

INTRODUCTION

The Conference of Plenipotentiaries held in Barcelona on 9 and 10 June 1995, during which the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean was signed, decided that the annexes to this Protocol would be adopted at a later meeting of Plenipotentiaries.

Three annexes are explicitly provided by the Protocol:

- Common Criteria for the Choice of Protected Marine and Coastal Areas that could be Included in the SPAMI List;
- List of Endangered or Threatened Species;
- List of Species whose Exploitation is Regulated.

With a view to elaborate these annexes, two meetings of experts have been organized:

- Meeting of Experts on Endangered Species in the Mediterranean (Montpellier, 22-25 November 1995)
- Meeting of Experts on Common Criteria for the Choice of Protected Marine and Coastal Areas that could be Included in the SPAMI List (Tunis, 22-23 March 1996).

The three draft annexes elaborated by the meetings above-mentioned have been reviewed by the Third Meeting of the National Focal Points for Specially Protected Areas (Tunis, 22-23 March 1996).

At their Extraordinary Meeting held in Montpellier from 1 to 4 July 1996, the Contracting Parties took note of the three draft annexes, and decided to convene a meeting of Plenipotentiaries for their adoption. It was also decided that the meeting of Plenipotentiaries would be preceded by a one-day meeting of government-designated experts aimed at finalizing the draft annexes.

The present document includes the three draft annexes to be reviewed by the this meeting of experts. With respect to the draft criteria and lists agreed by the Third meeting of the National Focal Points for Specially Protected Areas and annexed to its report (Doc. UNEP(OCA)/MED WG.109/7), a few limited changes are proposed by the secretariat to the text of the criteria (Annex I). These changes, essentially aimed at improving the clarity of the text and the conformity between the English and French versions, are highlighted in bold on the document, and are completed with explanatory notes, which does not constitute a part of the criteria.

ANNEX I

COMMON CRITERIA FOR THE CHOICE OF PROTECTED MARINE AND COASTAL AREAS THAT COULD BE INCLUDED IN THE SPAMI LIST

A. GENERAL PRINCIPLES

The Contracting Parties agree that the following general principles will guide their work in establishing the SPAMI List:

a) The conservation of the natural heritage is the basic aim that must characterize a SPAMI. The pursuit of other aims such as the conservation of the cultural heritage, and the promotion of scientific research, education, participation, collaboration (1), is highly desirable in SPAMIs and constitutes a factor in favour of a site being included on the List, to the extent in which it remains compatible with the aims of conservation.

b) No limit is imposed on the total number of areas included in the List or on the number of areas any individual Party can propose for inscription. Nevertheless, the Parties agree that sites will be selected on scientific bases and included in the List (2) according to their qualities; they will have therefore to fulfil the requirements set out by the Protocol and the present criteria.

c) The listed SPAMI and their geographical distribution will have to be representative of the Mediterranean region and its biodiversity. To this end the List will have to represent the highest number possible of types of habitats and ecosystems.

d) The SPAMIs will have to constitute the core of a network aiming at the effective conservation of the Mediterranean heritage. To attain this objective, the Parties will develop their cooperation on bilateral and multilateral bases in the field of conservation and management of natural sites and notably through the establishment of transboundary SPAMIs.

e) The sites included in the SPAMI List are intended to have a value of example and model for the protection of the natural heritage of the region. To this end, the Parties ensure that sites included in the List are provided with adequate legal status, protection measures and management methods and means.

B. GENERAL FEATURES OF THE AREAS THAT COULD BE INCLUDED IN THE SPAMI LIST

1. To be eligible for inclusion in the SPAMI List, an area must fulfil at least one of the general criteria set in Article 8 paragraph 2 of the Protocol. Several of these general criteria can in certain cases be fulfilled by the same area, and such a circumstance cannot but (3) strengthen the case for the inclusion of the area in

the List.

2. The regional value is a basic requirement of an area for being included in the SPAMI List. The following criteria should be used in evaluating the Mediterranean interest of an area:

a) Uniqueness

The area contains unique or rare ecosystems, or rare or endemic species.

b) Natural representativeness

The area has highly representative ecological processes, or community or habitat types or other natural characteristics. Representativeness is the degree to which an area represents a habitat types, ecological process, biological community, physiographic feature or other natural characteristic.

c) Diversity

The area has a high variety of species, ecosystems, habitats, or communities.

d) Naturalness

The area has a high degree of Naturalness as a result of the lack or low level of human-induced disturbance and degradation.

e) Presence of habitats that are critical to endangered species¹

f) Cultural representativeness

The area has a high representative value with respect to the cultural heritage, due to the existence of environmentally sound traditional activities integrated with nature which support the well-being of local populations.

3. To be included in the SPAMI List, an area having scientific, educational or aesthetic interest must, respectively, present a particular value for research in the field of natural sciences or for activities of environmental education or awareness or contain outstanding natural features, landscapes or seascapes.

4. Besides the fundamental criteria specified in article 8, paragraph 2, of the Protocol, a certain number of other characteristics and factors should be considered as favourable for the inclusion of the site in the List. These include:

a) the existence of threats likely to impair the ecological, biological, aesthetic or cultural value of the area;

b) the involvement and active participation of the public in general, and particularly of local communities, in the process of planning and management of the area;

c) the existence of a body representing the public, professional, non-governmental sectors and the scientific community involved in the area;

d) the existence in the area of opportunities for sustainable development;

¹ The idea of endangered species includes also endemic species

e) the existence of an integrated coastal management plan within the meaning of Article 4 paragraph 3 (e) of the Convention.

C. LEGAL STATUS

1. All areas eligible for inclusion in the SPAMI List must be awarded a legal status guaranteeing their effective long-term protection.

2. To be included in the SPAMI List, an area situated in a zone already delimited over which a Party exercises sovereignty or jurisdiction must have a protected status recognized by the Party concerned. (4)

3. In the case of areas (5) situated, partly or wholly, on the high seas or in a zone (5) where the limits of national sovereignty or jurisdiction have not yet been defined, the legal status, the management plan, the applicable measures and the other elements provided for in Article 9, paragraph 3, of the Protocol will be provided by the neighbouring Parties concerned in the proposal for inclusion in the SPAMI List.

D. PROTECTION, PLANNING AND MANAGEMENT MEASURES

1. Conservation and management objectives must be clearly defined in the texts relating to each site, and will constitute the basis for assessment of the adequacy of the adopted measures and the effectiveness of their implementation at the [] (6) revisions of the SPAMI List.

2. Protection, planning and management measures applicable to each area must be adequate for the achievement of the conservation and management objectives set for the site in the short and long term, and take in particular into account the threats upon it.

3. Protection, planning and management measures must be based on an adequate knowledge of the elements of the natural environment and of socio-economic and cultural factors that characterize each area. In case of shortcomings in basic knowledge, an area proposed for inclusion in the SPAMI List must have a programme for the collection of the unavailable data and information.

4. The competence and responsibility with regard to administration and implementation of conservation measures for areas proposed for inclusion in the SPAMI List must be clearly defined in the texts governing each area.

5. In the respect of the specificity characterizing each protected site, the protection measures for a SPAMI must take account of the following basic aspects:

- a) the strengthening of the regulation of the release or dumping of wastes and other substances likely directly or indirectly to impair the integrity of the area;
- b) the strengthening of the regulation of the introduction or reintroduction

of any species into the area;

c) the regulation of any activity or act likely to harm or disturb the species, or that might endanger the conservation status of the ecosystems or species or might impair the natural, cultural or aesthetic characteristics of the area.

d) the regulation applicable to the zones surrounding the area in question.

6. 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.

7. To be included in the SPAMI List an area will have to be endowed with a management plan. The main rules of this management plan are to be laid down as from the time of inclusion and implemented immediately. A detailed management plan must be presented within three years of the time of inclusion. Failure to respect this obligation entails the removal of the site from the List.

8. To be included in the SPAMI List, an area will have to be endowed with a monitoring programme. This programme 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. To this end further necessary studies are to be commissioned.

Explanatory notes (not part of the Criteria)

- (1) Replaces "the promotion of scientific research, education, participation, collaboration, etc.". The proposed change is aimed at the definiteness of the text.
- (2) Replaces "listed". The proposed change is aimed at the clarity of the text and the conformity between the French and English versions.
- (3) Replaces "can only". The proposed change is aimed at improving the wording.
- (4) Replaces "In order to be included in the SPAMI List, if a site is situated in a zone already delimited over which a Party exercises sovereignty or jurisdiction, it must have a protected status recognized by the Party concerned.". The proposed change is aimed at improving the wording and the conformity between the English and French versions.
- (5) Replace "sites" and "an area" respectively. These changes are aimed at the conformity of the terms used in the Protocol and the Annex, and between the English and French versions.
- (6) It is proposed to delete the word "periodic". This is aimed at the consistency with the text of the Protocol, which does not provide for any periodicity in the revision of the List (Article 9, paragraph 6).

ANNEX II

LIST OF ENDANGERED OR THREATENED SPECIES

Magnoliophyta

1. *Cymodocea nodosa*
2. *Posidonia oceanica*
3. *Zostera marina*
4. *Zostera noltii*

Chlorophyta

5. *Caulerpa ollivieri*

Phaeophyta

6. *Cystoseira amentacea* (including var. *stricta* et var. *spicata*)
7. *Cystoseira mediterranea*
8. *Cystoseira sedoides*
9. *Cystoseira spinosa* (including *C. adriatica*)
10. *Cystoseira zosteroides*
11. *Laminaria rodriguezii*

Rhodophyta

12. *Goniolithon byssoides*
13. *Lithophyllum lichenoides*
14. *Ptilophora mediterranea*
15. *Schimmelmannia schousboei*

Porifera

16. *Abestopluma hypogea*
17. *Aplysina* sp. plur.
18. *Axinella cannabina*
19. *Axinella polypoides*
20. *Geodia cydonium*
21. *Ircinia foetida*
22. *Ircinia pipetta*
23. *Petrobiona massiliana*
24. *Tethya* sp. plur.

Cnidaria

25. *Astroides calycularis*
26. *Errina aspera*
27. *Gerardia savaglia*

Echinodermata

28. *Asterina pancerii*
29. *Centrostephanus longispinus*
30. *Ophidiaster ophidianus*

Bryozoa

31. *Hornera lichenoides*

Mollusca

- [32. *Ampulla priamus*]*
33. *Argobuccinum olearium* (= *A. giganteum*)
34. *Charonia rubicunda* (= *Ch. lampas*, = *Ch. nodiferum*)
35. *Charonia tritonis* (= *Ch. seguenziae*)
36. *Dendropoma petraeum*
37. *Erosaria spurca*
38. *Gibbula nivosa*
39. *Lithophaga lithophaga*
40. *Luria lurida* (= *Cypraea lurida*)
41. *Mitra zonata*
- [42. *Panopea glycymeris*]*
43. *Patella ferruginea*
- [44. *Patella nigra*]*
45. *Pholas dactylus*
46. *Pinna nobilis*
47. *Pinna pernula*
48. *Schilderia achatidea*
49. *Solemya togata*
50. *Tonna galea*
51. *Zonaria pyrum*

* The Spanish delegation expressed a reservation concerning the inclusion of this species on the List

Crustacea

- 52. *Ocypode cursor*
- 53. *Pachylasma giganteum*

Pisces

- 54. *Acipenser naccarii*
- 55. *Acipenser sturio*
- 56. *Aphanius fasciatus*
- 57. *Aphanius iberus*
- 58. *Cetorhinus maximus*
- 59. *Carcharodon carcharias*
- 60. *Hippocampus ramulosus*
- 61. *Hippocampus hippocampus*
- 62. *Huso huso*
- 63. *Lethenteron zanandrai*
- 64. *Pomatoschistus canestrinii*
- 65. *Pomatoschistus tortonesei*
- 66. *Valencia hispanica*

Reptiles

- 67. *Caretta caretta*
- 68. *Chelonia mydas*
- 69. *Dermochelys coriacea*
- 70. *Lepidochelys kempii*
- 71. *Trionyx triunguis*

Aves

- 72. *Pandion haliaetus*
- 73. *Calonectris diomedea*
- 74. *Falco eleonora*
- 75. *Hydrobates pelagicus*
- 76. *Larus audouinii*
- 77. *Numenius tenuirostris*

- 78. *Phalacrocorax aristotelis*
- 79. *Phalacrocorax pygmaeus*
- 80. *Pelecanus onocrotalus*
- 81. *Pelecanus crispus*
- 82. *Phoenicopterus ruber*
- 83. *Puffinus yelkouan*
- 84. *Sterna albifrons*
- 85. *Sterna bengalensis*
- 86. *Sterna sandvicensis*

Mammalia

- 87. *Balaenoptera acutorostrata*
- 88. *Balaenoptera borealis*
- 89. *Balaenoptera physalus*
- 90. *Delphinus delphis*
- 91. *Eubalaena glacialis*
- 92. *Globicephala melas*
- 93. *Grampus griseus*
- 94. *Kogia simus*
- 95. *Megaptera novaeangliae*
- 96. *Mesoplodon densirostris*
- 97. *Monachus monachus*
- 98. *Orcinus orca*
- 99. *Phocoena phocoena*
- 100. *Physeter macrocephalus*
- 101. *Pseudorca crassidens*
- 102. *Stenella coeruleoalba*
- 103. *Steno bredanensis*
- 104. *Tursiops truncatus*
- 105. *Ziphius cavirostris*

ANNEX III

LIST OF SPECIES WHOSE EXPLOITATION IS REGULATED

Porifera

1. *Hippospongia communis*
2. *Spongia agaricina*
3. *Spongia officinalis*
4. *Spongia zimocca*

Cnidaria

5. *Antipathes* sp. plur.
6. *Corallium rubrum*

Echinodermata

7. *Paracentrotus lividus*

Crustacea

8. *Homarus gammarus*
9. *Maja squinado*
10. *Palinurus elephas*
11. *Scyllarides latus*
12. *Scyllarus pigmaeus*
13. *Scyllarus arctus*

Pisces

14. *Alosa alosa*
15. *Alosa fallax*
16. *Anguilla anguilla*
17. *Epinephelus marginatus*
18. *Isurus oxyrinchus*
19. *Lamna nasus*
20. *Lampetra fluviatilis*
21. *Mobula mobula*
22. *Petromyzon marinus*
23. *Prionace glauca*
24. *Raja alba*
25. *Sciaena umbra*
26. *Squatina squatina*
27. *Thunnus thynnus*
28. *Umbrina cirrosa*
29. *Xiphias gladius*