

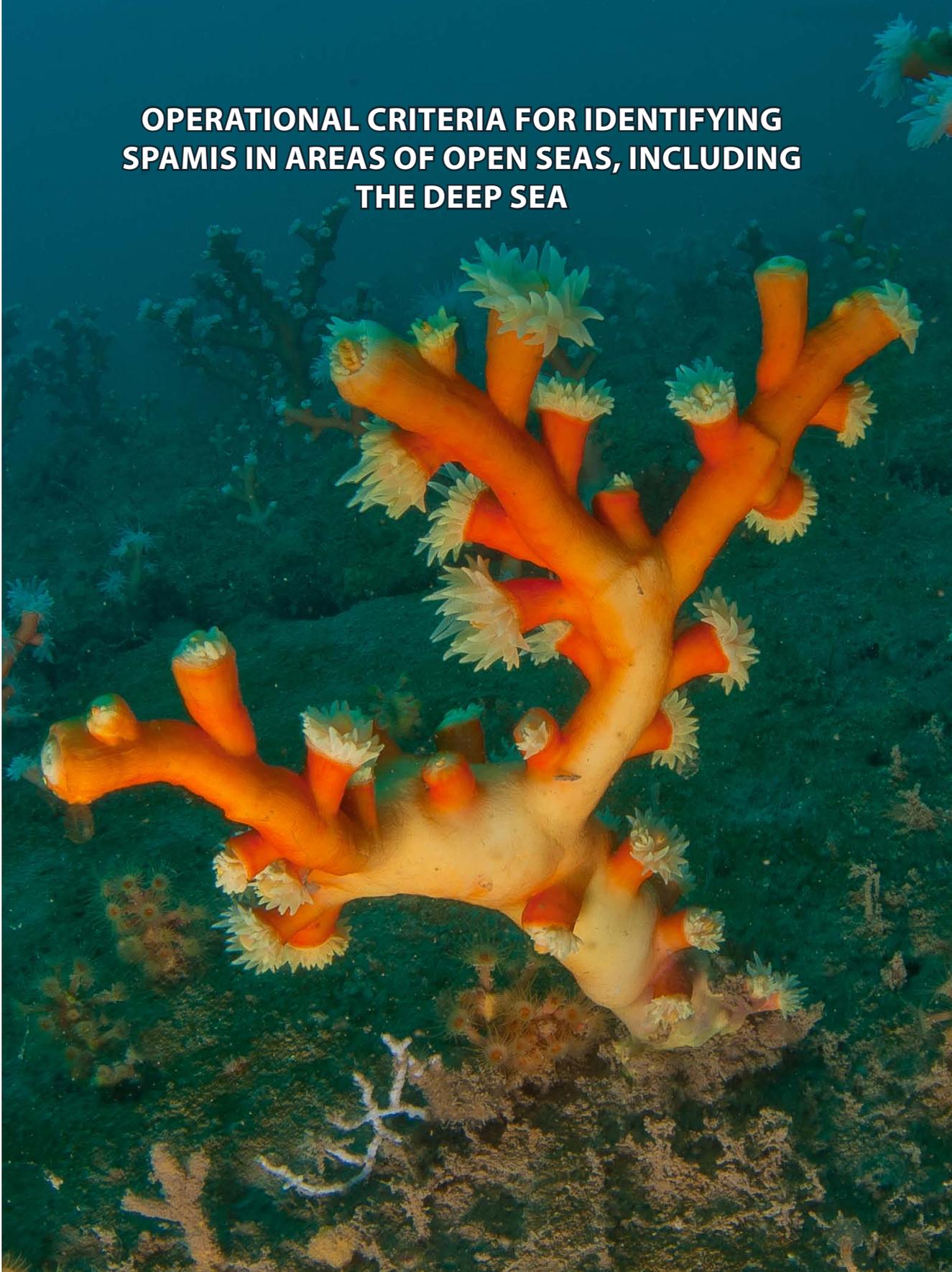


UNEP



# PROTOCOL CONCERNING SPECIALLY PROTECTED AREAS AND BIOLOGICAL DIVERSITY IN THE MEDITERRANEAN

## OPERATIONAL CRITERIA FOR IDENTIFYING SPAMIS IN AREAS OF OPEN SEAS, INCLUDING THE DEEP SEA







UNEP

United Nations Environment Programme



Mediterranean Action Plan



Regional Activity Centre for Specially Protected Areas

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# **OPERATIONAL CRITERIA FOR IDENTIFYING SPAMIS IN AREAS OF OPEN SEAS, INCLUDING THE DEEP SEA<sup>1</sup>**

## **i.- General criteria**

An area must meet at least one of the three fundamental criteria below to become a SPAMI embracing zones located beyond national jurisdiction

The SPAMI List may include sites which:

- are of importance for conserving the components of biological diversity in the Mediterranean;
- contain ecosystems specific to the Mediterranean area or the habitats of endangered species;
- are of special interest at the scientific, aesthetic, cultural or educational level.

## **ii. - Criteria concerning the regional ecological value of the area**

The SPA/BD Protocol defined the following 5 criteria to assess the Mediterranean regional value of a candidate SPAMI<sup>2</sup>:

- Uniqueness: The area contains unique or rare ecosystems, or rare or endemic species.
- 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 type, ecological process, biological community, physiographic feature or other natural characteristic.
- Diversity: The area has a high diversity of species, communities, habitats or ecosystems.
- Naturalness: The area has a high degree of naturalness as a result of the lack or low level of human-induced disturbance and degradation.
- Presence of habitats that are critical to endangered, threatened or endemic species.

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<sup>1</sup> Extracted from: UNEP(DEPI)/MED WG.348/3 rev.1. 2010. Identification of potential sites in open seas including the deep sea that may satisfy SPAMI criteria

<sup>2</sup> Criteria listed in the Annex 1 (Paragraph B. 2) of the Protocol. However, in addition to the criteria considered in this note, the "Cultural representativeness" is among the criteria recommended by the Protocol for the evaluation of the regional interest of areas to include on the SPAMI List. Since in the High Sea zones of the Mediterranean there are no "environmentally sound traditional activities integrated with nature which support the well-being of local populations", there is no need to include cultural representativeness in this category as a "regional value" criterion for the area's assessment as a feasible SPAMI.

Based on these criteria and taking into account the need for harmonization with other currently adopted criteria, in particular those adopted within the framework of the CBD, the following criteria are proposed to identify, in zones located beyond national jurisdiction, areas with a regional ecological value that could be proposed for inclusion in the SPAMI List:

1. Uniqueness or rarity: area contains either (i) unique (“the only one of its kind”), rare (occurs only in few locations) or endemic species, populations or communities, and/or (ii) unique, rare or distinct, habitats or ecosystems; and/or (iii) unique or unusual geomorphological or oceanographic features.
2. Special importance for life history stages of species: areas that are required for a population to survive and thrive.
3. Importance for threatened, endangered or declining species and/or habitats: area containing habitats for the survival and recovery of endangered, threatened, declining species or area with significant assemblages of such species.
4. Vulnerability, Fragility, Sensitivity, or Slow Recovery: areas that contain a relatively high proportion of sensitive habitats, biotopes or species that are functionally fragile (highly susceptible to degradation or depletion by human activity or by natural events) or with slow recovery.
5. Biological productivity: area containing species, populations or communities with comparatively higher natural biological productivity.
6. Biological diversity: area contains comparatively higher diversity of ecosystems, habitats, communities, or species, or has higher genetic diversity.
7. Naturalness: area with a comparatively higher degree of naturalness as a result of the lack of or low level of human-induced disturbance or degradation.

### **iii. - Criteria on scientific, educational, cultural or aesthetic interest**

The area presents a particular value for research in the field of natural sciences, including ecosystem, species or genetic biodiversity; or for activities of environmental education or awareness; or for sustainable traditional activities (e.g. traditional artisanal fisheries) historically happening within it; or it contains outstanding natural features or seascapes which may enhance the human perception of the open and deep sea values.

### **iv. - Other favouring characteristics and factors**

#### **Sustainable Use Criteria**

Currently, the main uses made of the marine ecosystem services in the Mediterranean areas beyond national jurisdiction are fisheries and navigation<sup>3</sup>. The following criteria are proposed to identify, in zones located beyond national jurisdiction, important areas for the sustainable use of the marine environment and its living resources that could be proposed for inclusion on the SPAMI List.

<sup>3</sup> Other uses may appear in the future following technological advances mainly concerning energy production (wind; currents; waves), carbon capture and exploitation of non-living resources.

1. Importance for species exploited by fisheries: areas with essential habitats for important fishery species: these include areas with high concentration of at least one critical phase of a species exploited by fisheries, in particular:
  - Nursery grounds: areas with high concentrations of recruits.
  - Spawning areas: areas of aggregation of mature females.
2. Sensitivity to human activities: area highly susceptible to ecosystem services degradation by fishing, navigation or other human activities: these include areas having (i) assemblages and/or physical features particularly sensitive to the impact of fishing gear; (ii) high potential for negative interaction between the requirements of the conservation of species/habitats and some human activities; (iii) high value with regard to archaeological wrecked heritage vulnerable to degradation by fishing gears, looting or other; (iv) high value with regard to ecosystem services provision, such as climate change mitigation

### **Feasibility Criteria**

Application of the feasibility criteria must not compromise compliance with existing obligations and commitments under regional and international agreements and conventions to protect biodiversity and designate marine protected areas in the Mediterranean Sea, including in areas beyond national jurisdiction.

1. Legal Status: the area is located in a zone where there are no uncertainties as to the delimitation of maritime boundaries or the solving of such uncertainties can be favoured through a common SPAMI management frame by the concerned countries.
2. Favourable context: the relationship between the concerned countries is favourable for the elaboration and submission of a joint SPAMI proposal<sup>4</sup>.
3. Compliance with the provisions of International agreements or Conventions<sup>5</sup>.
4. Feasibility to enforce the protection and management measures having regard to the location and extension of the area.

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4 The procedure set by the Protocol for the establishment of the SPAMI List requires that the SPAMI proposal be made by two or more neighbouring Parties concerned if the area is situated, partly or wholly, in the high sea and by the neighbouring Parties concerned in areas where the limits of national sovereignty or jurisdiction have not yet been defined.

5 The establishment of a SPAMI on a given area may be challenging because of the restrictions that it could involve to freedom of navigation on the high seas, the right and the modalities of passage through straits used for international navigation and the right of innocent passage in territorial seas, as well as the nature and extent of the jurisdiction of the coastal State, the flag State and the port State.