



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

SIXTH MEETING OF THE SIGNATORY STATES
Bangkok, Thailand, 23-27 January 2012

TERMS OF REFERENCE OF THE ADVISORY COMMITTEE

Revised and adopted on 26 January 2012

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 a period of two regular Meetings of the Signatory States, and should be eligible for re-nomination and reappointment at subsequent Meetings of Signatory States, after being proposed for nomination by a Signatory State, seconded by another and agreed by consensus of the Meeting. The requirement of 60-day notice and other documentation may be waived in such instances, as the nominee will have served as a member of the Advisory Committee.
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;
- 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;

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.

- 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.