



**MEMORANDUM OF UNDERSTANDING ON
THE CONSERVATION AND
MANAGEMENT OF MARINE TURTLES
AND THEIR HABITATS OF THE INDIAN
OCEAN AND SOUTH-EAST ASIA**

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Da Nang, Viet Nam, 21-25 October 2019
Agenda Item 10.1

ILLEGAL TAKE AND TRADE OF MARINE TURTLES
(Prepared by the Secretariat)

Action Requested:

- Consider further defining the tasks of the IOSEA Illegal Trade Working Group (ITWG) and exploring synergies, while avoiding duplication of effort with the work stream on Marine Turtle Trade of the Convention on International Trade in Endangered Species (CITES).
- Consider taking up the recommendations of this document in the IOSEA Work Programme 2020-2024.

ILLEGAL TAKE AND TRADE OF MARINE TURTLES

Background

IOSEA Marine Turtle MOU Illegal Trade Working Group

1. In 2015, the IOSEA Secretariat organized a working group following one of the Action Points of the 7th Meeting of Signatories (MOS7), which requested the Signatory States to “establish a working group to address issues related to turtle trade.” This decision was prompted by the findings of the IOSEA synthesis report *Illegal Take and Trade of Marine Turtles in the IOSEA Region* (MOS7 Doc.10.1), which highlighted numerous examples of ongoing illegal activities across the region.
2. The members of the working group currently are: Australia, Islamic Republic of Iran, Kenya, Madagascar, Malaysia, Maldives, Philippines, United Republic of Tanzania, United States, Advisory Committee (AC) Members Dr. Colin Limpus and Dr. Jeff Miller and the partner organization, the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC).
3. The mandate of the IOSEA Illegal Trade Working Group (ITWG) is presented in Table 1. In addition to raising awareness of the issue, the working group was tasked with preparing the synthesis paper "Illegal Take and Trade of Marine Turtles in the IOSEA Region" for submission to the 66th Meeting of the Standing Committee of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (SC66, CITES, Geneva, January 2016).
4. The IOSEA Secretariat prepared an abbreviated version of the paper for submission to CITES SC66, which included additional information provided by the IAC Secretariat *pro tempore* concerning illegal take/trade issues in the region covered by that binding agreement. The paper was prepared in consultation with Signatory States and Parties of both instruments, in particular, the ITWG, and the IAC Scientific Committee.
5. After successfully fulfilling the abovementioned task, the ITWG has not been very active. MOS8 is thus invited to discuss further defining the purpose of the ITWG, as well as updating the membership and tasks of the working group and deciding on its leadership.

Table 1 Current Work Programme of the IOSEA Marine Turtle MOU Illegal Trade Working Group (ITWG, created in 2015)

Activity	Status
Round off the draft synthesis paper "Illegal Take and Trade of Marine Turtles in the IOSEA Region" presented by the Secretariat to the SS7: members of the Working Group to (1) contribute themselves new data and (2) actively solicit new data contribution from Signatory States, NGOs, Advisory Committee members, intergovernmental organizations and other networks.	Done
Liaise with the Secretariat of the Inter-American Convention for the Protection and Conservation of Sea Turtles ('IAC') on the joint submission of a paper to the CITES Standing Committee/COP in November 2015.	Done
Prepare for the participation of members of the Working Group in other upcoming meetings organized by CITES, TRAFFIC, ASEAN-WEN, Interpol, etc. and arrange for the submission and presentation of the IOSEA paper at these meetings.	Ongoing
Liaise with the IOSEA Sub-Committee tasked with revising the Site Network Information Sheet template, with a view to give more consideration to the issue	Ongoing

of marine turtle poaching and trade in the Site Network proposal evaluation process.	
Consider further ways of increasing the visibility of illegal take/trade issues, such as through: incorporation in UNEP's wildlife crime awareness campaign? Local campaigns? Use of the IOSEA/WWF Factsheet? Use of the IOSEA Website? Cooperation with NGO partners such as WWF, TRAFFIC, IUCN, etc.?	Ongoing
Prepare information materials / any content to post on the Illegal Take and Trade section of the IOSEA website (http://ioseaturtles.org/Illegaltaketrade.php) and as Profile of the Month and Features, presenting exemplary legislative/enforcement actions carried out in various Signatory States.	Ongoing
Join mailing lists of TRAFFIC and other relevant partners to ensure receipt of illegal trade news and associated information such reports of court cases	Unknown
Raise funds for implementing whatever action will be decided by the Working Group.	Not done

CITES Study “Status, scope and trends of the legal and illegal international trade in marine turtles, its conservation impacts, management options and mitigation priorities”

6. The submission of the above-mentioned joint paper by the IOSEA Marine Turtle MOU and IAC to CITES SC66 sparked discussions among CITES Parties. Based on the CITES Secretariat's report to the 17th meeting of the CITES Conference of the Parties (COP17, Johannesburg, 2016), CITES Parties adopted decisions¹ 17.222 and 17.223 *Hawksbill turtle (Eretmochelys imbricata) and other marine turtles (Cheloniidae and Dermochelyidae)*.
7. Pursuant to Decision 17.222, in 2017-2019 the CITES Secretariat collaborated closely with the Secretariats of IAC, CMS and the IOSEA Marine Turtle MOU to undertake a study on the legal and illegal trade in marine turtles. The implementation of the decision was funded by the United States of America, the European Union, as well as Australia through CMS. The CITES Secretariat reported on the implementation of the Decisions

¹ 17.222. The Secretariat shall collaborate with the Secretariat of the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC), the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), in particular its Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia and other relevant organizations and multilateral agreements with mandates relating to the regional and global conservation, management and sustainable use of marine turtles, to:

- a) subject to external funding, undertake a study on the legal and illegal international trade in marine turtles, inter alia to research its status, scope and trends, conservation impacts and management options, and to identify areas where immediate mitigation efforts may be needed;
- b) encourage communication and coordination among CITES, the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Ramsar Convention, Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC) and the Protocol for Specially Protected Areas and Wildlife (SPAW Protocol) and other agreements, as appropriate, to address relevant recommendations arising from the IAC study "Conservation Status of Hawksbill Turtles in the Wider Caribbean, Western Atlantic and Eastern Pacific Regions", published in 2014, and to ensure compatibility of activities, optimize resources and enhance synergies; and
- c) report on the implementation of the present decision to the Standing Committee, as appropriate, and to the Conference of the Parties at its the 18th meeting.

17.223. The Standing Committee shall review the information and recommendations submitted by the Secretariat in compliance with Decision 17.222, and formulate its own recommendations as appropriate.

in document [COP18 Doc. 70](#), and the study was made available to CITES COP18 (Geneva, 17-28 August 2019) in Document [COP18 Inf. 18](#).

8. The resulting 2019 CITES study ([COP18 Inf. 18](#)), titled “*Status, scope and trends of the legal and illegal international trade in marine turtles, its conservation impacts, management options and mitigation priorities*” focuses on in situ assessments in eight countries from three geographical sub-regions (the East African, Inter-American and South-east Asian/Coral Triangle). The countries were selected because they had emerged as potentially significant locations involved in trade in marine turtles, following a review of recent literature and consultations with experts (including the International Union for Conservation of Nature Species Survival Commission Marine Turtle Specialist Group (IUCN/SSC MTSG)):
 - East African subregion (Madagascar and Mozambique)
 - Inter-American subregion (Colombia, Nicaragua, and Panama)
 - South-east Asia/Coral Triangle subregion (Indonesia, Malaysia and Viet Nam)
9. Because the study was finalized too late for the CITES Standing Committee to review the instructions contained in the Decision 17.223 were carried over to the next intersessional period. The draft decisions initially proposed to CITES COP18 in document COP18 Doc. 70 focused on this fact. At CITES COP18, however, Parties expressed a strong interest in drawing more specific recommendations from the study sooner and a working group was set up to amend the draft Decisions. Some of the members of the working group are Signatories to the IOSEA Marine Turtle MOU, namely: India, Kenya, Malaysia, Maldives, the Philippines, Saudi Arabia, the Seychelles, the UK, the USA and Viet Nam. The working group’s draft decisions are contained in document [COP18 Com.I.7](#) and were adopted by the COP with only small amendments (see [COP18 Com.I. Rec.14](#)).
10. Below is a summary of the main results and recommendations of the 2019 CITES Report for the two regions covered by the IOSEA Marine Turtle MOU, East Africa and South-east Asia/Coral Triangle. The Secretariat also included a comparison between findings of the newly released report and the document titled *Illegal Take and Trade of Marine Turtles* presented at IOSEA MOS7 in 2014.

Overview of the results of the CITES study

7. All marine turtles (*Cheloniidae spp.* and *Dermochelys coriacea*) are listed on CITES Appendix I, meaning that international trade in any species of marine turtle and their derivatives for commercial purposes is strictly prohibited under CITES and also by national laws in the IOSEA region. Local take and consumption for subsistence are allowed in some countries. However, Illegal take and trade of marine turtles both for domestic and international trade were found to be present in all of the eight countries assessed.
8. In fact, in all countries assessed Illegal trade for domestic consumption was found to exceed the magnitude of international trade. Strong evidence for active international trade was found mainly in the South-east Asia region. Further details are summarized in the following paragraphs.
9. East Africa: Madagascar and Mozambique
 - In Madagascar illegal domestic trade appears to be a well-organized activity that supports the supply of specimens with distribution networks operating via land and sea.
 - Evidence of international trade was limited and referred only to exports from

- Mozambique to the United Republic of Tanzania.
- No online trade was detected. This is possibly due to limited internet access in many areas.

10. South-east Asia/Coral Triangle: Indonesia, Malaysia and Viet Nam

- Findings suggest a shift from open market availability to more covert forms of trade in recent years, particularly in Indonesia and Malaysia.
- In Viet Nam, however, illegal trade in turtles has become less conspicuous in recent years.
- Online trade was particularly widespread in Viet Nam and Indonesia and was present to a smaller extent in Malaysia.
- Evidence of international trade came from seizure records and anecdotal reports, suggesting that it occurs between the countries assessed and others in the subregion (e.g. China and the Philippines).

Comparison of the findings of the CITES Trade Report (2019) and the IOSEA Illegal Trade Paper (2014)

11. Comparisons drawn between the results presented in the CITES Trade Report (2019) and IOSEA illegal trade paper presented to IOSEA MOS7 (2014) are approximate as the studies differ in terms of the assessment methods, scope of countries included, and nature of goods assessed².

Madagascar and Mozambique

2014	2019
Illegal take for commercial trade in Madagascar and Mozambique identified in both studies, new report finds that trade is mostly domestic	
Emerging commercial activities based on marine turtle exploitation were reported in both Mozambique and Madagascar. No information about final destinations of Marine Turtle products from Madagascar and Mozambique.	In both Madagascar and Mozambique domestic illegal trade was prevalent over international trade. Little evidence for international trade (Mozambique exports to Tanzania).

South-east Asia/ Coral Triangle

2014	2019
Domestic illegal trade exceeds in magnitude and impact international trade of marine turtle take	
Does not discuss the difference between illegal take destined for domestic and international trade.	Identified Illegal trade in all countries was mainly destined for domestic markets.
Main source of illegal international trade	
The main source for whole turtles and turtle derivatives seems to originate in Indonesia, Malaysia and the Philippines.	Indonesia continues to play an important role as a source and consumer country, supplying

² The CITES report (2019) additionally states that “while the present findings render clear that illegal take and use of, and trade in marine turtles are present in the eight countries assessed, it has not been possible to conclude robustly on the trends of illegal (national and international) trade. This results largely from a general shortage of long-term, consistent monitoring data for marine turtle trade in the countries assessed. Even when people’s perceptions and/or data from the literature were available, this information was often conflicting. In the present study, the best trade trend proxies, therefore, generally came from the apparent prevalence of particular trade characteristics over time, rather than from quantified levels of trade.

Much poaching occurs in Indonesian waters where increased international trafficking of marine turtles was reported to be on the rise due to increased demand from East Asian countries.	eggs, meat, and processed and unprocessed forms of turtle carapace.
Main destinations for illegal international trade	
The specimens are exported to Malaysia, Viet Nam and East Asian Markets – particularly Japan and China.	Demand on illegal markets of East Asian countries persists. Specimens (from Indonesia and Malaysia) continue to be destined to Malaysia, China and Viet Nam.

Selected recommendations from the CITES Marine Turtle Trade Study

12. The recommendations that are relevant for IOSEA Marine Turtle MOU were extracted from the CITES Marine Turtle Trade Study and are presented in the following paragraphs:

Concerning communication and coordination:

5) Continue communication and collaboration with other multilateral agreements with mandates relating to the regional and global conservation, management and sustainable use of marine turtles, such as CMS, its IOSEA Marine Turtle MOU, IAC, the Ramsar Convention and the SPAW Protocol to ensure the compatibility of activities, optimize resources, and enhance synergies concerning the conservation of marine turtles.

15) Invite States in the IOSEA subregion which have marine turtle populations and are not yet CMS Parties and IOSEA Marine Turtle MOU Signatory States, to ratify the Convention and its MOU (Secretariat note: Already in the IOSEA Marine Turtle MOU Conservation and Management Plan³).

17) Encourage States to fully implement the provisions of existing multilateral agreements which they have ratified, and which relate to the regional and global conservation, management and sustainable use of marine turtles, including CITES, CMS, IAC, IOSEA Marine Turtle MOU, the Ramsar Convention, and the SPAW Protocol.

18) Encourage States to use the fora provided by existing multilateral agreements relating to the regional and global conservation, management and sustainable use of marine turtles, including CITES, CMS, IAC, IOSEA Marine Turtle MOU, the Ramsar Convention, the SPAW Protocol and WIDECAS³ to raise and discuss challenges relating to the conservation and management of marine turtles.

20) Continue communication and coordination among CITES, CMS, IAC, IOSEA Marine Turtle MOU, the Ramsar Convention, the SPAW Protocol and other agreements to address marine turtle conservation and management challenges, including illegal trade.

³ CMP Programme 6.1

Concerning Bycatch:

10) Collaborate with FAO⁴ and RFBs⁵ to identify best approaches to address marine turtle fisheries bycatch, mortality and illegal take (Secretariat note: Already in the IOSEA Marine Turtle MOU Conservation and Management Plan and the draft Work Programme⁶).

11) Consider implementing reward schemes for compliance with marine turtle bycatch mitigation-related regulations where these regulations are in place (e.g. market access, preferential treatment at ports, government recognition); and penalty schemes for non-compliance (e.g. licensing penalties)⁷.

42) Build fishermen's awareness on the importance of reporting marine turtle bycatch and mortality⁸.

Recommendations

13. The decisions adopted by CITES COP18 (not yet published) will enter into force on 26 November 2019. Pursuant to these decisions both the CITES Animals and Standing Committees will review the Marine Turtle study at their 31st and 73rd meeting respectively. No dates are yet confirmed for AC31 and SC73. To ensure good coordination between workstreams under the IOSEA Marine Turtle MOU and CITES, Signatories are encouraged to review the Decisions adopted by CITES COP18 with a view to identify synergies with the ITWG. MOU Signatories and CITES Parties that have been engaged in CITES discussions on Marine Turtles, e.g. Australia, India, Kenya, Malaysia, Maldives, the Philippines, Saudi Arabia, the Seychelles, the UK and the USA may wish to transmit any relevant outcomes of IOSEA MOS8 to AC31 and/or SC73. The IOSEA Secretariat stands ready to assist or to transmit the outcomes to CITES Secretariat on behalf of IOSEA Signatories upon request by the Signatories.
14. The present document invites MOS8 to consider further defining the purpose of the ITWG and in doing so updating both the membership and the present list of tasks for the group (Table 1). Furthermore, MOS8 may wish to consider suggested actions to enhance cooperation with CITES, inter alia, to ensure coordinated action and to benefit from its wider outreach to IOSEA non-Signatories in East Asia.
15. Accordingly, the Meeting of Signatories is recommended to:
 - a. Renew the membership of the ITWG, for example to include CITES, nominate a chair and update the tasks to reflect the recommendations in this document.
 - b. Take steps to enhance exchange of information with CITES, to ensure synergies and to avoid duplication of effort.
 - c. Take further steps to reduce poaching and domestic trade and to develop awareness campaigns to target online illegal trade in South-east Asia.

⁴ The Food and Agriculture Organization of the United Nations

⁵ Regional Fishery Bodies, such as the Southern Indian Ocean Fisheries Agreement (SIOFA) and the Indian Ocean Tuna Commission (IOTC)

⁶ CMP Programme 1.4; Consider incorporating in Draft WP (consider DOC. 8.2 Measures 85 and 89)

⁷ Consider incorporating in DOC. 8.2 Draft Work Programme measure 15

⁸ Consider incorporating in DOC. 8.2 Draft Work Programme measures 11 and 31

References

2019. Status, scope and trends of the legal and illegal international trade in marine turtles, its conservation impacts, management options and mitigation priorities (CITES COP18 document inf.18): <https://cites.org/sites/default/files/eng/cop/18/inf/E-CoP18-Inf-018.pdf>

2014. Illegal take and trade of marine turtles in the IOSEA region (Illegal Trade Paper, IOSEA Marine Turtle MOU MOS7 DOC. 10.1): https://www.cms.int/iosea-turtles/sites/default/files/document/MT_IO7_DOC10-1_Illegal_Take%26Trade-final.pdf

2014. Illegal Take and Trade of Marine Turtles in the Indian Ocean Region (Factsheet): https://www.cms.int/iosea-turtles/sites/default/files/basic_page_documents/IOSEA_WWF_IllegalTrade_Factsheet_WWD.pdf