Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region

-A legal framework on biodiversity-

2008

Background

The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (WCR) is the only legally binding regional environmental treaty for the Region. The Convention, referred to as the Cartagena Convention, presently has 23 (out of 28 possible) States that are Contracting Parties. The Convention and its Protocols constitute a legal commitment by these countries to protect, and manage their common coastal and marine resources individually, jointly and in a sustainable manner. The Cartagena Convention and its Protocols enhance not only protection but also development, as specifically noted in its provisions.

Under the United Nations Convention on the Law of the Sea, each coastal country is responsible for managing the marine environment of its territory. Because of the large number of countries in a relatively small area, almost the entire marine environment of the WCR falls within one exclusive economic zone or another, leaving management of these areas under national jurisdiction. Further, the ecological and oceanographic interconnectivity of the Caribbean Sea and the Gulf of Mexico is widely documented. These characteristics are necessary for regional co-operation and coordination and fundamental to the sustainable development of the region.

Article 10 of the Cartagena Convention, requires Parties to take "all appropriate measures" to protect and preserve "rare or fragile ecosystems", as well as the "habitats of depleted, threatened or endangered species", and, to this end, establish specially protected areas.

In this context, the Governments of the region adopted in 1990, the Protocol on Specially Protected Areas and Wildlife (SPAW), and in 1991, the lists of species requiring protection. These Annexes under the Protocol list flora (Annex I), fauna (Annex II) and species of flora and fauna to be maintained at a sustainable level (Annex III). The Protocol became international law in 2000.

The Protocol also contains detailed provisions addressing the establishment of protected areas and buffer zones for *in situ* conservation of wildlife, as well as national and regional co-operative measures for the protection of species, the introduction of non-native or genetically altered species, environmental impact assessment, research, education, and other topics.

The objectives of the SPAW Protocol are to protect, preserve and manage in a sustainable way: 1) areas and ecosystems that require protection to safeguard their special value, 2) threatened or endangered species of flora and fauna and their habitats, and 3) species, with the objective of preventing them from becoming endangered or threatened. The SPAW Protocol stresses the importance of protecting habitats as an effective method of protecting the listed species. Protection is focused on fragile and vulnerable ecosystems as a whole, rather than on individual species. The SPAW Protocol is, in many respects, a precursor to what the international community has subsequently endorsed on a global level, in particular through the Convention on Biological Diversity (CBD).

The Importance of the SPAW Protocol for the Wider Caribbean

Many of the economies of the countries of the Region are highly dependent on their coastlines for tourism and fishing. However, these very same resources are disappearing or are seriously threatened.

Wildlife species are being depleted at an alarming rate through both over-exploitation and destruction of their habitats. The Caribbean monk seal is most probably extinct, the West Indian manatee is rapidly disappearing, with a few numbers left in most of the countries where it exists, and all species of Caribbean sea turtles are recognized as being endangered. Not to mention other species of flora and fauna (e.g. mangroves, corals, conch, lobster, fish species and other marine mammals) which are being over-

exploited without proper assessment of their population status.

In the insular Caribbean alone, approximately 300 protected areas have been declared. The majority of these areas have been declared in the last 30 years. However, only 6% are being appropriately managed, which indicates that they are being established without management regimes, or that their management is ineffective.

The SPAW Protocol specifically addresses these issues within its provisions, and responds to them through the implementing SPAW Regional Programme. This Programme is developed and reviewed by the member Governments and is coordinated by the Regional Co-odinating Unit (RCU) of UNEP for the Caribbean Environment Programme. Additionally, a Regional Activity Centre (RAC) for SPAW, hosted by the Government of France in Guadeloupe, provides technical support for implementation of the Programme.

Governments of the region identified the Cartagena Convention and its SPAW Protocol as a vehicle to assist with the implementation of the broader CBD. The SPAW Protocol and the CBD are comprehensive in scope and congruent in most of their provisions. The few elements that are unique to each instrument are nevertheless mutually supportive as they contribute toward achieving the overall common objectives of both treaties. The SPAW Protocol, provides in many instances, more concrete and specific guidance to implement the stronger and more complete obligations of the CBD. A Memorandum of Co-operation exists between the Secretariats of the two treaties to facilitate collaboration and coordination.

Cooperation linkages and synergies also exist with other related Conventions, including Ramsar, CMS and the International Convention for the Protection and Conservation of Sea Turtles (through Memoranda of Cooperation) and with CITES, in light of their common objectives and numerous provisions which relate to those of the SPAW Protocol.

The SPAW Protocol provides for the establishment of a "scientific and technical advisory committee" (STAC) of government-designated experts. Since the entry into force of the Protocol in 2000, the STAC has met three times. The STAC provides a unique opportunity within the region, for Governments, NGOs, and experts to meet and reach consensus on biodiversity issues, in particular, prior to meetings of the CBD, and other relevant consultations.

Activities of the SPAW Regional Programme

--An innovative approach --

The SPAW activities under implementation respond to the innovative ecosystems and management approach of the Protocol, and provide support to Governments in the following areas:

- strengthening of protected areas through technical assistance, best practices demonstration sites and a regional training programme for managers;
- a regional Network and Forum of Marine Protected Areas: Caribbean Marine Protected Areas Managers (CaMPAM) and database;
- promotion of best practices and training for sustainable coastal tourism within the government, public and private sectors and coastal communities;
- coral reef ecosystems monitoring, management and conservation. The secretariat, and SPAW subprogramme, serve as focal point for the International Coral Reef Initiative (ICRI) and is an active partner of the International Coral Reef Action Network (ICRAN);
- development and implementation of guidelines and recovery plans for species conservation; and
- development and implementation of guidelines for protected areas establishment, management, and revenue generation.

For additional information, visit the CEP website at www.cep.unep.org/ or contact:

Alessandra Vanzella-Khouri
UNEP-CAR/RCU
14-20 Port Royal Street
Kingston, Jamaica
Phone: (876) 922-9267
Fax: (876) 922-9292
avk@cep.unep.org