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## MEDITERRANEAN ACTION PLAN



Ninth Meeting of Focal Points for SPAs

Floriana, Malta, 3-6 June 2009

### **Report of the Steering Committee Meeting on identification of possible SPAMIs in the Mediterranean areas beyond national jurisdiction**

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With the contribution of the participants of the First meeting of the Steering Committee

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## **Preface**

This document was prepared at the First Meeting of the Steering Committee to develop a process of consultation of the action entitled 'Identification of possible SPAMIs in the Mediterranean areas beyond national jurisdiction'. The process involves a Steering Committee (attached as Annex I to this report), a Science Advisory Team, and a Regional Stakeholder Group at a later stage.

RAC/SPA as the implementation Agency of this European Community Contribution Agreement with the United Nations Environmental Programme/Mediterranean Action Plan (UNEP/MAP) identified the Steering Committee, who is providing general guidance on the development of the project, and will validate its products.

The Steering Committee reviewed the expert reports on the existing scientific information. The Meeting pointed to produce a revised process for the criteria for the designation of possible SPAMIs in Mediterranean ABNJ. It was also agreed that the criteria needed an adequate elaboration in order to support a preliminary short-list of potential sites that could be endorsed by the Contracting Parties.



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**MEDITERRANEAN ACTION PLAN**



First Meeting of the Steering Committee on  
identification of possible SPAMIs in the  
Mediterranean areas beyond national  
jurisdiction (ABNJ)

Tunis, 17 March 2009

**REPORT OF THE FIRST MEETING OF THE STEERING  
COMMITTEE OF IDENTIFICATION OF POSSIBLE SPAMIS IN  
THE MEDITERRANEAN AREAS BEYOND NATIONAL  
JURISDICTION (ABNJ) PROJECT**



## **Introduction**

The First Meeting of the Steering Committee on identification of possible SPAMIs in the Mediterranean areas beyond national jurisdiction (ABNJ) was held in Tunis, Tunisia, 17 March 2009 and was attended by delegates from ten organizations as Members of the Steering Committee. The list of participants is attached as Annex II to this report.

The Pelagos Sanctuary for Mediterranean Marine Mammals and the Division of Environmental Policy Implementation (DEPI) - Regional Seas of the United Nations Environment Programme excused their absence owed to last minute constraints.

The meeting reviewed the status of scientific knowledge in the region to be applied to the criteria for identifying the possible SPAMIs in the Mediterranean areas beyond national jurisdiction (ABNJ), and the activities linked to the project.

The RAC/SPA acted as the Secretariat of the Meeting.

## **AGENDA ITEM 1 - Opening of the Meeting**

The First Meeting of the Steering Committee was opened at 9:00 on Tuesday, 17 March 2009, by Mr. Abderrahmen Gannoun, Director of RAC/SPA, who acted as the Chairperson.

The Chairperson welcomed the attendees, and presented the context and objectives of the Meeting.

The Meeting was attended by ten Members of the Steering Committee, by the venue's host country Focal Point for Specially Protected Areas as an observer, and by the related staff of RAC/SPA.

## **AGENDA ITEM 2 - Adoption of the Agenda and organisation of work**

The Provisional Agenda, proposed by the Secretariat and distributed as the document UNEP (DEPI)/MED WG. 330/1 Rev.1 was adopted, and is attached as Annex III to this report.

## **AGENDA ITEM 3 - General introduction by RAC/SPA on the project**

RAC/SPA introduced the Joint Management Action between the European Community and the Mediterranean Action Plan of the United Nations Environment Programme, highlighted the justification of the implementation of the project, developed in the framework of the Barcelona Convention.

The presentation also introduced the planned work for 2008-2009 to meet the commitments for the two-stage project, according to the ppt document UNEP (DEPI)/MED WG. 330/PP. 1. The calendar of the first phase of the project is attached as Annex IV of the document.

## **AGENDA ITEM 4 - Presentation by the Consultants of RAC/SPA of the working document “Overview of existing information on the identification of Mediterranean ABNJ”**

The Consultants presented the document UNEP (DEPI)/MED WG. 330/3 on the identification of Mediterranean ABNJ, highlighting that the document is an exercise to provide an overview of the existing information focused on the concept of ecoregionalization. Their proposal for considering eight working ecoregions comprising the whole basin of the Mediterranean Sea has been discussed.

The Consultants kindly asked for the Steering Committee contributions through their experiences. This would be a valuable effort to validate the results.

The aim of the document was the revision of existing information, taking into account that the ecological network should not be only representative but also it should consider the connectivity. The quicker process used to get the information from databases, was the Delphic Hierarchy Process.

Identifying key experts who can provide their expertise for each ecoregion could help to the process of integrating updated information. Unfortunately there is a lack of information, and an unbalance of information within the ecoregions. Thus efforts are not distributed evenly among ecoregions.

The Consultants reported to the group that the aim of the project is focused on a wide effort to compile existing information emphasizing biophysical aspects and human threats. The methodology was presented as a didactic process based on existing extensive data more oriented to the Western Mediterranean. The approach for valuating the heterogeneous distribution of data was based on proxies.

The proposal for applying Ecologically and Biologically Significant Areas (EBSAs) adopted by the Convention of Biological Diversity (CBD) was discussed. Therefore, merging two sets of criteria, those of the SPA/BD Protocol -legal- and EBSAs ones –operational- for identifying potential SPAMIs in ABNJ, would drive the data requirements accuracy.

Regarding availability of data, exchange of views on proxies such as bottom topography and physical oceanography took place.

The Consultants presented the document UNEP (DEPI)/MED WG. 330/4 on a format for the application of criteria for identifying EBSAs from the CBD guidelines, in the Mediterranean ecoregions. A summary of draft criteria was explained through ranking essays.

ACCOBAMS noted that the application of ecoregionalization as a tool for identifying SPAMIs in ABNJ, may not serve as a methodology itself since the only SPAMIs in ABNJ already designated - the Marine Mammals Pelagos Sanctuary- comprises a superposition of two proposed working ecoregions.

EC advised the group that lack of further data would not hamper the process, if there are already any obvious candidate areas to become SPAMIs in ABNJ.

The Consultants reported that ecoregion boundaries are a guiding process. As a first step it could narrow this methodology down to strongly candidate SPAMIs in ABNJ. Some examples mentioned



were Alboran Sea and Sicily Channel.

FAO emphasized the importance of having the best available data, and highlighted that there are two different and complementary aspects. Firstly, in relation with “Mediterranean importance” that refers to ecological importance, and secondly, related to “Protected areas” which implies various stakeholders’ involvement and political feasibility. It is important to separate these two issues. Although this was planned for a second phase of this process, both levels should be managed in parallel since now.

OSPAR noted that from lesson learned, the experience of OSPAR in this field could be used as a point of departure using the Delphic approach applied to a few large areas. The maritime area covered by the OSPAR Convention includes five regions of the North-East Atlantic.

OSPAR has applied a set of criteria very similar to those implemented by the Convention on Biological Diversity, producing performances for the candidate sites. Related to a second phase after the identification of these potential sites, it is needed to implement the process of how to protect them.

These zones have not achieved coherence in terms of sites representativity. The sites selected have been identified under peer review of potential sites, according to the scientific advice of the International Council for the Exploration of the Sea (ICES), and with the involvement of the competent authorities. Cooperation with the International Seabed Authority (ISA) on the process is envisaged.

MEDU-UNEP/MAP noted that the ecosystem approach in the framework of the Barcelona Convention operates the same ecoregional divisions applied by the European Marine Strategy.

WWF MedPo informed on its experience with the General Fisheries Commission for the Mediterranean process on a proposal for nominating and identifying Fisheries Restricted Areas (FRA). Its original proposal for FRA was five, and only two of those proposals were considered, since the initial related information on deep sea fisheries of the areas was not good enough.

IMO advised that the addressing threats on the high seas are a very difficult task. Identifying them from the shipping activities is a global process needed to regulate possible impacts of such threats. Political issues should be addressed also to identify impacts. To start investigating the ‘political stream’, MARPOL will classify the Mediterranean as Special Area -starting date: 1 May 2009.

IUCN Med considered the difficulties to nominate and designate marine protected areas in open seas, including deep seas based on different legal and institutional regimes to be applied at the international level, the UN Convention on the Law of the Sea, the International Seabed Authority, the Agreement for the establishment of the General Fisheries Commission for the Mediterranean, the Barcelona Convention and others considering different activities for the marine environment. The subdivision of the Mediterranean region in ecoregion would not be practical; at the beginning of the process, the Mediterranean basin should be considered as a whole. The same regional approach is applied for climate change potential impacts, not considering ecoregions.

EC noted that the Barcelona Convention is legally entitled to designate areas in the open seas. If the Protocol would allow the designation, the Contracting Parties should adopt them. The second step is the preparation of the individual SPAMI files according to the scientific information. It is not necessary to start a new process to adopt criteria made by UN general assemblies (FAO; CBD). It is sufficient to have the necessary scientific data to initialize the process. It is possible to go ahead bearing in mind that where the scientific phase finishes, the political phase starts.

REMPEC, concurred its views with the IMO representative and recommended, as far as maritime traffic was concerned, to start working on the feasibility of proposing possible measures to be proposed to IMO in parallel with the scientific exercise being carried out.

OSPAR advised that other competent organizations should be involved with the initiatives of the Regional Seas Conventions to push up the process. The dialogue may take two years to achieve performance nominations.

RAC/SPA summarized to the group the whole process, including the consideration of the ecosystem approach, and the socioeconomic issues. It reported about the prevision of field surveys and research campaigns in candidate areas, which would be developed during the second phase. The field research would provide real "proofs" not only proxies.

The Consultants concluded that ecoregional subdivision means a tool in the process, in order to give to the whole basin a balanced initial importance.

## **AGENDA ITEM 5 - Discussion on the working documents by the Steering Committee**

The Consultants presented the document UNEP (DEPI)/MED WG. 330/5 on biodiversity, structure, function and dynamics of the ecosystems and the effect of human activities.

OSPAR noted the necessity of applying a holistic approach since the ecosystem approach does not separate the seafloor and the water column. Other aspect was related to the mobile species and their spawning and feeding areas. Thus a consideration of mobile MPAs boundaries is an open matter.

IMO informed about the recording effects of human activities according to its organization's database dealt with the importance to identify previous incidents.

The Consultants introduced the document UNEP (DEPI)/MED WG. 330/6 on ecoregional classification.

The Committee agreed that the support of a scientific body would help backing the proposal for identifying potential sites. RAC/SPA recalled that CIESM was invited as a member of the Steering Committee and that it intended to participate. A participant stressed to the group the need of a scientific body to validate the results obtained in the process of compilation and analysis of data. OSPAR commented the existing Annual Work Programme associated to the ICES as an advice scientific body.

The Chairperson expressed the view that the Steering Committee itself could guide and validate the products, as well as play the role of reviewing the scientific inputs. He added that RAC/SPA is a technical and scientific body for the implementation of the project as well.

It was mentioned that any partiality should be avoided. It is therefore expected to have an external body to reinforce the results of the project, specially addressed to the second phase dealing with concrete SPAMIs dossiers.

WWF MedPo pointed out that it is no need to replicate exactly the OSPAR experience, since the project applies to other region.

IUCN Med informed that IUCN structure comprises several commissions which could be forwarded the obtained results of the project's first-phase for advice purpose or technical review.

MEDU-UNEP/MAP recalled that RAC/SPA is a technical body of the Barcelona Convention, and encouraged other bodies to join the initiative. MEDU-UNEP/MAP linked the need of cooperation

with the involvement of the stakeholders in a case by case basis, according to the particularities of each future SPAMI dossier.

The Secretariat reported on the ongoing project-action related to fisheries and step-relief areas, showing also to the participants a map that includes existing canyons, seamounts, Fisheries Restricted Areas (FRA), among others. A final report on locating and assessing promising sites is due to be completed before the Second Meeting of the Steering Committee.

## **AGENDA ITEM 6 - Further discussion on the working documents**

The Consultants introduced the document UNEP (DEPI)/MED WG. 330/7 depicting a first draft set of criteria. It recommended the revision of the criteria of the SPA/BD Protocol.

ACCOBAMS advised on taking into account the selection criteria for MPAs for cetaceans for the further elaboration of the document.

The Tunisian National Focal Point for SPA remarked that criteria reflected in the document did not make any reference to the SPA/BD Protocol criteria.

The Secretariat added that the document is a draft working document of limited distribution and considers the criteria of the CBD as an example for applying further operational criteria to the baseline of the SPAMIs ones already depicted in the SPA/BD Protocol, since the SPA/BD Protocol document was also available during the Meeting, those SPAMIs criteria were not included in the draft working document.

OSPAR informed that customizing the CBD criteria or other criteria established by other organizations to those of the SPA/BD Protocol of the Barcelona Convention is a very sensible matter. It recommended considering core and buffer areas, exploring these possibilities for the potential sites.

Concerning the management measures, OSPAR reported that these should not be permanent. Thus it highlighted the need of review them with the stakeholders' involvement from the very beginning of the process.

WWF MedPo advised the group that hydrological features which imply higher productivity areas could help to set the criteria for identifying potential sites.

It was recalled on advancing this process that no Contracting Party can change decisions already taken through IMO, or UNCLOS, so harmonization should be always considered.

The Consultants noted that theoretically, and ideally, any functional ecoregion should have an identified SPAMI in ABNJ.

The Tunisian National Focal Point for SPA advised to the group that identifying a first set of potential sites is a priority for the Contracting Parties.

RAC/SPA advised that the identification and later adoption of the sites is a matter of consensus of all Contracting Parties to be undertaken from the second phase of the project.

OSPAR reported that it would be desirable to have a peer review before the next Steering Committee Meeting.

The Secretariat informed that the peer review should be applied to the results before the Conference of the Parties Meeting, which will be held in November 2009. The peer review should

be an external view made by organizations such as IUCN, CIESM, at the suggestion of RAC/SPA, and to be presented to the next Steering Committee Meeting.

The Consultants advised to the group that data are not yet consistent to propose SPAMIs in ABNJ. RAC/SPA will work on identifying a number of experts for the different working ecoregions.

It was recommended to continue the development of guidance on the identification of possible SPAMIs in the Mediterranean ABNJ, and on the criteria by which the designation can be assessed, an 'e-group' among the Steering Committee members will be set out.

## **AGENDA ITEM 7 - Conclusion and recommendations of the Meeting**

The Meeting agreed to provide material related to the criteria, as well as any helpful comments on the principles which could support the identification of possible SPAMIs in the Mediterranean ABNJ. These could be provided soon and later the RAC/SPA would try to complete some of the scientific aspects of this work as soon as possible.

The Secretariat summarized the conclusions and recommendations as a draft of technical advices of the First Meeting of the Steering Committee as follows:

The Steering Committee reviewed the expert reports on the existing scientific information focused on the criteria for the designation of possible SPAMIs in Mediterranean ABNJ, and after discussions it reached the following conclusions:

The process should be implemented within the framework of the Barcelona Convention and in particular its SPA/BD Protocol and SPAMIs selection criteria that allows the creation of SPAMIs in ABNJ. Nevertheless, from the start of the process, a dialogue with other competent authorities, able to contribute to the process, need to be established.

Regarding SPAMIs, there are two different and complementary aspects: the "Mediterranean importance" referring to ecological importance; and the "Protected areas" concept implying multiple stakeholders' involvement and political feasibility. These two levels should be considered and managed in parallel.

It was agreed that the criteria needed an adequate elaboration, including criteria used by other organisations for the identification and selection of site in order to propose a coherent network of potential sites.

It was recognized that regional differences and lack of information made it difficult to prepare a short-list of potential sites that later could be endorsed by the Contracting Parties. It was thus suggested to prepare a list of all potential sites and to prioritise the potentially promising ones.

Ecoregional subdivision should be used only as a tool to ensure that the whole Mediterranean basin and its different biodiversity, ecological and physical features are taken into account.

After the identification of a first set of SPAMIs in the Mediterranean ABNJ, it was proposed to have an internal review and if necessary an external review by selected experts or organisations.

The establishment of an e-group among the participants of the Steering Committee for exchange of information was recommended, to be organised by the RAC/SPA.

## **AGENDA ITEM 8 - Closure of the Meeting**

The Meeting was closed by the Chairperson on 17 March 2009 at 18:00.

## **ANNEX I: LIST OF THE STEERING COMMITTEE MEMBERS**

Agreement on the Conservation of Cetaceans of the Black Sea, the Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS)

Coordinating Unit for the Mediterranean Action Plan (MEDU, UNEP/MAP)

Division of Environmental Policy Implementation (DEPI) - Regional Seas of the United Nations Environment Programme

European Commission (EC)

Food and Agriculture Organization (FAO) of the United Nations

General Fisheries Commission for the Mediterranean (GFCM)

International Maritime Organization (IMO)

International Union for Conservation of Nature (IUCN) – Centre for Mediterranean Cooperation

Mediterranean Programme Office of the World Wide Fund for Nature (WWF MedPO)

Mediterranean Science Commission (CIESM)

OSPAR Commission

Pelagos Sanctuary for Mediterranean Marine Mammals

Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC)

**ANNEX II: LIST OF PARTICIPANTS**

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## **ANNEX III : AGENDA OF THE FIRST MEETING OF THE STEERING COMMITTEE**

- Agenda item 1 - Opening of the Meeting
- Agenda item 2 - Adoption of the Agenda and organisation of work
- Agenda item 3 - General introduction by RAC/SPA on the project
- Agenda item 4 - Presentation by the Consultants of RAC/SPA on the working document "Overview of existing information on the identification of Mediterranean ABNJ"
- Agenda item 5 - Discussion on the working documents by the Steering Committee
- Agenda item 6 - Further discussion on the working documents by the Steering Committee
- Agenda item 7 - Conclusion and recommendations of the Meeting
- Agenda item 8 - Closure of the Meeting

**ANNEX IV: CALENDAR OF THE FIRST PHASE OF THE PROJECT**

Activity	Project year 1												Project year 2												Implementing body
	1st Semester 2008						2nd Semester 2008						1st Semester 2009						2nd Semester 2009						
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Make initial arrangements, and consultants, adoption of workplan, recruitment procedures				■	■	■	■	■	■	■															RAC/SPA
Collect, collate and analyse information								■	■	■	■														RAC/SPA & Consultants
Establish Steering Committee									■	■	■														RAC/SPA
Review and elaborate criteria											■	■	■	■											RAC/SPA & Consultants
Submit scientific findings, criteria and stakeholders' list submitted to Steering Committee														■	■										RAC/SPA
Prepare the First Meeting of the Steering Committee														■	■										RAC/SPA
First Meeting of the Steering Committee															■										RAC/SPA
Draft list of suitable sites															■										RAC/SPA & Consultants
Undertake threats and socio-economic assessments															■	■	■	■							RAC/SPA & Consultants
Engage stakeholders in reviewing candidate sites and developing roadmap																■	■	■	■						RAC/SPA, Steering Committee, Consultants
Draft roadmap for Phase 2																■	■	■	■						RAC/SPA & Consultants
Submit threats and socio-economic assessments and draft list of suitable sites to Steering Committee																			■						RAC/SPA
Submit draft roadmap for Phase 2 to Steering Committee																			■						RAC/SPA
Prepare the Second Meeting of the Steering Committee																			■	■					RAC/SPA
Second Meeting of the Steering Committee, including the involvement of selected stakeholders																				■					RAC/SPA
Final outputs review. Communication to the Convention (Contracting Parties Meeting). Wrapping up of results. Final diffusion in appropriate gatherings																				■	■	■	■		RAC/SPA