

Cartagena Convention and the Protocol Concerning Specially Protected Areas and Wildlife (SPAW)

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Kingston, Jamaica

**2nd Meeting of the Advisory Committee &
2nd Workshop of the Conservation Working Group of the CMS Sharks MOU**
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I. Background and context

1. Worldwide 100 million sharks are killed every year because of fishing and shark finning activities (Worm *et al.*, 2013). There are around 440 known species of sharks in the world and approximately 100 species are threatened with extinction, mainly due to overfishing and habitat degradation (Dulvy *et al.*, 2014).
2. Sharks and other large predatory fishes are constantly and gradually diminishing also throughout Caribbean coral reef systems as human populations rise, endangering the region's marine food web and ultimately its reefs and fisheries (Stallings *et al.*, 2009). Sharks are vitally important in marine food webs since they keep marine ecosystems healthy and productive, by balancing many fish populations and cleaning the ocean from carcasses of dead animals. Predicting the consequence of their loss in Caribbean ecosystems is difficult because of the complexity of predator-prey interactions. However, shifts in abundance to smaller predators could have surprising and unanticipated effects, like the ability of non-native species to invade Caribbean reefs (Stallings *et al.*, 2009).
3. The Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (1983 Cartagena Convention), and its Protocol concerning Specially Protected Areas and Wildlife (SPAW), constitutes a legally binding agreement for the protection, management, development and sustainable use of the marine environment in the region. The Convention is supported by the Caribbean Environment Programme (CEP) which is part of the UN Environment Regional Seas Programme and serves as Secretariat to the Convention through its Regional Coordinating Unit (CAR-RCU) in Kingston, Jamaica. Furthermore, the SPAW Protocol is also supported by a Regional Activity Centre (SPAW-RAC) established in Guadeloupe, through the financial contributions of the Government of France.
4. Under the Cartagena Convention, the comprehensive SPAW Protocol promotes and assists with the development and implementation of guidelines on species conservation and management, and is considered a fundamental instrument to assist with the implementation of regional and global treaties such as the Convention on the Conservation of Migratory Species of Wild Animals (CMS). As such, recognizing the value of a collaborative arrangement between the CEP and CMS Secretariats, and their respective associated scientific and technical bodies, as well as the need for coordination among Secretariats of relevant biodiversity-related conventions, a Memorandum of Cooperation (MoC) was concluded in 2005 between the Secretariat of the Cartagena Convention and Secretariat of the CMS.

5. Contracting Parties to the Cartagena Convention have recently encouraged the Caribbean Environment Programme (CEP) Secretariat to further enhance cooperation and coordination with regional fisheries management organisations and mechanisms. This is in line with the endorsed regional policy under the Caribbean and North Brazil Shelf Large Marine Ecosystems Project (CLME+) which seeks to guide harmonised sectoral policies and strengthen cooperation between regional fisheries bodies and environmental organisations.

II. Sharks, rays and the Protocol concerning Specially Protected Areas and Wildlife (SPAW)

6. The SPAW Protocol was adopted in 1990 and entered into force in 2000, currently with 16 Contracting Parties. It aims to “protect, preserve and manage in a sustainable way”:

- Areas that require protection to safeguard their special value
- Threatened or endangered species of flora and fauna

7. The SPAW Protocol utilizes an ecosystem based approach to conservation by acting as a vehicle to assist with the regional implementation of multilateral agreements such as the CMS Convention. To further guide implementation, Contracting Parties to the Protocol adopted the Annexes of species requiring special protection. These Annexes outline coastal and marine species of flora (Annex I), and fauna (Annex II), requiring the highest level of protection for which exploitation is forbidden. Species of flora and fauna for which exploitation is authorised but regulated to ensure and maintain population at an optimal level are listed under Annex III. Therefore, the SPAW Protocol actively contributes to the protection of threatened or endangered fauna.

8. During the Seventh meeting of the SPAW Scientific and Technical Advisory Committee (STAC)(Miami, November 2016), the Dutch Ministry of Economic Affairs working closely with the Dutch Caribbean Nature Alliance and in consultation with the Dutch Elasmobranch Association (DES), proposed that nine species of sharks and manta rays to be included in the SPAW protected species list (Table 1). In this group, there were three species of Hammerhead Shark, one of Whale shark, one of Oceanic Whitetip shark and the Small tooth Sawfish as well as three species of Manta Ray. These are all species threatened by anthropogenic activity in the Caribbean, which need protection if they are to maintain their viability into the future.

9. During the Ninth Meeting of the Contracting Parties (COP) to the SPAW Protocol (Cayenne, French Guiana, 13 March 2017) the nine species considered at the Seventh STAC meeting were approved for listing in Annexes II and III of the Protocol as follows: Annex II : the Small tooth sawfish (*Pristis pectinata*) and Annex III: the Whale Shark (*Rhincodon typus*), Oceanic Whitetip Shark (*Carcharhinus longimanus*), three species of Hammerhead Sharks (*Sphyrna lewini*, *Sphyrna mokarran*, *Sphyrna zygaena*) and three species of Manta Rays (*Manta birostris* , *Manta sp. cf. birostris* and *Manta alfredi*). While Whale sharks were initially recommended to be listed under Annex II of the SPAW Protocol during the Seventh STAC meeting, it was agreed that whale sharks should be listed under Annex III as insufficient scientific information was available for the species to meet the criteria for an Annex II listing. The outcome of the listing of the shark and ray species under the SPAW Protocol is summarized in Table 1. Seven of the species listed under the SPAW Protocol are also listed under the Shark MoU under CMS.

Table 1: Shark and ray species listed under the Annexes II and III of the SPAW Protocol

SPAW Annex	Family	Scientific name	Common name	CMS Listed
Class: CHONDRICHTHYES				
Order: MYLIOBATIFORMES				
III	<i>Manta</i>	<i>birostris</i>	Giant Manta Ray	Yes
III	<i>Manta</i>	<i>alfredi</i>	Reef Manta Ray	Yes
III	<i>Manta</i>	<i>Sp. cf. birostris</i>	Oceanic Manta ray	Yes
III	<i>Sphyrna</i>	<i>lewini</i>	Scalloped Hammerhead	Yes
III	<i>Sphyrna</i>	<i>Mokarran</i>	Great Hammerhead	Yes
III	<i>Sphyrna</i>	<i>zygaena</i>	Smooth Hammerhead	No
III	<i>Carcharhinus</i>	<i>longimanus</i>	Oceanic Whitetip Shark	No
Order: ORECTOLOBIFORMES				
III	<i>Rhincodon</i>	<i>typus</i>	Whale shark	Yes
Order: PRISTIFORMES				
II	<i>Pristis</i>	<i>pectinata</i>	Smalltooth sawfish	Yes

10. Along with legal protection from listing species under the Annexes of the Protocol, the SPAW Subprogramme also supports the conservation of sharks across the Wider Caribbean through SPAW-listed Marine Protected Areas (MPAs). Of the currently 32 SPAW listed MPAs, at least ten directly protect sharks.

11. In order to address the need of ecosystem-based management for the protection of habitats and enhance marine resource population resilience through connectivity between sites, CEP through its SPAW Subprogramme has coordinated since 1997 a network to provide leadership and for building capacity for marine protected areas management in the region. The Caribbean MPA Management Network and Forum ([CaMPAM](#)) is implemented in collaboration with a number of partners and donors.

III. Memorandum of Understanding (MoU) on the Conservation of Migratory Sharks under the CMS Convention

12. Under the framework of CMS, the Second Meeting of the Advisory Committee (AC2) to the Memorandum of Understanding (MoU) on the Conservation of Migratory Sharks took place in Costa Rica in February 2016 with the collaboration of the UN Environment, Caribbean Environment Programme. The MoU is the first global instrument for the conservation of migratory species of sharks, as a non-binding international instrument. It aims to "achieve and maintain a favourable conservation status for migratory sharks based on the best available scientific information and taking into account the socio-economic value of these species for the people in various countries".

13. The MoU signatories recognise therefore that successful shark conservation and management require the fullest possible cooperation among governments, intergovernmental organizations, non-governmental organizations, stakeholders from the fishing industry and local communities.

14. In light of these considerations, and in an effort to contribute to the improved conservation and management of sharks and rays in the Wider Caribbean region, the CEP Secretariat wishes to propose the following possible actions for consideration by the Workshop:

a. Coordination and Cooperation with Regional Fisheries Bodies

15. Provide a framework and available opportunities to Contracting Parties to the SPAW Protocol, to work collaboratively with the CMS Convention Secretariat and relevant regional fisheries bodies in the Wider Caribbean to consider the development, a appropriate, of management plans for the conservation of sharks and ray species listed under Annex II and Annex III of the SPAW Protocol.

16. Ensure that recommendations from the CMS Advisory Committee and Conservation Working Group meetings are brought to the attention of Contracting Parties as well as to other relevant governing bodies in the Wider Caribbean.

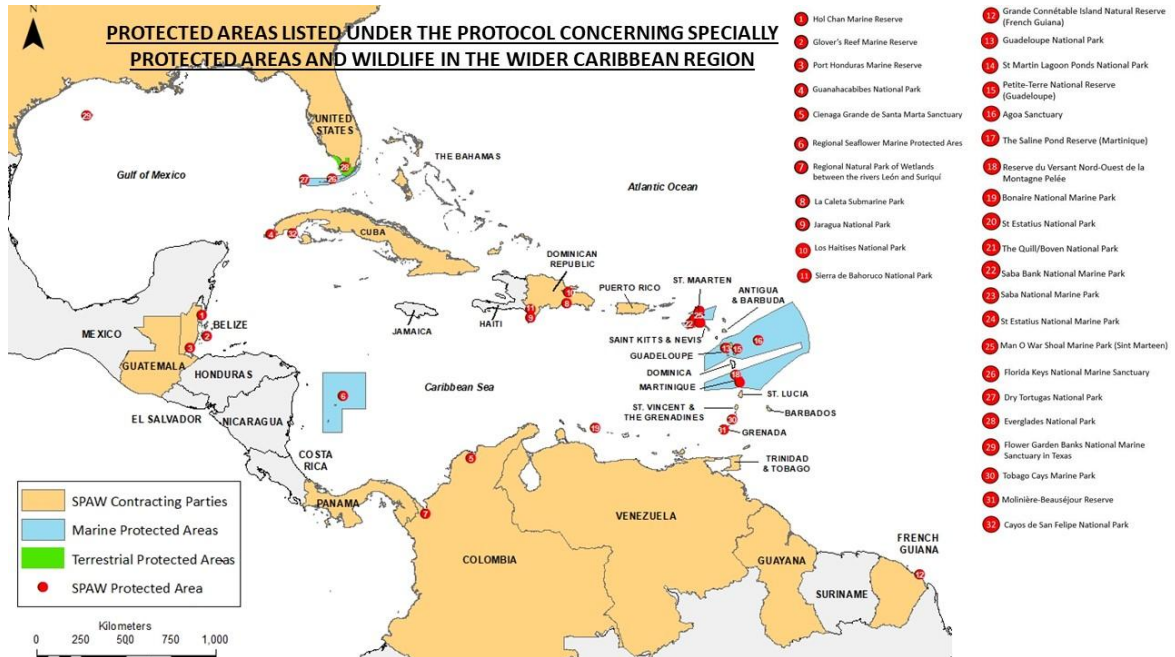
b. Communication and Capacity Building

17. Provide a website platform through the CEPSPAW Regional Activity Centre (RAC) for compiling and disseminating relevant outreach materials and exchange of information.

c. Future work

18. Promote a regional analysis of the overlap between existing and proposed MPAs listed under the SPAW Protocol and the distribution/occurrence for potential conservation and management

measures for shark and ray species listed under Annex II and Annex III (see map below), in collaboration with relevant fisheries organisations.



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