

Decision IG 17/14: Common Criteria for proposing amendments to Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean

The 15th Meeting of the Contracting Parties,

Recalling Articles 14 and 16 of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean, hereinafter referred to as the Protocol, on the adoption of common criteria for the inclusion of additional species in Annexes II and III to the Protocol, hereinafter referred to as common criteria,

Desiring to supplement article 16 (paragraph b) of the Protocol with the establishment of common criteria for the exclusion of species, listed in the annexes to the Protocol, that no longer need the status of protection and conservation measures conferred by this Protocol,

Taking into account the recommendation adopted by the 14th Meeting of the Contracting Parties (Portoroz, November 2005) that approved the principle of modifying the lists of species included in Annexes II and III to the Protocol on the basis of criteria to be established, and to this end, requesting the Regional Activity Centre for Specially Protected Areas, herein after referred to as the SPA/RAC, to prepare guidelines for future amendments to Annexes II and III to the Protocol, based on the contribution of all Parties, including the scientific, legal and procedural aspects,

Being aware of the need to ensure that the lists of species appearing in Annexes II and III to the Protocol are updated, taking into account both the evolution of the conservation status of species and the emergence of new scientific data,

Emphasising the importance of ensuring harmonisation between Annexes II and III to the Protocol and the relevant annexes to other international and/or regional conventions and agreements pertaining to the preservation of species,

Stressing further that, if the conservation status of a species is deemed unlikely to ensure its survival, the lack of scientific certainty should not be invoked as a reason for postponing its inclusion in one of the two Annexes (II or III) of the Protocol,

Recognizing the important role played by some specialised organisations in monitoring and assessing the conservation status of species,

Noting the work undertaken by SPA/RAC for the preparation of draft Common Criteria, taking into account the results of the Regional IUCN Red List Assessment,

Taking into account also the respective recommendations of the meeting of the Focal points for SPA/RAC held in Palermo, 2007 on the approval of the draft Common Criteria,

Decides to adopt Common Criteria to be applied in evaluating proposals for amending, according to the procedure provided for in Article 14 of the Protocol, Annexes II and III to the Protocol as contained in the Annex to this decision;

Requests SPA/RAC to evaluate the status of the species listed in Annexes II and III to the Protocol, using the adopted Common Criteria, with a view to submitting an evaluation report and related recommendations for the consideration of the next meeting of the SPA/RAC Focal points in 2009;

Invites the Contracting parties to provide the necessary information to SPA/RAC in view of the preparation of the abovementioned evaluation report and the related recommendations.

ANNEX

Common Criteria for proposing amendments to Annexes II and III of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean

General principles

1. The present criteria will apply to the evaluation of proposals for:
 - inclusion of new species in Annexes II and III of the Protocol;
 - removing species from these annexes;
 - transferring species from one of the said lists to the other;
 - modifying the names of species, as a result of changes occurred in taxonomy
2. No limit is set either on the total number of species included in Annexes II and III of the Protocol, nor on the number of species that an individual Party can propose for inclusion in these annexes. However, Parties agree that species will be selected on a scientific basis and will be included in the Annexes based on their conservation status; they will therefore have to conform to the conditions laid out in the Protocol and to one or several of the following criteria.
3. The IUCN Red List⁴⁷ categories and criteria developed for assessing the conservation status of species are used by most international conventions. It is recommended that they be used for assessing the status of species when examining proposals for amending Annexes II and III of the Protocol.
4. A species that is threatened outside the Mediterranean region and is known to be occasionally or marginally present in the Mediterranean may be considered for inclusion in the Annexes to the Protocol unless it is a potential invasive species.
5. The criteria listed below do not figure either in order of importance or of priority.

Common Criteria to be applied in evaluating proposals for inclusion of species in Annex II of the Protocol

1. A species can be included in Annex II to the Protocol if, on the basis of reliable scientific data, it is demonstrated that :
 - the species is in decline with a substantial reduction in its numbers (observed, estimated, inferred or suspected); or that
 - important reductions (including fragmentation) of its habitats have been observed in the Mediterranean or that
 - the species or its Mediterranean population figures on the IUCN red list as critically endangered, endangered or vulnerable or appears in the IUCN-ACCOBAMS cetacean Red List.

⁴⁷ (a) IUCN 2001. IUCN red list Categories and criteria. Version 3.1. Species Survival Commission, Gland. (b) IUCN 2003. Guidelines for the Application of IUCN red list Criteria on the regional level. Version 3.0 Species Survival Commission. Gland. The two documents can be downloaded from:
http://www.redlist.org/info/categories_criteria.html.

2. Habitat building species and those at the basis of important biological formations for the Mediterranean may be included in Annex II of the Protocol if important regressions of the said habitats or of the areas covered by the said formations have been observed, inferred or suspected over the last 10 years.
3. A species endemic to a country, or a group of countries, may be included in Annex II of the Protocol at the proposal of the country, or of the group of countries in question.
4. The inclusion of a species in Annex II of the Protocol may be decided if it proves necessary to the adequate implementation of conservation measures advocated for a species already included in the said annex.

Common Criteria to be applied in evaluating proposals for the inclusion of species in Annex III of the Protocol

5. A species may be included in Annex III of the Protocol if:
 - statistical data show a regression of more than 50% of landings over the past 5 years; or
 - unless its exploitation is regulated, it is likely to fall into the category of endangered or threatened species as defined by the Protocol.
6. A species may be included in Annex III of the Protocol if the techniques used to exploit it are destructive to biological formations or habitats listed on the reference list of habitats of conservation interest adopted within the MAP framework.

Common Criteria to be applied in evaluating proposals for removing species from Annexes II and III of the Protocol

7. A species may be removed from Annexes II or III of the Protocol if reliable data, especially better available scientific data, indicate that the reasons that led to its initial inclusion no longer exist.
8. However, removal can only be considered if the said species runs no risk, in the short or medium term, of finding itself in the condition that originally warranted its inclusion in the said annexes.

Procedures to be followed in proposing amendments to Annexes II and III of the Protocol.

With a view to facilitating the implementation of Article 23 of the Convention and articles 14 and 16 of the SPA and Biodiversity Protocol, the following procedure is proposed to be followed:

- (a) The Parties submitting proposals for inclusion of species or their removal from an Annex will submit a proposal to the Regional Activity Centre for Specially Protected Areas, in conformity with the attached model, at least 90 days before the Meeting of Focal Points for SPAs. The proposal must be submitted either in English or in French;
- (b) The Centre will immediately forward the proposal, in its original version, to the other Parties and to the Coordinating Unit;
- (c) The proposal will be submitted to the meeting of Focal Points for SPAs, which will proceed to evaluate it in the light of the above common criteria. To this end, SPA/RAC will proceed to the translation of the original version so that the proposal may be sent to the Focal Points for SPAs and to the relevant international

organisations in English and in French at least a month before the Focal Points meeting;

- (d) The proposal, by the concerned Party, accompanied by the recommendation of the meeting of SPA/RAC Focal Points, will be submitted to the Contracting Parties for their consideration and adoption according to paragraph 2 letter (ii) of Article 23.

Furthermore, the Contracting Parties may instruct SPA/RAC to undertake evaluation exercises about the status of species with the view of proposing amendments to Annex II and or Annex III to the Protocol.

