



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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FIFTH MEETING OF THE SIGNATORY STATES
Bali, Indonesia, 20-23 August 2008

ADVISORY COMMITTEE

Background

1. An Advisory Committee was established to provide scientific, technical and legal advice to the Signatory States. Signatories may nominate for membership on the Committee individuals with expertise in the fields of marine turtle biology, marine resource management, coastal development, socio-economics, law, fisheries technology, and other relevant disciplines. The individuals appointed to the Committee serve voluntarily in their personal capacity and need not be affiliated with a government agency of a Signatory State.
2. The contributions of everyone who has served on the Advisory Committee since its creation are gratefully acknowledged, as is the in-kind support received from various organisations and Governments that have financed the participation of some members to attend Advisory Committee meetings.
3. The Second Meeting of the Signatory States agreed to extend the Advisory Committee's membership to eight individuals (out of a possible maximum of ten), of which seven members are currently serving. A procedure was agreed at the Second Meeting whereby the Advisory Committee was invited to make recommendations inter-sessionally with regard to the appointment of additional individuals in order to fill existing vacancies and to bring in other specialised expertise, as necessary. The Fourth Meeting of the Signatory States amended the Committee's terms of reference to allow for the participation of sub-regional observers, and called upon Signatory States to nominate candidates only from countries other than their own. The Advisory Committee's terms of reference and current membership list are attached as Annexes 1 and 2, respectively. No amendments to the ToR are foreseen at this meeting unless new issues emerge during the course of discussion.
4. The Chairman of the Advisory Committee, Dr. Jack Frazier, is expected to deliver a report on its activities since the Fourth Meeting of Signatory States. The Committee last met in person on 14 March 2006 and has since conducted its business largely by e-mail correspondence. Most of the current members are expected to be present in Bali, subject to availability of travel support.

Membership

5. In its invitation letter of 6 June 2008, the Secretariat drew attention to the fact that four of the current members – Dr. Jack Frazier (Chair), Dr. Colin Limpus, Dr. Jeanne Mortimer, and Dr. Nyawira Muthiga – will have served through two Meetings of the Signatory States and would normally stand down. Attention was also drawn to the fact that Signatory States may formally re-nominate and re-appoint any Advisory Committee member whose term has come to end; and their term would then be extended for another two sessions.
6. In response to the Secretariat's request that current members indicate if they would be prepared to continue to serve if re-nominated, all but one responded affirmatively. Dr. Muthiga indicated her intention to stand down. Dr. Frazier has subsequently been proposed for re-nomination (by Australia). No Signatory State submitted re-nomination papers for Drs Limpus or Mortimer within the deadline agreed in the Committee's terms of reference. In view of their valuable contributions to

the work of the Committee to date, the Secretariat proposes that their candidacy be reviewed at the meeting itself, alongside the slate of new candidates who have already been nominated. If agreed procedurally, this would enable a Signatory State to make a case for re-nomination of members already serving, with a view to having their nominations considered together with the others.

7. Three Advisory Committee members – Mr. Bundit Chokesanguan, Mr. Ali Al-Kiyumi, and Dr. George Hughes – were appointed or re-appointed at the Fourth Meeting, and are expected to continue their functions through the Sixth Meeting unless they choose to stand down voluntarily.

8. Finally, a total of seven new nominations were submitted by four different Signatory States (Australia, Bahrain, United Kingdom, and United States), as summarised below. The *curriculum vitae* of each of the seven new candidates will be circulated to all IOSEA Focal Points by e-mail, along with this paper.

9. Consequently, the Meeting of the Signatory States has the following slate of candidates to consider for appointment/re-appointment to the Advisory Committee. Areas of specialisation (non-exhaustive) are noted:

New nominations (in alphabetical order):

- Dr. Mark Hamann (Australia) – marine turtle biology / management
- Ms. Asuka Ishizaki (Japan) – marine turtle biology / human dimensions of natural resources
- Dr. Valérie Lilette (France) – anthropology, focusing on marine turtle conservation
- Dr. Jeff Miller (Australia) – marine turtle biology, applied reproductive ecology
- Dr. Kartik Shanker (India) – marine turtle conservation/genetics, small mammal community ecology
- Ms. Aarthi Sridhar (India) – social science; coastal zone / resource management
- Dr. Manula Tiwari (India) – marine turtle biology / management

Current member whose term is due to expire in July 2008, already proposed for re-nomination:

- Dr. Jack Frazier (United States) – marine turtle biology/resource management, community-based conservation

Current members who are expected to continue without need for re-nomination/re-appointment:

- Mr. Ali Al-Kiyumi (Oman) – wildlife / coastal zone management and conservation
- Mr. Bundit Chokesanguan (Thailand) – fishing gear technology specialist
- Dr. George Hughes (South Africa) – marine turtle research, management, capacity-building

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Current members whose term is due to expire in July 2008, but are willing to continue if re-nominated

- Dr. Colin Limpus (Australia) – marine turtle biology/resource management, fisheries technology
- Dr. Jeanne Mortimer (United States) – marine turtle biology/resource management

It is proposed that a working group of Signatory States be established on the second day of the meeting to review all of the nominations. The Working Group would be expected to develop its own criteria for assessing the nominations and to take account of the budgetary implications of any recommendations made.

Sub-regional observer representation

10. The Secretariat introduced a proposal at the Third Meeting of the Signatory States to allow for sub-regional representatives to participate in the work of the Advisory Committee, with a view to achieving more balanced geographical representation and to provide additional feedback intersessionally, at no additional cost to the MoU. The Fourth Meeting of the Signatory States formalised this arrangement by amending the Advisory Committee's terms of reference to allow for participation of a representative of each of the four sub-regions of the MoU to observe the Committee's work intersessionally and at meetings. These individuals could be Focal Points from a Signatory State of the sub-region, or other competent persons working on sea turtle conservation who would be in a position to attend meetings of the Advisory Committee and Signatory States.

11. It was agreed that each sub-regional representative would be chosen by consensus from among the Signatory States of that sub-region. The appointment would be effective for two regular Meetings of the Signatory States, and normally the individuals would not be eligible for immediate reappointment (i.e. it was expected that the Focal Point appointments would rotate every two sessions).

12. The Fourth Meeting took note of the following selections for sub-regional observers:

- Western Indian Ocean: **Comoros**
- Northwestern Indian Ocean: **Islamic Republic of Iran**
- Northern Indian Ocean: **Sri Lanka**
- South-East Asia+ : **Philippines**

13. In the light of what was agreed at the Fourth Meeting, there may not be a need for the sub-regional groups to revisit the selections that were agreed in Muscat, unless the current sub-regional observer expresses a wish to stand down. However, the Western Indian Ocean might present a special case, where the incumbent Focal Point for Comoros left her position in Government (and a new Focal Point had not been officially appointed at the time of writing this paper). Moreover, a Western Indian Ocean – Marine Turtle Task Force has been established in the interim, with an elected Chair and Vice-Chair.

Action requested / Expected outcome from this agenda item:

(1) Identification of any additional expertise required for the Advisory Committee, and appointment/re-appointment of Committee members; (2) re-confirmation of regional observer representatives; (3) identification of major tasks to be undertaken by the Committee intersessionally; and (4) agreement the timing, venue and financing of the Committee's next meeting.



Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia

FIFTH MEETING OF THE SIGNATORY STATES
Bali, Indonesia, 20-23 August 2008

TERMS OF REFERENCE OF THE ADVISORY COMMITTEE *Adopted on 14 March 2006*

Nomination and Appointment

1. Each Signatory State may nominate one or more individuals from a country other than their own to serve as members of the Advisory Committee. The Secretariat should inform the Signatory States of any vacancies arising from the end of a term or other reasons, such as voluntary resignation. Nominations for any vacancies should be provided in writing to the Secretariat at least 60 days in advance of the Meeting of Signatory States, and should include detailed and complete *curriculum vitae*. The Secretariat should circulate such nominations to all Signatory States. At their meetings, the Signatory States should appoint the members of the Advisory Committee from among the individuals nominated.
2. If there are more nominees than necessary to constitute the Advisory Committee, the Signatory States shall make every effort to appoint members by consensus following close consultation. If every effort to appoint members of the Advisory Committee by consensus fails, the Signatory States shall appoint members of the Advisory Committee by election (voting).
3. Advisory Committee members should serve for two years (i.e. through two regular Meetings of the Signatory States), and should be eligible for re-nomination and reappointment at subsequent Meetings of Signatory States.
4. Should a vacancy arise intersessionally, the Advisory Committee may propose a replacement for consideration by the Signatory States. The proposal shall be communicated to Signatory States via the Secretariat, and shall be accompanied by the same supporting documents as would be required for a regular nomination. In the absence of an objection of any Signatory State, received within 30 days of the communication from the Secretariat, the interim appointment will be considered as having been accepted, and will become effective immediately. If an objection is raised by a Signatory State, the procedure may be repeated, as appropriate, until an acceptable nominee is identified. The term of appointment of the provisional nominee shall expire at the end of the next meeting of Signatory States. The provisional nominee should be eligible for nomination and appointment to the Advisory Committee, as a full member, at that meeting.

Size and Composition

5. The Advisory Committee should have up to 10 members. In appointing the Advisory Committee, Signatory States should strive to achieve a balance among the areas of expertise set forth in the Memorandum of Understanding (marine turtle biology, marine resource management, coastal development, socio-economics, law, fisheries technology, and other relevant disciplines), as well as an equitable representation of sub-regions and gender, to the extent possible.

6. The Advisory Committee should select a chair, who should be the principal point of contact between the Advisory Committee and the Secretariat.

7. The Advisory Committee may benefit from additional participation in the form of observers from each of the IOSEA sub-regions¹. The sub-regional observers should attend meetings of the Advisory Committee and receive intersessional correspondence and documents of the Committee. In addition to observing the work of the Advisory Committee, sub-regional observers may provide input, views and comments to the Committee as appropriate.

8. Each sub-regional observer shall be decided by consensus of the Signatory States of each sub-region, and that decision shall be communicated to the IOSEA Secretariat. The designated individual may be a Focal Point from a Signatory State of the sub-region or another competent person working on marine turtle conservation who would be in a position to: (1) attend meetings of the Advisory Committee and Signatory States (using their own resources to support their attendance/participation), (2) effectively communicate to the Advisory Committee and the Secretariat the views and the issues of concern of the countries of the sub-region they represent, and (3) report back to the other members of their sub-region.

Meetings

9. To minimize costs, the Advisory Committee should conduct as much of its activity as possible through electronic communication. Regular meetings of the Advisory Committee should occur immediately prior to the regular meetings of the Signatory States, also to minimize travel and meeting costs. At the direction or approval of the Signatory States, the Advisory Committee may hold additional meetings.

10. The Advisory Committee Chair should participate in the meetings of the Signatory States, and may also participate in the meetings of related and associated agreements and organisations that the Signatory States deem relevant to the work of the MoU. The other members of the Advisory Committee are encouraged to participate as observers in the meetings of the Signatory States.

Mandate and Tasks

11. The purpose of the Advisory Committee is to serve and assist the Signatory States in the implementation of the Memorandum of Understanding. Members of the Advisory Committee serve in their individual capacities, rather than as representatives of Governments or organisations with which they also may be affiliated.

12. The Secretariat should serve as a clearinghouse of requests from the Signatory States for advice from the Advisory Committee.

13. As set forth in the Memorandum of Understanding, the mandate of the Advisory Committee is to "provide scientific, technical and legal advice to the Signatory States, individually and collectively, on the conservation and management of marine turtles and their habitats in the Region." The Signatory States may request the Advisory Committee to give priority to certain activities and tasks, which may include, but are not limited to, actions to:

- Evaluate and provide advice, at the request of any Signatory State, on any conservation and management programme proposed or implemented within the State;

¹ **South-East Asia +:** Brunei Darussalam, Cambodia, Indonesia, Malaysia, Myanmar, Papua New Guinea, Philippines, Singapore, Thailand, Timor-Leste, Viet Nam + Australia, China, Japan, Republic of Korea, United States; **Northern Indian Ocean:** Bangladesh, India, Maldives, Pakistan, Sri Lanka; **Northwestern Indian Ocean:** Bahrain, Djibouti, Egypt, Eritrea, Islamic Republic of Iran, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, Sudan, United Arab Emirates, Yemen; **Western Indian Ocean:** Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia, South Africa, United Kingdom, United Republic of Tanzania.

- Provide advice to the meetings of Signatory States on the adoption of additional conservation and management actions and on revisions to the Conservation and Management Plan;
- Evaluate, at the request of any Signatory State, the efficiency of different measures proposed or implemented to reduce the capture and incidental mortality of marine turtles in fishing operations;
- Promote the use of standardised marine turtle research techniques, monitoring programme data collection, and data storage and reporting;
- Review scientific reports, annual reports of the Signatory States, and other appropriate documents to assist the Secretariat in assessing progress in the implementation of the Conservation and Management Plan;
- Bring to the attention of the Signatory States significant new information relating to the conservation and management of marine turtles;
- Respond to requests for advice from Signatory States in the fields of socio-economics and law related to the implementation of the Memorandum of Understanding;
- Seek input from other individuals and bodies, as appropriate, in responding to requests for advice, e.g., from the Marine Turtle Specialist Group of the World Conservation Union (IUCN), the Southeast Asian Fisheries Development Centre (SEAFDEC), etc;
- Assist Signatory States in the development of projects and initiatives so that regional, sub-regional and local concerns and interests are taken into account;
- Provide such other scientific, technical and legal advice relating to the implementation of the Memorandum of Understanding as the Signatory States may request, individually or collectively;
- Make recommendations regarding other fields of expertise needed within the Advisory Committee to assist with its work; and
- Provide a report on its activities, prior to scheduled Meetings of the Signatory States.

Membership of the Advisory Committee (as at 1 July 2008)

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