

Decision IG 17/12: Procedure for the revision of the areas included in the Specially Protected Areas of Mediterranean Interest (SPAMI) List

The 15th Meeting of the Contracting Parties,

Recalling Article 9 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the Protocol, concerning the procedure for the establishment and listing of SPAMIs and specifically its paragraph 6 concerning the possibility of revision of the SPAMI List,

Having regard to Annex I to the Protocol related to the Common Criteria for the choice of protected marine and coastal areas that could be included in the SPAMI List,

Recalling the recommendation adopted by the 14th Meeting of the Contracting Parties (Portoroz, November 2005) that asked the Regional Activity Centre for Specially Protected Areas (SPA/RAC) to pursue its assessment of the procedure for the evaluation of SPAMIs and to proceed with a test to evaluate two voluntary SPAMIs using this procedure in collaboration with IUCN,

Noting the work undertaken by SPA/RAC and IUCN for the revision and adjustment of the Procedure for the revision of the areas included in the SPAMI List, based on the evaluation of two voluntary SPAMIs from Italy and Spain,

Decides to adopt the Procedure for the revision of the areas included in the SPAMI List, as contained in the Annex to this Decision;

Requests the SPA/RAC to implement the adopted Procedure.

ANNEX

Proposed procedure for the revision of the areas included in the SPAMI List

The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (hereafter the 'Protocol') came into force in 1999. Annex I of the Protocol lists mandatory criteria for eligibility for inclusion within the SPAMI list.

The purpose of this procedure is to evaluate SPAMI sites in order to examine whether they meet the Protocol's criteria (Annex I).

I Ordinary review

1. The ordinary review procedure consists in two different sources of information about the status of SPAMIs:

- a) A Periodic Review, following the Format proposed herein after, entrusted every six years to a mixed national/independent Technical Advisory Commission; and
- b) The biannual National Reports from the NFP/SPA, serving as an early warning.

a) Periodic Review

2. A regular in depth review of the SPAMIs shall take place every six years, counting from the date of the inclusion of the site in the SPAMI List. Following the Format proposed ahead, this Periodic Review will assess the degree of conformity with the criteria defined in the Protocol. The Format concerns the existing threats, regulations, management, protection measures, resources, means, knowledge, cooperation and networking. Stakeholders should agree to the proposed sub-questions in the format before they are used in the evaluation. The Technical Advisory Commission (TAC) / evaluation team should receive the completed Format for Periodic Review and supporting documentation prior to the site visit.

3. The Periodic Review would be entrusted to a mixed TAC integrated by:
- The NFP/SPA concerned and/or the person responsible for the SPAMI management;
 - A national expert on the particular biology and ecology of the area;
 - Two independent experts, who would have all the necessary qualifications among scientific rigor, regional experience in protected area management, independence and impartiality, and should not be national of the country in which the review is carried out.
 - At least one member of the evaluation team involved in the country visit must have a working knowledge of the language of that country (should not assume the PA staff can speak English, although this would be desirable).
 - The evaluation team should receive key SPAMI documents and prescriptive list of threats prior to the field site visit.
 - The evaluation team should make a preliminary assessment of SPAMI compliance based on the documents prior to the site visit.

4. To cover the costs of such Technical Advisory Commission a SPAMI Fund could be established, possibly allocating resources from the ordinary MAP budget, plus voluntary contributions from the States or other donor agencies. Expenses incurred by the experts during this visit shall be met by this Fund, as to ensure the appraisal is completely objective.

5. The Periodic Review will be based in an official format, for which a proposal is presented at the end of this document. The PA manager completes the *Format for Periodic Review* prior to the site visit by the evaluation team and that his/her responses to the sub-questions are crossed reference to supporting documentation. The completed format should be endorsed by signature from all the members of the Technical Advisory Commission. However, the format includes a final field in which each member can add his /her own comments, if deemed necessary.

6. The results of the review shall be forwarded to the Centre, to be surveyed and presented in the next NFP/SPA biannual Meeting for endorsement. In the case of a negative recommendation (see Format) the NFP/SPA will recommend the Meeting of the Parties to include the SPAMI in a period of provisional nature.

b) National Reports

7. According to Art. 21.2. in the Protocol, the Parties must, at the earliest opportunity, communicate any situation that might endanger the ecosystems of specially protected areas or the survival of protected species to the other Parties, to the States that might be affected, and to the SPA/RAC. Article 23 states the three basic items that the reports from the Parties should consider.

8. As an early warning procedure, it is proposed that the existing National Report formats include three additional questions in Section 15, concerning the mandatory criteria of Annex I to the Protocol. This would be a simple means to allow a frequent review highlighting any relevant changes in the initial conditions within the SPAMI. Section 15 of the National Report format may be completed as follows:

15. SPAMI list:

- a) Any relevant modification in the status of populations of protected species (according to Annex II of the Protocol) inside the SPAMI, in the status of its habitats or any adverse changes or potential changes in the functioning of its ecosystems (following Article 8.2.)
- b) Any modification in the management plan officially adopted, in the legal and institutional framework or in the management and protection measures (following Article 7.2.a).
- c) Any modification in the management body, in its powers and means or in its human resources (following Annex I D.6.)

9. A significantly adverse change in any of the six items in the biannual National Report shall be presented at the NFP/SPA Meeting and –should the seriousness of the threat to the SPAMI recommend it- a decision by the NFPs would be taken on whether to inform the Meeting of the Parties, and/or require early support from other Parties or from the Centre, in taking any possible measures to solve the detected deficiencies. The assignment of an Extraordinary review, in order to objectively establish the sources and seriousness of the problem, is one of these possible measures.

10. In case of an ecological catastrophe, serious adverse event or emergency anytime within a SPAMI, the NFP may wish to request the Centre, anytime within the biannual period between two successive NFP Meetings, to proceed with an Extraordinary Review of the SPAMI as detailed ahead.

II Extraordinary review

11. The Parties must be immediately informed of any important threat affecting the SPAMIs and of any relevant change in their legal, management or ecological status. The sources of this information may be any of the following:

- a) A Periodic Review report declaring that the SPAMI presents severe deficiencies about which the Technical Advisory Commission recommends to take action (see para.3).
- b) A biannual National Report recognizing relevant modifications in any of the questions already mentioned for point 15 (see para.8.).
- c) A request from the NFP to the Centre anytime within the two years between two NFP Meetings, based on a serious emergency, change or event in the SPAMI (see para.10).
- d) External sources (partner organizations, other international or national NGOs, or other interested bodies) (see para.12).

12. In the latter case d), should there be a threat or serious damage to the area, and subject to the approval of the government concerned, and also on case c) upon extraordinary request from the Party concerned, the Executive Secretary may appoint an independent expert to assess, in the company of a representative of SPA/RAC, the reality and seriousness of the threat to the SPAMI objectives, in which case it would recommend the NFP/MAP to proceed with a detailed appraisal in accordance to the procedures laid down in this proposal.

13. In any of the cases a) b) c) or d), should the adverse situation prove a real threat to the SPAMI objectives, the NFP/MAP may recommend the Meeting of the Parties to request the responsible authorities to take any appropriate corrective measures, while the SPAMI would enter into a provisional period of three years in which the necessary recommendations and measures must be taken and implemented.

III The period of provisional nature

14. A SPAMI would enter the period of provisional nature either
- a) After an ordinary -or an extraordinary- review recommends it, or
 - b) It has been provisionally accepted as a new SPAMI in the List without fully complying with all the necessary criteria.

15. In fact, candidate sites to the SPAMI List, for which the selection criteria required under the Protocol are not completely but close to be met, pending the provision of assistance to the country concerned (V Meeting of the NFPs, para. 97) should also fall into this provisional period. The aim would be *“to stimulate Mediterranean solidarity and cooperation, and to encourage countries to identify and nominate relevant areas while awaiting assistance to finalize dossier”* (para.94).

16. A SPAMI can stay within the period of provisional nature for a maximum of six years. The Party concerned must inform in the next NFPs Meeting, within 2 years time, about the identification and launching of the adequate corrective measures.

17. SPAMIs in this provisional period, when the Party concerned asks for it, shall constitute a priority for cooperation and sponsorship from:

- a) Other Parties;
- b) Other SPAMIs, particularly those with a Diploma;
- c) Any tools specifically established for the case, such as expert commissions or the support from a SPAMI Fund.

18. Before the end of the six year period, an Extraordinary Review will be developed. Two options are envisioned for this review:

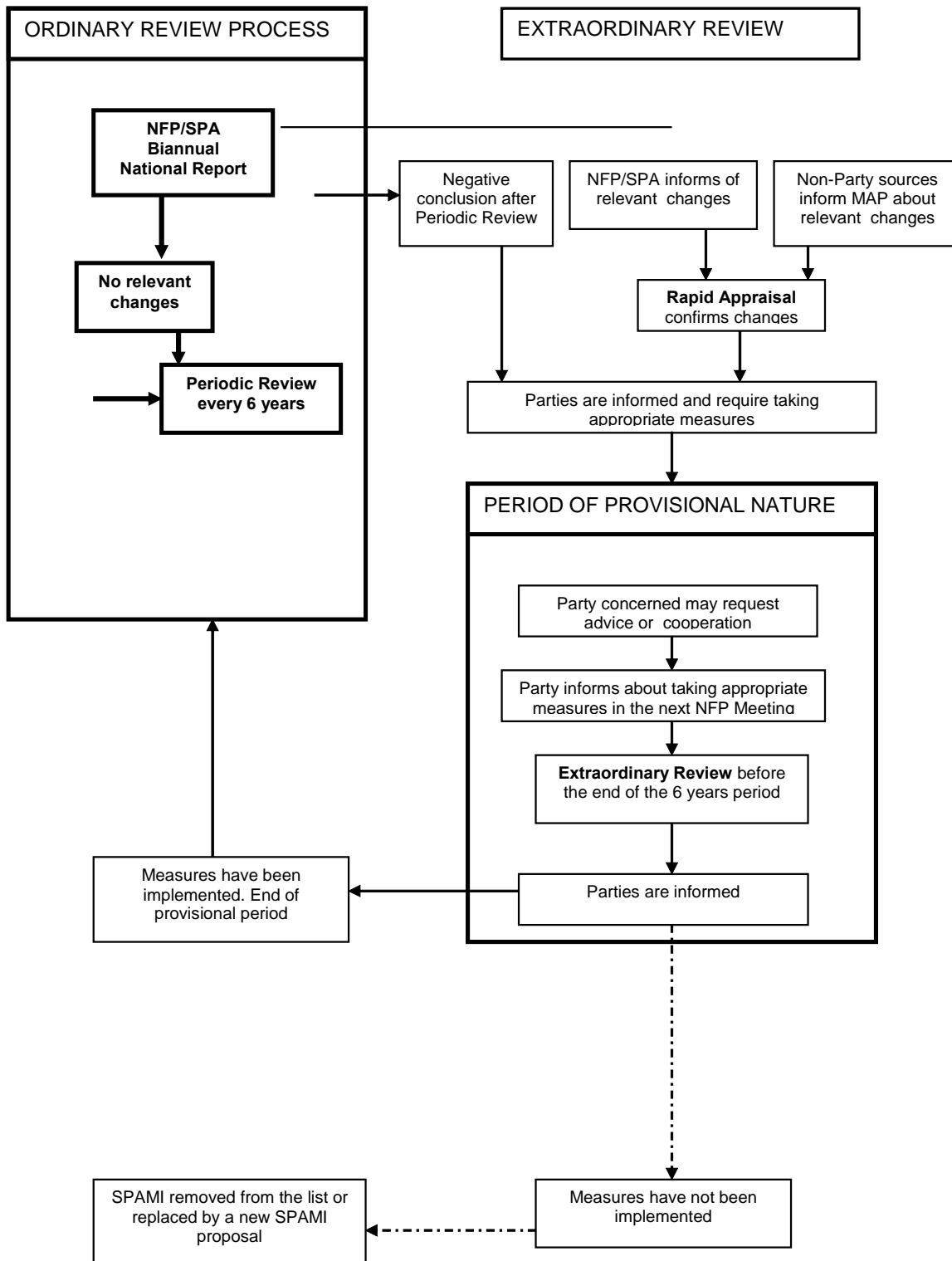
- Following the same procedure as for the Ordinary Review, or
- A rapid assessment (e.g. 2 days) entrusted to a simplified mission from the national SPAMI manager and an independent non-national expert

The results of this appraisal will be transmitted through the Centre to the next NFP/SPA Meeting.

19. If the Extraordinary Review concludes that the recommended measures were implemented and the legal, protection or ecological status has improved during the six years period (see Scoring and Resolution in the Format ahead), the SPAMI will leave the period of provisional nature and enter again into the regular review process.

20. Should the Extraordinary Review conclude that the damage is irremediable or that the necessary measures have not been implemented within the provisional period, the Parties may suggest the State concerned to remove the SPAMI from the List, considering -as established in Art.10 to the Protocol- that important reasons for doing so still remain. For this part of the procedure, a choice should be done between two options:

- a) The Party concerned would be invited to compensate the loss of a SPAMI with another site proposed within the same country. The final decision would rest in the Party concerned; or
- b) As provisionally set by the VI Meeting of the NFP/SPA (2003) in the "Draft Criteria and Procedures for Awarding the Mediterranean Diploma for SPAMIs" (Art.10.4), the decision for withdrawal *"shall be taken by the Meeting of the Parties by a two-thirds majority of the votes cast. It shall be notified by means of a resolution, and the reasons for such a decision shall be transmitted to the government concerned and the authorities responsible for managing the area"*.



IV Format for the Periodic Review

4.1. Objectives

21. The purpose of the Format is to assess in a way as objective and homogeneous as possible, the degree of conformity that the sites included in the SPAMI list keep with the criteria provided in the Protocol, and to appraise the evolution of the SPAMIs by comparing the results obtained through consecutive reviews.

22. The Format shall be completed every six years by the Technical Advisory Commission (see para. 3 in previous Section).

23. The resulting completed format shall be signed by all the members of the Technical Commission. At the end of the format there is a blank space in which the individual members, if deemed necessary, may add his/her own comments.

4.2. Criteria set in the Protocol

24. The proposed Format responds to the pertinent Articles in the Protocol and Annex, and keeps a cross coherence and constant reference with the document "*Annotated Format for the presentation reports for the areas proposed for inclusion in the SPAMI List*" (UNEP(DEC)/MED WG.172/3). At the end of each question, a reference is given to the corresponding part in the Annotated Format (AF) in order to facilitate the search of the information.

25. Following the Protocol, two kinds of criteria have been considered in the Format:

Section I: Characteristics/features that the site must necessarily comply to be included in the SPAMI List. These features are specified in Article 8 of the Protocol, and in the Common Criteria of the Annex I. For these selected 9 features, a yes/no answer is requested.

Section II: Characteristics/ features considered as a value-added for the SPAMIs (according to B.4. in Annex I and Articles 6 and 7 in the Protocol). These features receive 0-3 values. Their accumulative scoring provides an indication of the global performance of the SPAMI, permits comparative assessments with previous situations, and identifies thematic fields of strength and weaknesses allowing to objective recommendations.

4.3. TAC Conclusion

26. At the end of the format, the Technical Advisory Commission (TAC) will draw a Conclusion of consensus, signed by all of its members, including, if necessary, recommendations for improvement.

27. This Conclusion shall be forwarded through the SPA/RAC to the NFPs ordinary Meetings. The Meeting will decide whether the SPAMI remains in the ordinary review process or is considered for incorporation into the extraordinary review procedure.

**SECTION I: CRITERIA WHICH ARE MANDATORY FOR THE INCLUSION
OF AN AREA IN THE SPAMI LIST**

(Art. 8.2. of the Protocol and General Principles and C and D of Annex I)

In each question, crossed references to the Annotated Format (AF) are given.

1. CONSERVATION STATUS

1.1. Does the SPAMI fulfill one of the criteria related to Mediterranean interest as presented in Protocol's Annex I section B paragraph 2 ?strictly maintain the status of populations of its protected species (those in Annex II to the Protocol), the status of its habitats and no adverse significant changes in the functioning of its ecosystems? (Article 8.2.) (See 3.4. and 4 in the AF)

Y	N
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If "no", indicate the reasons that have motivated the deficiencies, their relative seriousness and, if possible, the date in which they are expected to be overcome.

1.2 If "yes", are the objectives set out in the original SPAMI application for designation actively pursued ?

Y	N
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2. LEGAL STATUS

2.1. Does the area maintain or has improved its legal protection status from the date of the previous report? (A-e and C-2, Annex I) See 7.1.2 in the AF

Y	N
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2.2. Does the legal declaration of this area consider the conservation of natural values as the primary objective? (A-a and D1 in Annex I) See 7.1.3 in the AF

Y	N
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2.3. Are competencies and responsibilities clearly defined in the texts governing the area? (D4 in Annex I) See 7.4.3 in the AF

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

2.4. Are external influences/threats been taken into account in the legal framework of the SPAMI? Does the legal text clearly establish coordination means between land and sea authorities ? (D4 in Annex I, Art.7.4. in the Protocol) . In case there is no sea within the SPAMI, this question would be non-applicant. See 7.4.3. in the AF

Indicate measures that have been adopted to address these influences/threats case of any "no" answer, indicate the reasons that have motivated the deficiencies and the date in which they are expected to be overcome.

3. MANAGEMENT METHODS (General principles « D » in Annex 1)

3.1. Does the area have the same or an improved management body/authority as when the SPAMI was established and/or last evaluated ? Existence of a management body with sufficient powers (Art. 7.2.d, 7.2.f). D6 in Annex I: *To be included in the SPAMI List, a protected area must have a management body, endowed with sufficient powers as well as means and human resources to prevent and / or control activities likely to be contrary to the aims of the protected area* See 8.1. in the AF

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

3.2. Is the management plan in force ? Has the management plan been officially adopted?

(D7 in Annex I) See 8.2.1, 8.2.2. in the AF

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

3.3. Does the management plan address the requirements set out in article 7 of the Protocol and Section 8.2.3 of the Annotated format ?

<input type="checkbox"/>	<input type="checkbox"/>
Y	N

More details useful for the evaluation of the management plan are addressed in question 7.1 of this questionnaire. In case of any "no" answer, indicate the reasons that have motivated the deficiencies and the date in which they are expected to be overcome.

4. AVAILABILITY OF RESOURCES AND INFORMATION

4.1. Is there basic equipment, human and financial resources ensured to the management body?

Y	N

(Art. 7.2.d, 7.2.f). D6 in Annex I: *To be included in the SPAMI List, a protected area must have a management body, endowed with sufficient powers as well as means and human resources to prevent and / or control activities likely to be contrary to the aims of the protected area* See 9.1, 9.2. in the AF

4.2.. Does the area have a monitoring program?

Y	N

(D8 in Annex I: *The program should include the identification and monitoring of a certain number of significant parameters for the area in question, in order to allow the assessment of the state and evolution of the area, as well as the effectiveness of protection and management measures implemented, so that they may be adapted if need be..* See 9.3.3. in the AF

If yes, what are the monitoring parameters and the management objectives being addressed by these parameters ?

4.3 Is there a feedback mechanism that establishes an explicit link between the monitoring results and the management objectives, and which allows adaptation of protection and management measures ?

Y	N

In case of any "no" answer, indicate the reasons that have motivated the deficiencies, their relative seriousness, and the date in which they are expected to be overcome.

**SECTION II: FEATURES PROVIDING A VALUE-ADDED
TO THE AREA**

(Section B4 of the Annex I, and other obligatory for a SPA (Arts. 6 and 7 of the Protocol))

5. THREATS AND SURROUNDING CONTEXT

5.1 Assess the level of threats within the site to the ecological, biological, aesthetic and cultural values of the area (B4.a of the Annex I)
See 5.1., consider also 3.5.2.b, 6.3 & 6.4. in the AF

In particular: (0 means “no threats”; 3 means “very serious threats”):

Unregulated exploitation of natural resources
(e.g. sand mining, water, timber, living resources)
See 5.1.1. in the AF

0	1	2	3
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Serious threats to habitats and species
(e.g. disturbance, desiccation, pollution, poaching, introduced alien species) See 5.1.2. in the AF

0	1	2	3
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Increase of human presence
(e.g. tourism, boats, building, immigration...) See 5.1.3. in AF

0	1	2	3
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Historic and current conflicts
(between users or user groups) See 5.1.4., 6.2. in the AF

0	1	2	3
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(0 = no threats; 3 = very high level of threats)

Please include a prescriptive list of threats that are of concern and are evaluated individually

5.2 Assess the level of external threats to the ecological, biological, aesthetic and cultural values of the area (B4.a of the Annex I) See 5.2. in the AF

(0 = no threats ; 3 = very high level of threats)

0	1	2	3
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Please include a prescriptive list of external threats that are of concern and are evaluated individually. **In particular:**

Pollution problems from external sources (including solid waste and those affecting waters up-current) See 5.2.1. in the AF

Significant impacts on landscapes and on cultural values See 5.2.2

Expected development of threats upon the surrounding area See 6.1. in the AF

5.3. Is there an integrated coastal management plan or land-use laws in the area limiting or surrounding the SPAMI? (B4.e in the Annex I) See 5.2.3.

Y	N
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5.4. Does the management plan for the SPAMI have influence over the governance of the surrounding area ?.
(D5-d in Annex I)
See 7.4.4. in the AF

Y	N
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6. REGULATIONS

6.1. Assess the degree of legal regulations See 7.4.2. in the AF

In particular, within the national framework:

a) Regulations concerning the strengthening of the application of the other Protocols to the Barcelona Convention, particularly dumping, passage of ships and modification of the soil (Art. 6b, 6c, 6e in the Protocol, D5-a in the Annex I)

Y	N
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b) Regulations on the introduction of any species not indigenous to the specially protected area in question, or of any genetically modified species, (Art. 6 d in the Protocol, D5-b in the Annex I)

Y	N
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c) Regulations concerning the Environmental Impact Assessment for the activities and projects that could significantly affect the protected areas (Art. 17 in the Protocol)

Y	N
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In particular, within the SPAMI framework:

d) Regulations for fishing, hunting, taking of animals and harvesting of plants or their destruction, as well as trade with animals, parts of animals, plants, parts of plants, which originate in the area (Art. 6 g in the Protocol, D5-c in the Annex I)

Y	N
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7. MANAGEMENT

7.1. Assess the degree of detail of the management plan

(e.g. zoning, regulations for each zone, competencies and responsibilities, governing bodies, management programs as protection, natural resource management, tourism, public use, education, research, monitoring, maintenance, services and concessions....) See 8.2.3. in the AF

SCORE: 0 = No Mgmt.Plan / 1= Weak / 2 = Adequate / 3= Excellent

0	1	2	3
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7.2. Assess to what extent is land ownership well determined

(undetermined land tenure regimes and registrations are a common source of conflicts in most protected areas world-wide) See 7.3. in the AF

SCORE: 0 = Undetermined / 1= Weak / 2 = Adequate / 3= Excellent

0	1	2	3
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7.3. Is there a body representing the public, professional and non-governmental sector and the scientific community linked to the management body? (B4b, B4c of the Annex I) See 8.1.2. & 8.1.3

Y	N
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7.4. Assess the quality of the involvement by the public, and particularly of local communities, in the planning and management of the area (B4.b of the Annex I)

(e.g. adequate planning involves local stakeholders and accommodates within appropriate management regimes a spectrum of possible multiple uses and regulated human activities, within the primary objective of conservation of marine and coastal environments)

See 8.1.4. in the AF

0	1	2	3
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SCORE: 0 = No involvement / 1= Low / 2 = Adequate / 3= Excellent

7.5. Is the management plan binding for other national/local administrations with competencies in the area?

See 8.2.2 in the AF

Y	N
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8. PROTECTION MEASURES

8.1. Assess the degree of enforcement of the protection measures

In particular:

Are the area boundaries adequately marked on land and, if applicable, adequately marked on the sea? <u>See 8.3.1. in the AF</u>	<input type="checkbox"/> Y <input type="checkbox"/> N
Is there any collaboration from other authorities in the protection and surveillance of the area and, if applicable, is there a coastguard service contributing to the marine protection ? <u>See 8.3.2. 8.3.3. in AF</u>	<input type="checkbox"/> Y <input type="checkbox"/> N
Are third party agencies also empowered to enforce regulations relating to the SPAMI protective measures ?	<input type="checkbox"/> Y <input type="checkbox"/> N
Are there adequate penalties and powers for effective enforcement of regulations and is the field staff empowered to impose sanctions? <u>See 8.3.4. in the AF</u>	<input type="checkbox"/> Y <input type="checkbox"/> N
Has the area established a contingency plan to face accidental pollution or other serious emergencies? (Art. 7.3. in the Protocol, recom. 13 th Parties Meeting)	<input type="checkbox"/> Y <input type="checkbox"/> N

9.HUMAN RESOURCES

9.1. Adequacy of the human resources available to the management body (Art.7.2-f in the Protocol, D6 in Annex I) (e.g. enough number of employees to ensure adequate management and protection of the area) See 9.1.1. in the AF

Is there a permanent field administrator of the area?
See 9.1.2. in the AF

 Y N

Are there other permanent staff in the field?
(e.g. technicians, wardens, guides, ...) See 9.1.2. in the AF

 Y N

9.2. Asses the adequacy of the training level of available staff

(Art.7.2-f in the Protocol, D6 in Annex I) (e.g. enough training level to ensure protection of the area) See 9.1.2. in the AF

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0	1	2	3

SCORE training level: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

10. FINANCIAL AND MATERIAL MEANS

10.1. Assess the degree of adequacy of the financial means (Sufficient resources for the development and implementation of the management plan, including e.g. interpretation, education, training, research, surveillance and enforcement of regulations) See 9.2.1. in the AF

SCORE: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

0	1	2	3
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10.2. Assess the basic infrastructure (Art.7.2-f in the Protocol)

Administrative premises in the site, visitors' facilities (reception centre, trails, signs...), specific information, education and awareness materials

SCORE: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

0	1	2	3
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10.3. Assess the equipment. *Guard posts and signs on the main accesses, means to respond to emergencies, marine and terrestrial vehicles, radio and communications equipment. See 9.2.3. in the AF*

SCORE: 0 = Very Insufficient / 1= Low / 2 = Adequate / 3= Excellent

0	1	2	3
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11. INFORMATION AND KNOWLEDGE

11.1. Assess the extent of knowledge about the area and its surrounding zones. (D3 of the Annex I)(*considering at least specific maps, habitat distribution, species inventories, and socio-economical factors*)
See 9.3.1. in the AF

SCORE: 0 = Very Insufficient / 1= Low / 2= Adequate / 3= Excellent

0	1	2	3
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11.2. Assess the adequacy of the program for data collection and the monitoring program See 9.3.2. in the AF

SCORE: 0 = Inexistent / 1= Insufficient / 2= Adequate / 3= Excellent

0	1	2	3
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12. COOPERATION AND NETWORKING

12.1. Are other national or international organizations collaborating with human or financial resources? (e.g. researchers, experts, volunteers..)

See 9.1.3. in the AF

SCORE: 0 = No / 1= Weakly / 2 = Satisfactory / 3= Excellent

0	1	2	3
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12.2. Assess the level of cooperation and exchange with other SPAMs (especially in other nations) (Art. 8, Art. 21.1, Art. 22.1., Art. 22.3, A.d in Annex I)

SCORE: 0 = No / 1= Insufficient / 2= Adequate / 3= Excellent

0	1	2	3
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COMMENTS by the Technical Advisory Commission

CONCLUSION

RECOMMENDATIONS

SIGNATURES

National Focal Point

Independent Experts

SPAMI Manager(s)

(ADDITIONAL PAGES MAY BE ADDED FOR EACH MEMBER'S COMMENTS)

