in particular in the areas of physical degradation, destruction of coral reefs and coral bleaching. The secretariat also participated during 2002, in electronic working group discussions organised under the framework of the CBD on marine protected areas and integrated coastal area management. Given financial limitations, the secretariat was unable to attend the CBD's COP-6 (April 2002) and Meeting of SBSTTA (March 2003). The secretariat will continue to explore linkages with the CBD and would like to urge governments to more actively assist the SPAW secretariat in this regard.

DECISION III

Having regard to the typical characteristics of the Wider Caribbean Region, in terms of its rich biodiversity and the diversity of its ecosystems, the abundance of highly productive ecosystems and its interdependence with economic, scientific and social development in the region;

Taking into account the scarcity of material, human and financial resources and the need to avoid duplication in the implementation of international legal instruments of similar spheres of application; and

Having regard to the need to harmonise the action plans drawn up for every convention and treaty currently in force, in order to achieve a firm interaction between these and their application in areas or case studies of priority interest to the Region;

Decides:

That the STAC should review current approaches to the conservation and sustainable use of biological diversity as reflected in the scientific and technical work conducted under other multilateral environmental agreements for the purpose of identifying common elements and complementary actions that would assist in the effective development of the SPAW Protocol and correspondingly prioritise its work.

Status of Implementation:

The proposed draft Workplan and Budget for the SPAW Programme for 2004-2005 (document UNEP(DEC)/CAR WG.25/5) developed by the secretariat , provides concrete opportunities for the STAC for the identification of complementary actions with relevant multilateral environmental agreements, such as the CBD , the Ramsar Convention, the World Heritage Convention, CITES, the Interamerican Sea Turtle Convention, the St. Georges Declaration for the Eastern Caribbean States, etc. The secretariat welcomes the inputs and ideas of the STAC on this regard.

DECISION IV

Considering the need to review the decisions and recommendations of the meetings of the ISTAC and the provisions of the Protocol, with the intention of identifying the priorities to be executed by the Parties and the secretariat in the coming years, and

Recognising, also, the contribution offered in this sense by the document UNEP (DEC)/CAR IG.20/6, "Priorities of the SPAW Protocol for implementation by the Parties and the secretariat since its entry into force including priorities for the STAC", which includes

and considers the priority activities identified through a review of the reports of the four previous meetings of the ISTAC and the Workplan of the Caribbean Environment Programme adopted since the approval of the Protocol;

Decides to:

1. ***Identify*** as particularly relevant those aspects necessary for the improved implementation of the Protocol including, amongst others, in accordance with its Article 21, the formulation by STAC of guidelines and common criteria particularly related to:
 - a) *The identification and selection of protected areas and species;*
 - b) *The establishment of protected areas;*
 - c) *The management of protected areas and species, including migratory species;*
 - d) *The provision of information on protected areas and species, including migratory species.*
2. ***Identify*** as priorities for STAC the actions relative to species protection, including those concerning migratory and coastal marine species, mangrove ecosystems, coral reefs, spawning areas, and species in danger of extinction, as well as activities related to zoning and sustainable tourism, bearing in mind the ecosystem approach as understood by the Convention on Biological Diversity.
3. ***Similarly*** attend to, amongst the priorities of the STAC, those actions referring to the communication and promotion; participatory management, including community management; the dissemination of information; education; and the pertinent institutional adjustments, including the theme of infrastructure, according to the technical and scientific basis.
4. ***Request*** that the secretariat support the Parties and the STAC in co-operating with other organisations, and relevant multilateral environmental agreements, in order to:
 - a) *Facilitate technical and scientific research programmes, according to Article 17 (technical, scientific and management research).*
 - b) *Facilitate information exchange, according to Article 16 (publicity, public awareness and education).*
 - c) *Develop co-operative programmes, according to Article 7 (Listing of protected areas) and Article 11 (co-operation measures for flora and fauna protection).*
 - d) *Assist, when requested, with the development of environmental impact assessments (EIAs) according to Article 13 (Article 22).*
5. ***Request*** the STAC to prepare guidelines for management plans to prevent species from becoming endangered or threatened.

Status of Implementation:

At the First Meeting of the STAC (STAC 1), the Parties established an Ad Hoc Working Group for the review of the guidelines for the listing of species in the Annexes to the SPAW Protocol. The Working Group has worked electronically since then and presents to the STAC its report contained in document UNEP(DEC)/CAR WG.25/3.

In keeping with point 5 of this decision and Recommendation No. 10 of STAC 1, the SPAW RAC in collaboration with relevant NGOs has initiated the compilation of information on guidelines to prevent species from becoming endangered or threatened as reported in para. 22 of UNEP(DEC)/CAR WG.25/4 and in the report of the SPAW RAC (UNEP(DEC)/CAR WG.25/INF.4).

The draft Workplan for SPAW for 2004-2005 (document UNEP(DEC)/CAR WG.25/5) addresses several of the issues identified by this decision. When reviewing document, the STAC might wish to recall points 2, 3 and 4 of the above decision and identify the areas within the workplan for priority action.

DECISION V

Given the close relationship of the provisions and aims of the Protocol with biodiversity-related multilateral environmental agreements (MEA); and considering the work done so far for the preparation of decisions concerning international environmental governance at the September 2002 World Summit on Sustainable Development (WSSD), and

Noting the high level of priority afforded by the Parties to biodiversity-related multilateral environmental agreements to regional efforts for implementation, enforcement and capacity building, as well as to synergies and interlinkages, the Contracting Parties,

Decides to:

- 1. Call upon the United Nations Environment Programme to follow-up the initiative of the CITES secretariat (approved at CITES COP 11 in April 2000) to closely collaborate with secretariats of Regional Seas Conventions and other regional UNEP offices, as well as the secretariats of other biodiversity-related MEAs in matters of implementation, enforcement and capacity building at the regional level by:*
 - a) Promoting and facilitating the conclusion of Memoranda of Understanding between the secretariat of biodiversity-related MEA's and the secretariat of the Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region;*
 - b) Co-ordinating the procedures for the conclusion of an agreement for a two-year pilot project between UNEP and the secretariats of biodiversity-related MEA's on*

the joint funding of a Programme Officer in the Regional Co-ordinating Unit of the Caribbean Environment Programme, who would:

- i. Serve as the focal point for the region on matters such as the implementation, enforcement, and capacity building, (including training) in relation to global biodiversity-related MEAs and the SPAW Protocol*
 - ii. Co-ordinate common activities in these areas*
 - iii. Help ensure the avoidance of overlap and duplication of efforts through the exchange of information on policies, developments and activities in the context of global biodiversity-related MEA's, the SPAW Protocol and the countries in the region, with the different competent authorities.*
- c) The preparation of an interim report on the achievements of the pilot project to be presented to the WSSD in September 2002.*
- 2. *Call upon* the secretariats of biodiversity-related MEA's to fully co-operate with this initiative.**

Status of Implementation:

Although, the development of a pilot project did not materialise during the biennium, UNEP continues to work with the secretariats of biodiversity-related MEA's with a view to improve coordination and avoid overlap and duplication. With regard to the CITES Convention specifically, the SPAW secretariat continued promoting coordination and collaboration, in particular on management issues of key species such as sea turtles. Specific activities in this regard are being proposed in the 2004-2005 draft Workplan for SPAW.

DECISION VI

Decides to:

***Recognise* the work of the ISTAC, expressed in the document on the "Evaluation of the work of the Interim Scientific Advisory Committee (ISTAC) since its inception (1992-2000)" (UNEP(DEC)/CAR IG.20/3), and that the document be adopted with the views provided by the Meeting.**

Status of Implementation:

Completed

DECISION VII

Considering the proposed Workplan and Budget for the 2002-2003 biennium for the SPAW sub-programme of the Caribbean Environment Programme contained in the document UNEP(DEC)/CAR IG.19/8.

Considering also Article 23 of the Protocol Concerning Specially Protected Areas and Wildlife;

Taking into account that the SPAW sub-programme has developed sustained and expanding work directed towards the same objectives as the SPAW Protocol, and that the priorities appearing in this are essentially those that have been identified by the Contracting Parties of the Protocol up to the present moment;

Decides to:

- 1. Send the Workplan and Budget to the STAC to serve as a guide for its current activities and to elaborate proposals, on scientific and technical questions, to the Meeting of the Contracting Parties to enhance the effectiveness of future work plans and budgets.*
- 2. Guarantee that the meetings of the Contracting Parties of the Protocol, convened in accordance with Article 23 of the Convention, possess its own stature and all the organisational and procedural requirements necessary for a Meeting of the Parties, and subject to the availability of funding.*
- 3. Request that the STAC, based on its needs, propose subjects of its interest to be reviewed by the next Meeting of the Contracting Parties.*
- 4. Endorse and support the draft workplan and budget for the SPAW sub-programme for 2002-2003, as contained in document UNEP(DEC)/CAR IG.19/8 and transmit it to the STAC for its review and comment according to the priorities established by the Meeting of the Parties, noting the particular need for the STAC to look at the scientific and technical content, and forward any comments to the second Meeting of the Parties, which will transmit the revised document for its approval to the Tenth Intergovernmental Meeting and Seventh Meeting of the Contracting Parties to the Cartagena Convention.*

Status of Implementation:

The 2002-2003 Workplan and Budget for SPAW was reviewed by STAC 1 and subsequently approved (with minor additions) by the COP 2 (6 May 2002) and the Tenth Intergovernmental Meeting and Seventh Meeting of the Contracting Parties to the Cartagena Convention (7-11 May 2002).

In keeping with point 2 of this decision, the Second Meeting of the Contracting

Parties to the SPAW Protocol was held in Montego Bay, Jamaica, immediately before the Seventh Meeting of the Contracting Parties to the Cartagena Convention (as noted above)

DECISION VIII

Decides to:

Request the secretariat and Regional Activity Centre (RAC) of SPAW, to draft and submit to the Tenth Intergovernmental Meeting and Seventh Meeting of the Contracting Parties to the Cartagena Convention, a report for the further analysis by the SPAW Parties on the relationship between the secretariat, RAC, the Parties and the STAC, with a view to improve the implementation of the Protocol and the activities of the RAC and in keeping with recommendation 8 of the Thirteenth Monitoring Committee Meeting and Special Meeting of the Bureau of Contracting Parties.

Status of Implementation:

At the SPAW COP 2 and Tenth Intergovernmental Meeting (IGM) and Seventh Meeting of the Contracting Parties to the Cartagena Convention (Montego Bay, 6 and 7-11 May 2002, respectively), the SPAW RAC presented a report outlining the proposed arrangements for the functioning of the Centre (document UNEP(DEC)/CAR IG.22/INF.6). On the basis of this report, the COP 2 urged the government of France to expedite the process to make the RAC fully operational by no later than the end of 2002. The Government of France has now complied with this request as noted in their report to this STAC2 Meeting (document UNEP(DEC)/CAR WG.25/INF.4).

Details on the requirements and functions of the RACs of the Caribbean Environment Programme, are contained in the “Concept Paper for Establishing and Coordinating Regional Activity Centres and Regional Activity Networks of the Caribbean Environment Programme (document UNEP(DEC)/CAR IG.22/9rev.1), as approved by the Tenth IGM and Seventh Meeting of the Contracting Parties to the Cartagena Convention (7-11 May 2002).

**RECOMMENDATIONS OF THE FIRST MEETING OF THE
SCIENTIFIC AND TECHNICAL ADVISORY COMMITTEE TO THE SPAW
PROTOCOL (STAC 1) (HAVANA, CUBA, 27-29 SEPTEMBER 2001)**

The Meeting of the Scientific and Technical Advisory Committee:

Having convened the First Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region;

Taking note of the Draft Rules of Procedure for the Scientific and Technical Advisory Committee (STAC) of the SPAW Protocol (UNEP(DEC)/CAR WG.23/3) and the Report of the First Meeting of the Contracting Parties to the SPAW Protocol, Havana, Cuba, 24 to 25 September 2001, (UNEP(DEC)/CAR IG. 20/7);

Having reviewed the Draft Criteria for the Listing of Species in the Annexes of the SPAW Protocol, (UNEP(DEC)/CAR WG.23/4);

Taking note of the Status Report on the Implementation of the SPAW Regional Programme (contained in UNEP(DEC)/CAR IG.19/5);

Having reviewed the Draft Workplan and Budget of the SPAW Regional Programme contained in UNEP(DEC)/CAR IG.19/8, and the Draft Format for the Contracting Parties of the SPAW Protocol to report to the Organisation (UNEP(DEC)/CAR WG.23/5); and

Having reviewed the Proposal from the Netherlands Antilles Concerning the Bottlenecked Dolphin, as contained in UNEP(DEC)/CAR IG.20/INF.7;

Recommends that,

1. *The Rules of Procedure for the Scientific and Technical Advisory Committee (STAC) to the SPAW Protocol be revised as soon as possible, in keeping with the draft Rules of Procedure for the Meetings of the Contracting Parties to the Cartagena Convention, and be adopted once the Rules of Procedure for the Cartagena Convention have been finalised and adopted by the Contracting Parties of the Convention.*

Status of Implementation:

The Rules of Procedure to the Cartagena Convention are still under development and not yet approved. These Rules were considered by the Tenth IGM and Seventh Meeting of the Contracting Parties to the Cartagena Convention (Montego Bay, Jamaica, 7-11 May 2002) and continue to be developed by drafting groups established at that Meeting.

- 2. The Parties to the SPAW Protocol, the STAC and member governments of CEP play a more active and dynamic role in the implementation of the activities of the SPAW Regional Programme in order to assist the Secretariat with Programme delivery and share the work load of Programme implementation.*

Status of Implementation:

The Parties and governments participating in the Ad Hoc Working Group on the criteria for species listing in the Annexes to the Protocol were for the most part very active and productive which resulted in much progress in this area of the Protocol as noted in the Group's report (document UNEP(DEC)/CAR WG. 25/3). Other important areas of SPAW still require more attention by the Parties, the STAC and member governments, including a more timely and active response to requests from the secretariat. The secretariat, would like to urge governments to participate more actively in the SPAW Programme and Protocol, in particular during the intersessional period.

- 3. The SPAW Regional Programme continues forging strategic alliances and partnerships with relevant donors, agencies and organisations, including NGOs, to assist with Programme delivery and to maximise resources.*

Status of Implementation:

The secretariat has been quite successful in developing strategic alliances with a number of partners, which has resulted in increased support to the Protocol and Programme and greater delivery as evidenced in the report on the Status of Implementation of the 2002-2003 Workplan (document UNEP(DEC)/CAR WG.25/4). The secretariat continues to work on this aspect of the programme, as reflected in the proposed draft Workplan and Budget of 2004-2005 (document UNEP(DEC)/CAR WG.25/5) which outlines potential new partnerships with initiatives and organisations of relevance to the SPAW Protocol.

- 4. The Ad Hoc Working Group established by the Meeting to work on the review of the criteria for the listing of species in the Annexes to the Protocol, consider inter alia all the comments and inputs provided by the Meeting for this purpose. The Ad Hoc Working Group is further directed to work during the intersessional period under the co-ordination and leadership of the Government of Netherlands Antilles as Vice-Chair of the STAC, with the support of the rest of the Bureau and with the assistance of the secretariat. Members of the Ad Hoc Working Group will include all nine Contracting Parties (each Party represented with a maximum of three experts), plus representatives from non-Parties who demonstrate that the process of ratification is underway, as well as representatives from the scientific and NGO communities totalling no more than nine observers. A balanced geographic representation of the different subregions will be taken into account when considering the selection of non-member States. No later than 31 October 2001, the secretariat should receive all nominations for participation in the working group along with their scientific and technical qualifications of both Parties and observers. On 15 November 2001, the*

Bureau of the STAC with the support of the secretariat will have the final composition of the group.

- 5. In the case the number of nominees for the ad hoc working group on species exceeds the established number of participants (3 for each Contracting Party and a total of 9 for the observers), the Bureau with the support of the secretariat would make a determination on the participants based on the scientific and technical qualifications.*
- 6. The Ad Hoc Working Group on species criteria works in English through an e-group to be facilitated by the secretariat and present the status of its progress and advancements toward its objectives to the Second Meeting of the Contracting Parties to the SPAW Protocol. To ensure transparency in the process and review by all members and observers of the Cartagena Convention and the Caribbean Environment Programme, interim reports will be distributed in the intersessional period.*
- 7. In keeping with Decision III of the First Meeting of the Contracting Parties to the SPAW Protocol (Havana, 24-25 September 2001), the development of the criteria for species listing by the Ad Hoc Group will include the review of approaches of relevant treaties such as those for the CITES Convention to ensure that the common elements and complementary actions with the SPAW Protocol be identified.*

Status of Implementation:

As noted above, the Ad Hoc Group was established at the STAC 1 and worked very efficiently since then, first on its organisation as outlined above, and subsequently on the review of the criteria following all the directives of the STAC 1 and COP 1. A major factor in the success of the Group, was the leadership and coordination provided by the Netherlands Antilles and the active and open participation of its members. The secretariat looks forward to working with similar Groups in the future that will help advance the work of the Protocol and the Programme.

- 8. In addition to the above priorities identified by the STAC, the development of the guidelines for the evaluation and listing of protected areas under the SPAW Protocol also becomes a priority for the future work of the STAC and further recommends to the secretariat to actively fundraise in this regard to implement this activity in keeping with the proposed Workplan and Budget of the SPAW Regional Programme for the 2002-2003 biennium.*

Status of Implementation:

As noted in para. 36 of the report of the SPAW COP 2 (UNEP(DEC)/CAR IG.21/INF.3), the Government of France, through the SPAW RAC, has agreed to provide financial support for the implementation of this activity and will be sponsoring the regional workshop of experts (tentatively planned for November 2003) for this purpose. The SPAW RAC, in coordination with Secretariat and in collaboration with interested

partners is compiling relevant information with a view to develop a preliminary document for consideration at the regional workshop (see the SPAW RAC report in document UNEP(DEC)/CAR WG.25/INF.4) .

9. *In the development of the guidelines for protected area evaluation and listing, the STAC considers the approaches of relevant treaties such as those of the CBD, the Ramsar and the World Heritage Conventions with a view to identify common elements and complementary actions with the SPAW Protocol in keeping with Decision III of the First Meeting of the Contracting Parties to the SPAW Protocol.*

Status of Implementation:

These approaches will be taken into consideration and the relevant information from these Convention is being compiled by the SPAW RAC. Contracting Parties, the STAC, other governments and interested organisations are urged to assist the SPAW RAC and the secretariat with the implementation of this activity as much as possible, including with the provision of relevant materials.

10. *The SPAW RAC, in collaboration with partner organisations such as The Nature Conservancy and the Wildlife Land Trust, compile information and documentation relevant to the development of guidelines and criteria on preventing species from becoming threatened or endangered to be compiled into a background paper to be presented to the STAC, in keeping with Decision IV, 5 of the First Meeting of the Contracting Parties to the SPAW Protocol.*

Status of Implementation:

In addition to the above-mentioned organisations, the Island Resources Foundation and Monitor Caribbean have been actively assisting the SPAW RAC with the compilation of information on the subject, as outlined in the report of the SPAW RAC (document UNEP(DEC)/CAR WG.25/INF.4). Given the difficulties experienced by the RAC during 2002, the background paper has not yet been developed. The STAC might wish to take the opportunity of its Second Meeting to provide further guidance for the development of this important activity and in keeping with the proposed draft Workplan for SPAW for 2004-2005 (UNEP(DEC)/CAR WG.25/5).

11. *The proposed Workplan and Budget for 2002-2003 biennium be revised according to the comments provided at this Meeting and forwarded to the Second Meeting of the Parties to SPAW (COP) and Tenth Intergovernmental Meeting of the Action Plan and Seventh Meeting of the Contracting Parties to the Cartagena Convention for approval.*

Status of Implementation:

Following the inputs provided by the COP 1 and STAC 1, the Workplan and Budget for SPAW for the 2002-2003 biennium was revised and subsequently approved the SPAW COP 2 (with minor additions) and by the Tenth IGM and Seventh Meeting of the Contracting Parties to the Cartagena Convention (6 May and 7-11 May 2002, respectively). The status of implementation of the 2002-2003 Workplan and Budget is being presented to the Second Meeting of the STAC in document UNEP(DEC)/CAR WG.25/4.

- 12. Members of the STAC and relevant observers assist the secretariat in a systematic, continuous and active manner with the implementation and delivery of the SPAW Regional Programme, including the work to support the SPAW Protocol at the national, regional and international levels, including at relevant fora of the Multilateral Environmental Agreements (MEAs).*

Status of Implementation:

As noted above, a more active and systematic participation and support to the SPAW Programme and Protocol is still required from the part of all members STAC to facilitate the work of the secretariat and increase the delivery of the Programme and achievement of the Protocol's objectives.

- 13. The secretariat pursue, with UNEP-WCMC, a pilot project for the Wider Caribbean Region for the harmonisation of reporting under the biodiversity related conventions as an element to assist with developing an appropriate format for reporting under SPAW.*

Status of Implementation:

The secretariat continues to coordinate with UNEP-WCMC on the development and implementation of this global UNEP project. UNEP selected Panama as the pilot site for the Latin America and Caribbean region, other sites have been selected in Europe, Africa and Asia.

- 14. The government of the Netherlands Antilles ensures that the proposed dolphinarium meets, and will continue to meet, the conditions under which the government of the Netherlands Antilles will grant an exemption under Article 11 (2) of the SPAW Protocol and which the STAC found satisfactory, taking into account the observations of this Meeting.*

Status of Implementation:

The dolphinarium opened and remains operational in Curacao, Netherlands Antilles.

DECISIONS OF THE SECOND MEETING OF THE CONTRACTING PARTIES (COP 2) TO THE SPAW PROTOCOL (MONTEGO BAY, JAMAICA, 6 MAY 2002)

Decisions of the Meeting***The Contracting Parties:***

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

Noting the decisions of the First Meeting of the Contracting Parties (COP) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region, Havana, Cuba, 24-25 September 2001; and the recommendations of the First Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region, Havana, Cuba, 27-29 September 2001;

Taking into account the Draft Workplan and Budget for the Caribbean Environment Programme for the biennium 2002-2003 (UNEP(DEC)/CAR IG.22/6) (including the SPAW regional programme); and

Having reviewed the Report of the Ad Hoc Working Group on the Review of the Criteria for the Listing of Species in the Annexes of the SPAW Protocol (UNEP(DEC)/CAR IG.21/3);

Decide to:

1. ***Encourage*** the governments of the region which have not yet done so to become Contracting Parties to the Cartagena Convention and its Protocols, including the SPAW Protocol.

Status of Implementation:

The Governments of Barbados and the USA became Contracting Parties to the SPAW Protocol in 2002 and 2003, respectively. The Governments of the UK, Jamaica and Guatemala have informed the secretariat to be in the process of ratification.

2. ***Endorse*** the revised Workplan and Budget for the SPAW Regional Programme for the 2002-2003 biennium as reflected in the text of the Draft Workplan and Budget for the SPAW

Regional Programme 2002-2003 included in document UNEP(DEC)/CAR IG.22/6 and with modifications introduced by the meeting as follows:

- a. **Make** specific reference in paragraph 84 of the work already undertaken by the ISTAC on the protected areas guidelines and that the proposed workshop is to review the progress made in this regard. It was further agreed, that IUCN-WCPA and the SPAW/RAC should be encouraged to cooperate as much as possible in the development of this SPAW activity, in particular as the SPAW/RAC and the Government of France are considering supporting the convening of this workshop.
- b. **Expand** the collaboration with the CITES Secretariat in particular in Activity (d) 100(f) on the development of a management plan for queen conch, which is listed under Appendix II of CITES and which is currently included in the CITES Significant Trade Review Process.
- c. **Reflect** the offer made by IFAW to support the convening of an experts workshop in early 2003 for further development of the regional action plan for marine mammals and for information gathering as appropriate.
- d. **Reflect** the need for the Parties and Observers to make active use of the existing SPAW electronic group, in order to discuss any issues of relevance to the SPAW Protocol, including implementation methods, legal issues and interpretational issues.

Status of Implementation:

These activities were incorporated in the 2002-2003 Workplan, prior to its approval by the Tenth IGM and Seventh Contracting Parties Meeting (7-11 May 2002). The status of implementation of the 2002-2003 Workplan and Budget is being presented to the Second Meeting of the STAC in document UNEP(DEC)/CAR WG.25/4.

3. **Invite** the Government of France as a new Party to change its status in the Ad Hoc Working Group in the review of the criteria for the listing of species in the Annexes to the Protocol, as well as the other Parties which had not submitted their nominations yet, namely the Governments of the Dominican Republic, Panama, Trinidad and Tobago and St. Vincent and the Grenadines. In this context the COP requests these Governments to submit as soon as possible their nominations to the Secretariat and the Bureau of the STAC following the procedure outlined in Recommendation 4 of the First Meeting of the STAC, Havana, Cuba, 27-29 September 2001.
4. **Invite** two additional observers from non-Parties and NGOs to join the Ad Hoc Working Group making their participation a total of ten observers represented in the Group. The procedure agreed at the First Meeting of the STAC for the nominations and selection of observers will continue to be used. Observers seeking to be in the Working Group should submit their nominations by 5 June 2002.
5. **Request** the Ad Hoc Working Group to follow the timetable as outlined below during the intersessional period until the Second Meeting of the Scientific and Technical Advisory Committee (STAC) to the SPAW Protocol:

- a. *The Ad Hoc Group should aim to have its final report completed by the end of January 2003;*
- b. *During its work the Ad Hoc Group is to take into consideration key outputs from the criteria review process being undertaken by the Convention on International Trade in Endangered Species (CITES);*
- c. *The final report of the Ad Hoc Group is to be considered at the Second Meeting of the STAC which should be held preferably within the first quarter 2003.*

Status of Implementation:

As noted before, the Ad Hoc Group effectively completed the tasks assigned in keeping with the directives of the COP Meetings and STAC 1. The report of the Ad Hoc Group is being presented to the Second Meeting of the STAC in document UNEP(DEC)/CAR WG. 25/3

6. **Welcome** *the preliminary offer made by the Government of Venezuela to host the Second Meeting of the Scientific, Technical and Advisory Committee (STAC) and requests the Secretariat to further develop this proposal.*

Status of Implementation:

Discussions continued during 2002 on the hosting of the STAC2 by Venezuela. However, given the political and economic circumstances, Venezuela requested that their offer be considered for a future meeting. In this context, the secretariat explored with other interested governments the hosting of the STAC2. The Government of the Netherlands Antilles, kindly offered to host the meeting in Curacao, on 3-6 June 2003.

7. **Approve** *the Recommendations of the First Meeting of the Scientific and Technical Advisory Committee to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region, Havana, Cuba, 27-29 September, 2001.*

Status of Implementation:

Completed.

8. **To encourage** *the Government of France to make operational the Regional Activity Centre (RAC) for SPAW in Guadeloupe.*

Status of Implementation:

Following the COP 2, the Government of France made the necessary arrangements to make fully operational the SPAW RAC since 1 January 2003, with the addition of staff, including a Director and Programme Officer in the fall of 2002. The report of the SPAW RAC is presented in UNEP(DEC)/CAR WG.25/INF.4.

9. ***To include*** the issue of the interpretation and implementation of Article 11 paragraph 2, including the development of criteria for the assessment of exemptions by the STAC, in the Agenda of the Third Meeting of the Contracting Parties.

Status of Implementation:

To be considered next meeting of the COP. The STAC may wish to provide further guidance on this regard.