



# Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region - A regional legal framework for biodiversity -



## 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. Under this convention, almost the entire marine environment of the WCR falls within at least one exclusive economic zone of Caribbean States, 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. Thus, regional co-operation and coordination between countries of the WCR are 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.

To further this goal, the Governments of the WCR adopted the Protocol on Specially Protected Areas and Wildlife (SPA) in 1990, and developed lists of species requiring protection in 1991. Becoming law in 2000, the SPA Protocol lists Annexes I and II, flora and fauna which states have committed to the protection and recovery of these species and Annex III lists species of flora and fauna that may be utilized but that must be maintained at a sustainable level.

The SPA 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 SPA Protocol are to protect, preserve and manage in a sustainable way: 1) *areas and ecosystems that require protection in order 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 SPA 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 SPA Protocol is, in many respects, a precursor to what the international community has subsequently endorsed on a global level, in particular through the, CBD signed in 1992 and entering into force in December 1993.

## The Importance of the SPA Protocol for the Wider Caribbean

Many of the economies of the countries of the WCR are highly dependent on their coastlines for tourism and fishing. However, these 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 case of the now extinct Caribbean Monk Seal demonstrates the vulnerability of many of these species if protection is not put in place. The West Indian Manatee population is rapidly disappearing, with only a few numbers left in most of the countries where it exists, and all species of Caribbean Sea Turtles are recognized as endangered. Not to mention, other species of flora and fauna (corals, fish species and other marine mammals) that 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 implementation of the SPAW Regional Programme. This Programme is developed and reviewed by member Governments and is coordinated by the Regional Coordinating 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 Convention on Biological Diversity (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, the Convention on Migratory Species and the International Convention for the Protection and Conservation of Sea Turtles (through Memoranda of Cooperation) and with the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 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 seven 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. The SPAW STAC and COP has listed 31 Protected Areas to date under SPAW to establish a regional network and develop cooperation programmes as per Article 7 of the Protocol (see [spaw-palisting.org/](http://spaw-palisting.org/)).

## An integrated approach

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



strengthening of protected areas through technical assistance and exchanges, better practices through demonstration sites, development of guidelines, and a regional training programme for managers;



a regional Network and Forum of Marine Protected Areas Management (CaMPAM) to strengthen management capacities, with a regional Marine Protected Areas (MPA) database: [campam.gcfi.org](http://campam.gcfi.org);



promotion of better practices for Ecosystem Based Management (EBM), including sustainable coastal tourism practices and Blue Economy tools;



implementation of regional relevant initiatives such as the Caribbean Large Marine Ecosystem Project (CLME+), the Caribbean Challenge (CCI) and the Caribbean Biodiversity Strategy with the CBD;



coral reef ecosystems monitoring, management and conservation. The Secretariat and SPAW sub-programme serve as a focal point for the International Coral Reef Initiative (ICRI);



developing and implementing guidelines, recovery plans and better practices for species sustainable use and conservation, including implementation of the regional Action Plan for the Conservation of Marine Mammals, the management plan for manatees, national sea turtles recovery plans, sustainable fisheries practices for queen conch and lobster in coordination with WECAFC, control of the lionfish and other invasives, management of the Sargassum threat and other emerging issues.



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