



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



Report of the First Meeting of the Signatory States

Bangkok, 22-24 January 2003

Background

1. The Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia, hereinafter referred to as the Memorandum or MoU, was adopted on 14 July 2000 under the aegis of the Convention on the Conservation of Migratory Species of Wild Animals (CMS). In July 2001, a comprehensive Conservation and Management Plan was finalised, allowing the Memorandum to come into effect on 1 September 2001.
2. Signatory States represented at the present meeting were: Australia, Cambodia, Comoros, Islamic Republic of Iran, Kenya, Mauritius, Myanmar, Philippines, Sri Lanka, United Kingdom, United States and Vietnam, together with Madagascar and Seychelles (for which the Memorandum takes effect on 1 April 2003). Non-signatory States represented were: India, Indonesia, Maldives, Oman and Thailand.
3. The following inter-governmental organisations were present as observers: the United Nations Environment Programme – Regional Office for Asia and the Pacific (UNEP/ROAP), the United Nations Food and Agriculture Organisation – Regional Office for Asia and the Pacific, and the South Asia Cooperative Environment Programme (SACEP).
4. The following non-governmental organisations were also present as observers: *Centre d'étude et de découverte des tortues marines de la Réunion* (CEDTM), Centre for Maritime Policy – University of Wollongong, TRAFFIC International, World Conservation Union (IUCN) – Vietnam, World Wide Fund for Nature – Australia, and World Wide Fund for Nature – Philippines. Dr Colin Limpus (Australia) attended the meeting in his capacity as CMS Scientific Councillor for marine turtles.
5. The list of participants is at Annex 1 to this report.

Agenda Item 1: Welcoming remarks

6. Mr Nirmal Andrews, Director of the United Nations Environment Programme's Regional Office for Asia and the Pacific (UNEP/ROAP) welcomed delegates to the meeting on behalf of the Executive Director of UNEP, Dr Klaus Toepfer. He highlighted the problems facing the six species of marine turtles occurring in the Indian Ocean and South-East Asia region, and emphasised that the conservation of marine turtles was a major global challenge that required well-coordinated national and regional efforts.
7. Mr Andrews called attention to the decision of the Sixth Meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD) to formally recognise CMS as its lead partner in the conservation of migratory species. He urged the meeting to strengthen its collaboration with the CBD and other biodiversity-related conventions, in particular the Convention on International Trade in Endangered Species (CITES) and various regional biodiversity agreements.

8. Mr Andrews announced the appointment, effective in the coming weeks, of the current CMS Deputy Executive Secretary, Douglas Hykle, as the first coordinator of the MoU Secretariat, which was to be co-located with UNEP/ROAP in Bangkok. Additionally, Mr Hykle would serve as a senior advisor to CMS for the Asia region. The full text of the United Nations Environment Programme statement appears in Annex 2.

9. In his welcoming remarks, as Secretary to the meeting and with responsibility for the interim secretariat, Mr Hykle outlined the main objectives of the meeting, which would lay the groundwork for delivering on the MoU's many commitments for action. These included: compilation of baseline information on activities already undertaken and planned; establishment of an Advisory Committee with clear terms of reference; identification of additional project funding; and securing more signatures to the MoU.

10. Before commencing the meeting proper, the representatives of Madagascar and the Seychelles were invited to the podium, in turn, to sign the Memorandum of Understanding on behalf of their Governments. The representative of the Seychelles indicated that the signature was further evidence of her country's long-standing involvement in, and commitment to, marine turtle conservation and environmental protection generally.

Agenda Item 2: Election of officers

10. The meeting elected Mr Richard Bagine, Kenya, as the Chair, the United States as Vice-Chair, and Australia as rapporteur.

Agenda Item 3: Adoption of the agenda and work programme

11. The agenda was adopted without amendment (Annex 3). The Chair proposed, and the meeting agreed, that Madagascar and Seychelles would participate in the present deliberations as full members of the MoU.

Agenda Item 4: Opening Statements

12. The Chair invited non-Signatory States to indicate their Government's intentions regarding signature of the Memorandum of Understanding. The delegate from India explained that the internal decision-making procedures were well-advanced and that Cabinet approval, enabling India to sign the MoU, was expected within a couple of weeks.

13. The delegate from Indonesia explained that the national Government was currently consulting with local levels of government. He stated that while Indonesia was not in a position to sign the MoU on the occasion of the present meeting, he anticipated that a representative of the Indonesian Embassy in Germany would be authorized to sign the MoU as soon as possible.

14. The delegate from the Maldives explained that approval to sign the Memorandum had been granted by some Ministries and that discussions with others were in the final stages. He anticipated that the Maldives would also be in a position to sign the MoU soon.

15. The delegate from Oman stated that Cabinet had already given the necessary approval and that Oman would sign the Memorandum shortly, once the arrangements for signing had been worked out with the Secretariat.

16. The delegate from Thailand noted that his country was already a signatory to the ASEAN MoU on marine turtles, and intended to sign the wider IOSEA MoU following the conclusion of some internal restructuring and the securing of Cabinet approval.

Agenda Item 5: Report of the interim secretariat

17. The Secretary introduced the report of the interim secretariat (Document MT-IOSEA/SS.1/Doc. 5) highlighting developments since the last intergovernmental meeting held in Manila in June 2001.

Membership

18. The Secretary announced that with the signing of the Memorandum of Understanding by Madagascar and the Seychelles, the number of Signatory States had risen to fifteen. The encouraging statements of the observer States present gave reason to believe that about half of the eligible Range States would soon be on board.

Secretariat arrangements

19. The Secretary explained that having secured funding for at least the next two years, the secretariat for the MoU would be established in Bangkok, possibly as soon as the beginning of March 2003. As the available funding was not sufficient to engage any support staff, it was hoped that a Government would be willing to sponsor a Junior Professional Officer (JPO) through the UNEP programme. He noted that the JPO position was not exclusively meant to facilitate implementation of the IOSEA MoU; rather up to 40% of the person's time would be devoted to broader issues within the remit of the UNEP Regional Office for Asia and the Pacific, making it even more attractive for both the candidate and the sponsoring agency. The Secretary offered to provide the terms of reference and a rough costing to interested Governments. The observer from UNEP/ROAP, who had personally taken part in the JPO programme, advised that the sponsoring Government generally determined the funding and content of such positions. They were generally filled by persons with a few years' experience, rather than fresh graduates, and were generally staffed at the second (P-2) level in the United Nations system.

20. The representative of the United Kingdom advised that, while it had provided individuals to CMS in the past, current budgetary constraints meant that it would not be in a position at this stage to offer an individual for the Bangkok office. The representative of the United States noted that his Government had various internship and fellowship programmes. He undertook to circulate the announcement of the JPO position among those agencies that traditionally placed junior professionals, – though he noted that many of these were within US Federal Government – or to seek other ways of providing support. The representative of Australia advised that it would need to contribute funding from running costs, and therefore it was unlikely that Environment Australia could provide funding for the position. She suggested, as an alternative, that the cost might be shared among a number of Signatory States.

21. Speaking on behalf of the Network of Aquaculture Centres in Asia-Pacific, the representative of Australia offered to contribute to the development of a media strategy, taking advantage of that body's expertise in electronic publications. The observer from IUCN-Vietnam drew attention to Australia's "Youth Ambassadors for Development" programme, funded through AUSAID, which had successfully placed individuals in the IUCN-Vietnam office, and offered to provide further information to the secretariat.

Official language versions of the Memorandum of Understanding

22. The Secretary explained that while the French translation of the MoU had been finalised at the June 2001 meeting in Manila, the translation of the Conservation and Management Plan was subject to further review. The interim secretariat had received editorial comments from a non-governmental organisation based in Réunion, France (CEDTM, which was attending the Bangkok meeting). However, these had not been formally submitted by one of the Signatory States for consideration of other francophone countries.

23. The present meeting agreed to consider the proposed amendments, which were purely of an editorial nature, with a view to adopting the official French language version of the CMP in Bangkok. The representatives of Comoros, Madagascar, Mauritius and the Seychelles formed a working group, assisted by the observer from the CEDTM, to re-examine the text. The proposed changes, which were adopted by the meeting, are reflected in the text contained in Annex 4. The Secretariat undertook to circulate separately the Memorandum of Understanding, including the final text of Conservation and Management Plan, as the official French language versions.

Agenda Item 6: Identification of complementary initiatives and collaboration with sub-regional bodies

24. Representatives and observers gave details of complementary initiatives going on within the wider Indian Ocean – South-East Asia region, with which useful linkages might be explored.

Complementary initiatives

25. The representative of Australia noted the Network of Aquaculture Centres in Asia-Pacific as a possible partner for sub-regional collaboration and information exchange.

26. The representative of Cambodia indicated that his country participated in the regional tagging programme of the South East Asian Fisheries Development Centre (SEAFDC) and, with funds from WWF Indochina, would conduct an international training workshop. Activities were also undertaken pursuant to the ASEAN Marine Turtle MoU. Future collaboration with TRAFFIC was planned. As Cambodia was also a Range State for dugong, it was proposed that NGOs and Governments collaborate to work on a project that included both dugong and marine turtle conservation.

27. The representative of Comoros provided information on national projects, including the UNEP/GEF “Biodiversity and Sustainable Development in Comoros” project valued at USD 2 million. The aim of the project was the creation of a marine park for the protection of marine turtles and the conservation of other species; capacity building at all levels; and the creation of a legal and financial framework for the conservation and the sustainable use of biodiversity.

28. The representative of the Islamic Republic of Iran reported that his country was a member of the Regional Organization for the Protection of the Marine Environment (ROPME), which also included Bahrain, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, and United Arab Emirates. The ROPME area extended to the Pakistan border and from Sea of Oman down to the Yemen border. Established in 1975, it focused on marine research. In 2002, the organisation started to develop a biological diversity protocol for the protection of sensitive areas, including those for marine turtles.

29. The Chairman, speaking as the representative of Kenya, informed the meeting of his country’s national marine turtle conservation strategy and the endorsement of a national management framework. The Kenyan Sea Turtle Conservation Committee (KESCOM) was working to raise awareness of turtle conservation. At the national level, there was collaboration among the Kenyan Wildlife Service, Fisheries Department, Kenya Fisheries and Marine Research Institute, Coastal Developmental Authority, Wildlife Clubs of Kenya and the National Museum of Kenya. Regionally, WWF was assisting with marine parks and marine reserves, and IUCN was also undertaking activities. Kenya had also begun collaboration within the East African eco-region. Proposals had been submitted to UNDP and GEF for funding of a marine turtle conservation program, and a CMS-funded project had recently been approved by the CMS Conference of the Parties.

30. The representative of Madagascar gave details of a Rapid Assessment Programme on coral reefs undertaken in 2002, which provided information on marine turtles. By the end of the year, Madagascar would start phase 3 of an environmental programme in which marine areas would play an important part. At the sub-regional level, the SE Fisheries project would meet in February 2003 in Mozambique and marine turtles would be addressed.

31. The representative of Mauritius reported on collaboration with the *Commission de l'Océan Indien* (COI), together with Madagascar, Réunion and the Seychelles. The COI Secretariat was based in Mauritius and its activities included tourism, trade, fisheries, pollution, sea rescue and many other issues affecting marine turtles. The Global Coral Reef Monitoring Network had published a first annual report, which was available on CD. The secretariat was also based in Mauritius. A regional database was operational and effort was being put into enhancing national capacity.
32. The representative of Myanmar reported that his country had introduced marine turtle conservation measures a long time ago. Already in 1905, fisheries legislation gave protection to marine turtles and, in 1924, protection was extended to marine turtle nesting areas and the adjacent three nautical miles of coast. The Department of Fisheries was putting great effort in the field of turtle conservation and had prepared a draft proposal for marine turtle conservation and research, which included plans for turtle conservation camps in the Rakhine region, Mon State and Tanintharyi region. The project needed technical know-how, equipment and well-trained personnel for field research. He recommended that the project be considered for collaboration under the MoU.
33. The representative of the Philippines reported on a tri-national (Indonesia, Malaysia and the Philippines) conservation effort in the Sulu-Sulawesi Marine Eco-region being led by WWF-Philippines. The programme recognised the need to jointly manage a common resource. Its activities included: reviewing the population status and existing management arrangement and problems of the conservation of marine turtles in Indonesia, Malaysia and the Philippines; validating the need for, and thereafter formulating, a tri-national management programme for marine turtle conservation in the three countries; and generating an action plan to launch and implement the programme. The Sulu-Sulawesi project was benefiting from the advice of the CMS Scientific Councillor, Dr Limpus, and was to be considered a contribution towards implementation of the IOSEA MoU.
34. The representative of the Seychelles reported on that country's collaboration with the Coral Reef Monitoring Network and the *Commission de l'Océan Indien*. A GEF-funded marine ecosystems management project was being implemented. Further specific activities involved studies on foraging groups, especially juveniles, as well as studies of migration and genetics. A dossier containing more details was submitted to the Secretariat.
35. The representative of Sri Lanka reported on a programme known as "RUK" developed by the Department of Wildlife Conservation with help from IUCN, which it hoped to implement by the end of the year. The RUK programme would be community-based, covering the three beaches of Rekawa, Ussangoda and Kalametiya.
36. The representative of the United Kingdom undertook to forward information to the Secretariat, following the meeting, on potential collaborating organisations.
37. The representative of the United States informed the meeting about a semi-governmental body, the Western Pacific Regional Fishery Management Council, which was becoming increasingly active in region. The Council had conducted a workshop on marine turtle by-catch in longline fishing around the Hawaiian Islands and was conducting research to develop solutions. In November 2002, it had convened the second International Fishermen's Forum in Honolulu, a conference for fishermen and others to exchange relevant information. The representative of the United States also suggested that the South East Asian Fisheries Development Centre might be a resource for the development of fisheries gear to address marine turtle by-catch. He added that it might be possible to link IOSEA activities with Asia-Pacific Economic Cooperation (APEC), through its Marine Resources Working Group, and that his country would try to facilitate that linkage.
38. The representative of Vietnam reported that the Government was drafting a fisheries law and he hoped it would be approved by the national assembly by the end of year. The law would include protection for marine turtles, dugong and other rare marine animals. The FAO Code of Conduct for Responsible Fisheries was being translated and distributed along with technical guidelines. A national action plan for marine turtles was being drafted and implemented with the assistance of IUCN, WWF and TRAFFIC. The Global Environment Facility and the Government of Denmark had each provided

USD 1 million for a Marine Protected Area programme, and the Danish Government had provided a further USD 2 million to strengthen marine protected areas. The Government of Vietnam also worked with ASEAN on many small projects.

39. The observer from India reported on a UNDP-sponsored marine turtle project starting in 2000, which was nearing completion, with a report expected in March 2003. The objectives of the USD 300,000 project included the development of a sustainable model for conservation of marine turtles and restoration/conservation of their habitat along the Indian coastline through a holistic and people-focussed approach; participatory management of unprotected marine turtle nesting beaches, including capacity building of major stakeholders such as Central and State Forestry, Coast Guard, Navy and Fisheries Department and NGOs; popularisation of the use of TEDs; and preparation of a management plan for conservation of marine turtles of the Indian coastline.

40. The observer from Indonesia reported on collaboration with non-governmental organisations, including WWF and the Nature Conservancy, particularly in relation to work on genetic analyses and public education.

41. The observer from Maldives indicated that two island resorts conducted turtle research activities. A biodiversity project funded by GEF was being implemented, including elements of marine turtle conservation. Participants in the Bay of Bengal Large Marine Ecosystem project would meet in February 2003 and marine turtle programmes would be discussed in that context. The Maldives also collaborated with the Global Coral Reef Network. There was significant collaboration with TV and radio stations to promote awareness of turtle conservation; while all species had been protected since 1995, egg collection still continued. Funding constraints had limited a project to conserve nesting sites. National projects included the GEF-financed "Atoll Ecosystem-based Conservation of Globally Significant Biological Diversity in the Maldives' Baa Atoll", being executed by the Ministry of Home Affairs, Housing and Environment. A Marine Protected Area System project was being implemented with Australian Government assistance. Initial training and site allocation had taken place, together with two small research projects conducted by the private sector to study the migration and biology of green and hawksbill turtles.

42. The observer from Oman reported on his country's National Biodiversity Strategy and Action Plan, completed with funding from GEF. At the sub-regional level, Oman cooperated with the ROPME programme and the protocol for marine protected areas, which included protection for marine turtles.

43. The observer from Thailand noted ongoing collaboration with the Ramsar Convention on Wetlands on coastal zone conservation, as well as work with ASEAN on the SEASTAR 2000 project, supported by Japan, which conducted research on turtle migration in South-East Asia. Additionally, SEAFDC had conducted a regional tagging programme for ASEAN countries for two years.

44. The CMS Scientific Councillor, Dr Limpus, informed the meeting that the Nature Conservancy was active in turtle conservation in a number of South-East Asian countries, and had the financial capacity to assist in regional activities. He also suggested that the Marine Turtle Specialist Group of the IUCN Species Survival Commission could provide significant expertise to the IOSEA MoU.

45. The observer from FAO drew attention to a meeting in February 2003 to be hosted by the FAO for the Bay of Bengal Large Marine Ecosystem Project. He added that SEAFDC, by virtue of its extensive practical experience, was well-placed to assist with fisheries technology matters.

46. The observer from SACEP informed that her organisation provided the secretariat for the South Asian Seas Regional Programme, which included Bangladesh, India, Maldives, Pakistan and Sri Lanka. SAARC was also working in the sub-region. UNEP was helping SACEP to extend International Coral Reef Action Network (ICRAN) activities into South-East Asia through the development of project proposals, and a meeting in the Philippines in March 2003. SACEP was assisting IUCN with a programme in South Asia for coastal and marine resources management and poverty reduction. The observer noted that the Bay of Bengal programme was winding up, but that

there was a proposal to reinstate a similar project. She identified the South Asia node of the Global Coral Reef Monitoring Network (GCRMN) and CORDIO – a project to respond to degradation of coral reefs throughout Indian Ocean – as other organisations with which the IOSEA MoU might collaborate.

47. The observer from UNEP/ROAP suggested there was scope for collaboration with the UNEP/GEF South China Sea project. He agreed that the Nature Conservancy would be a good organisation to collaborate with as it was extending its work into South-East Asia, with plans for a large marine protection programme headed from an office in Bali. He indicated that UNEP was able to assist in developing GEF proposals, but noted that there was heavy competition for GEF-funded projects.

48. The observer from CEDTM informed that the work of that organisation concentrated on marine turtle nesting surveys and also management of a marine reserve.

49. The observer from IUCN-Vietnam reported on the Integrated Coastal Management project in Vietnam, whereby IUCN and others were working with provincial and national fisheries authorities to raise awareness and promote better approaches to marine coastal management. He suggested that experts from the IUCN Marine Turtle Species Group be invited to attend the IOSEA MoU meetings.

50. The observer from Humane Society International – Australia informed the meeting that HSI had a small grants programme to fund wildlife conservation projects in the region. This had so far included two turtle conservation projects in the Northern Territory of Australia and in Indonesia.

51. The observer from TRAFFIC informed that in 2001, WWF and TRAFFIC offices in South-East Asia agreed to launch a marine turtle awareness campaign. The observer from WWF advised that WWF was in the final stages of developing an Asia-Pacific regional marine turtle programme. The observer from WWF-Philippines expressed concern for the turtle population in the Spratley Islands in the South China Sea, because they were not receiving any conservation management. He noted that different countries were contesting the sovereignty of the islands, and that the IOSEA MoU might provide a good framework for collaboration to conserve the islands' turtle population.

Sub-regional collaboration within the IOSEA region

52. The representative of Cambodia referred to discussions at the June 2001 Manila meeting and asked for clarification of the relationship between existing organisations, such as ASEAN, and the sub-regional groupings that had been formed under the Memorandum of Understanding. The Secretary recalled that the Manila meeting had left open for further consideration the composition of the South-East Asia sub-regional group, in particular as regards the possible inclusion of Australia and Papua New Guinea. In Manila, ASEAN nations had indicated that they wished to retain their existing arrangements, which centred on a pre-existing ASEAN Sea Turtle MoU, but would consider including Australia and Papua New Guinea in that sub-region for the purposes of the IOSEA MoU, pending discussions with the ASEAN Secretariat.

53. The representative of Australia noted that it had welcomed this approach, and recalled for the meeting the reasons that led to the discussion in Manila on the composition of the sub-regional group. Australia shared turtle populations with Indonesia and Papua New Guinea and it would seem sensible to have a group based on biological considerations, rather than geo-political ones.

54. The Secretary suggested the meeting receive a report from the ASEAN countries on their internal deliberations. He pointed out that the newly formed Timor-Leste also warranted consideration with respect to finalisation of sub-regional groups. The representative of Cambodia said that it was his understanding that the interim secretariat would discuss the matter with the ASEAN Secretariat. The Secretary clarified that there had been a misunderstanding in this regard, and that this follow-up had not been foreseen. The representative of the United Kingdom considered it inappropriate for the MoU Secretariat to undertake such negotiations with the ASEAN Secretariat, and proposed instead that the countries present organise themselves into an appropriate grouping.

55. This suggestion was agreed and, following further consultations, the meeting agreed that Australia and Papua New Guinea join the South-East Asian the sub-regional group on the understanding that this arrangement was exclusively for the purposes of effective implementation of the IOSEA MoU. It was agreed to defer consideration of the inclusion of Timor-Leste, since formal contacts had yet to be made and it was not yet a Signatory to the Memorandum of Understanding. The representative of Australia thanked the ASEAN nations for their decision and looked forward to working with them.

56. Concluding the discussion, Dr. Limpus pointed out that Thailand provided an excellent example of why flexibility was necessary in this regard, because it had breeding populations that migrated to countries to the west and the east and therefore needed to consult with India as well as the South-East Asian group. He therefore he urged flexibility rather than adhering too rigidly to geopolitical lines.

Participation in the IOSEA MoU by non-range States

57. The Secretary recalled that when the Memorandum was negotiated consideration was given to involving States that were not necessarily Range States for marine turtles, but that had an impact on marine turtles in the region – for instance distant water fishing nations. The Secretariat undertook to inform them of the existence and purpose of the MoU.

Linkages with other organisations and agreements

58. The Secretary discussed the potential for linkages between the IOSEA MoU and instruments in neighbouring regions, including the Pacific. He reported on consultations with Western Pacific Regional Fishery Management Council, which would be pursued further. He suggested that there was an opportunity for collaboration on marine turtle conservation in that region, which could potentially be linked to work under the IOSEA MoU.

Agenda Item 7: Establishment of an Advisory Committee

59. Introducing the item, the Secretary noted that the Memorandum of Understanding specified the establishment of an Advisory Committee to provide technical and legal advice to the Signatory States on the conservation and management of marine turtles and their habitats. The meeting established a screening committee to develop criteria for the selection of candidates, to make recommendations on appointments after reviewing all of the nominations received, and to further refine the Advisory Committee's terms of reference. The Committee was chaired by the United States, and comprised representatives of Australia, Cambodia, Mauritius, Sri Lanka and Viet Nam.

60. The report of the Screening Committee's deliberations is at Annex 5. The meeting confirmed that the Advisory Committee could have up to ten members, to be nominated by the signatory States, and endorsed Screening Committee's recommendation that the following six individuals be appointed to serve on the Committee in their personal capacity: K.D. Amarasekera, Dr Jack Frazier, Dr Colin Limpus, Dr Jeanne Mortimer, Dr Nicholas Pilcher and Romeo Trono. The appointments were limited to six individuals at the present meeting, leaving scope to bring in additional expertise, as required, at a later stage -- for example, in the fields of community development, socio-economics, coastal development/management and environmental impact assessment.

61. In its discussion of the draft terms of reference for the Advisory Committee, the meeting concluded that it would be desirable for regular meetings of the Advisory Committee to be held immediately prior to Meetings of the Signatory States, in order to minimise costs and to allow for the participation in the Meeting of Signatory States of the Advisory Committee Chair and as many members of the Committee as possible. The draft terms of reference were amended accordingly. A resolution to formally establish the Advisory Committee and the final text of the Committee's terms of reference appear in Annex 6.

Timing, venue and financing of the first meeting

62. The Secretary noted that there would be an opportunity, in about two months' time, to organise the first meeting of the Advisory Committee in conjunction with the 23rd Annual Symposium on Sea Turtle Biology and Conservation, taking place in Kuala Lumpur, Malaysia, from 17 - 21 March 2003. At least four of the members could be expected to attend that event in any case. The meeting agreed that the interim secretariat should make the necessary arrangements for an initial meeting of the Committee.

63. The Secretary drew attention to the fact that the budget provided no funding for the Advisory Committee. The individuals appointed to the Committee were volunteers and the financing of the Committee's activities, including the organisation of meetings and any consultancies that might be required to support its work, would depend on voluntary contributions.

64. The issue of financing of general MoU activities was dealt with under Agenda item 9, below. In response to a request from the Chair for the meeting to address the specific issue of financing the Advisory Committee, the representative of the United States indicated that when it sought further funding for the IOSEA MoU generally, it would do so in relation to all of the costs of the MoU and associated bodies, including the Advisory Committee, in keeping with its political commitment. The representative of the United Kingdom indicated that a portion of the additional funding it had pledged at the present meeting could be used to support the attendance of one or two Advisory Committee members who would otherwise not be in a position to attend.

Agenda Item 8: Review and further refinement of the Conservation and Management Plan

65. The meeting established three working groups (South-East Asia, Western Indian Ocean and Northern Indian Ocean¹) to summarise the progress already made by Signatory States (and non-Signatories present) towards addressing each of the objectives and actions in the Conservation and Management Plan. It was recognized that the exercise would certainly not yield a comprehensive picture of completed and ongoing activities, but that a similar undertaking by signatories to the sister African Marine Turtle MoU had been extremely useful in identifying progress and issues still to be addressed.

a) Progress in implementation

66. Progress made by each State towards implementation of the Conservation and Management Plan (CMP) as well as the identification of future actions to be undertaken was summarized in the annotated plans for each sub-region. The Secretariat undertook to edit all of the texts after the meeting in order to achieve a consistent presentation and, thereafter, to circulate them for further input from Signatory States².

South-East Asia sub-region (including Australia)

67. The facilitator of the working group reported that the information provided by the States in this sub-region should be considered as tentative and that States would need to consult with their agencies to confirm the accuracy of reports of various activities.

¹ The Northwestern Indian Ocean was not represented at the present meeting, apart from the Islamic Republic of Iran and Oman (observer), which joined the Northern Indian Ocean working group for the purpose of this exercise.

² *Note from the interim secretariat:* Although this task will involve more editing and rearrangement of text than was originally foreseen, it is expected that the work can be completed soon after the MoU Secretariat is fully operational in April 2003.

Western Indian Ocean sub-region

68. The representative of the United Kingdom reiterated that the reported activities for the UK should be taken only as a preliminary indication. Speaking for the working group, he added that although the sub-regional report might not be comprehensive, it nonetheless provided a good first draft of what was envisaged. It was noted also that the activities reported for France had been provided by a French NGO, and were therefore subject to confirmation, since France was not represented at the meeting.

Northern Indian Ocean sub-region

69. As for the other groups, information was collated from each State but it had not been possible to merge the information into a comprehensive list of specific actions. Further review and consultation would be necessary after the meeting.

b) Prioritisation of activities

70. Five of eight States in the South-East Asia sub-region provided priority rankings for their activities. Collectively, Range States of the Western Indian Ocean sub-region identified collation and organisation of existing data on threats as a priority for most countries, as well as the identification of funding for activities. Improving understanding of marine turtle ecology and populations through research, monitoring and information exchange was also considered important. A focussed awareness and education programme for target groups and involving stakeholders in planning was also considered a high priority.

71. In the absence of a comprehensive picture of the conservation activities already undertaken and envisaged in individual Range States, it proved difficult at the present meeting to prioritise specific activities individually or collectively. The prioritisation exercise would therefore remain an important task to undertake at the second meeting of Signatory States. The representative of Australia suggested that, in the meanwhile, the items assigned a high priority in the sub-regional reports be designated as issues for which the Advisory Committee might be called upon to provide advice in the first instance.

c) National reporting format

72. The Secretary introduced the proposed format for submission of national reports (Document MT-IOSEA/SS.1/Doc. 9 and Addendum). He noted that the reporting format mirrored the content of the Conservation and Management Plan. Therefore its completion by Signatory States would greatly facilitate and expedite the process of reviewing implementation of the Memorandum of Understanding. At the same time, provision of information in electronic format that was amenable to easy updating would simplify the task of the Signatory States.

73. The meeting adopted the reporting format without amendment, while acknowledging the Secretariat's intention to finalise the layout and recirculate the template after the meeting, and noting that amendments might be needed to be introduced in the future taking account of experience gained.

74. The meeting agreed that the national reports should be submitted to the Secretariat 90 days prior to the annual Meeting of Signatory States, to allow sufficient time for the information to be compiled and synthesised.

75. Concluding the discussion of the agenda item, the Chair commented positively on the good start to the implementation of the MoU. The Secretary proposed, and the meeting agreed, that the annotated CMP arising from the present meeting be considered a working document, subject to further examination and refinement by the Signatory States following its circulation, after the meeting. Signatory States would be requested to confirm the entries made at the present meeting, to make any necessary corrections, to provide additional information, and to give input on future planned activities and priorities. The Chair noted that while considerable progress had been made in Bangkok, it was expected that inter-sessional consultations would render a much more complete picture of regional conservation activities to submit to the next meeting. The present document would retain its provisional character until a more refined version could be produced.

Agenda Item 9: Financial and administrative matters

a) Status of voluntary contributions

76. The Secretariat acknowledged with appreciation the following voluntary contributions:
- Australia had so far contributed approximately USD 32,000 towards secretariat operations in Years 1 and 2, and had confirmed its commitment to contribute a further AUS 30,000 (ca. USD 17,700) in Year 3;
 - France had pledged the equivalent of approximately USD 35,000 towards implementation of the MoU, including secretariat operations and meeting organisation, in 2003. Payment was expected momentarily;
 - United Kingdom had so far contributed USD 20,000 to be applied against the first year of secretariat operations. It had indicated a willingness to consider additional project funding in 2003;
 - United States had contributed a total of USD 90,000 towards secretariat operations over three years, and had reiterated its commitment made in Manila toward the further development and implementation of the MoU, through funding and other technical support for the Secretariat, organisation of meetings and project assistance;
 - UNEP/Division of Environmental Conventions had pledged USD 25,000 towards secretariat operations over three years, and had confirmed that the whole amount could be applied in the first two years, in case of need;
 - UNEP/ROAP would be providing in-kind support to the secretariat for the first three years of the MoU's operations, including the provision of office space, furnishings and support. In addition, UNEP would absorb the direct office-related expenses of the Secretariat.
 - The CMS Trust Fund would be providing core funding towards secretariat operations amounting to USD 25,000 per annum over three years. Additionally, funding was available from the CMS core budget (USD 22,500 per year) to support participation of eligible developing countries at meetings of the Signatory States.
77. The Secretary noted that although the funds available in the IOSEA MoU budget were estimated to be sufficient to support secretariat operations through most of 2004, there was little or no funding for any support staff, consultancies or basic project work. Moreover, the budget did not provide for the costs of meetings of the Signatory States or of the Advisory Committee. The catalytic funding from CMS was not sufficient and the shortfall would only increase as the number of Signatory States grew.
78. The representative of the United Kingdom advised that while his Government was not in a position to make long-term commitments, funding could be made available as windows of opportunity arose. For that reason, he was not in a position to pledge funding for future years and requested that the figures for 2004 and 2005 contained in Annex 1 of Document 10 be read as indicative only. Outlining the UK budgetary procedures, he indicated that funding could only be sought on a year-by-year basis, as had been done for the first year of secretariat operations. Additionally, he had managed to secure some additional funding for 2003 and would seek advice from the Secretariat on how best to allocate the funds, either for the Advisory Committee meeting or for specialised projects.
79. The representative of the United States detailed his country's budget procedure and advised that it sought discretionary funding for the IOSEA MoU – the source of US funding to date – on a year-by-year basis. He hoped to secure funding for all aspects of the MoU's implementation, including

secretariat operations, meetings and project work. The United States would also make available technical support, and funding was also being sought from other sources.

b) Work programme and budget for 2003-04

80. With reference to document MT-IOSEA/SS.1/Doc. 11, containing a schedule of future activities, the Secretary highlighted the need for financial support for meetings, implementation measures, and the Junior Professional Officer position. He noted that *in-kind* support would also be beneficial from Signatory States that might not be in a position to make a direct financial contribution, but which had valuable expertise, for example, for the development of a website for the IOSEA MoU and the production of information materials.

81. Referring to Annex 2 of document MT-IOSEA/SS.1/Doc. 10, concerning financial and administrative matters, the representative of the United Kingdom requested clarification of budget line 6000: UNON programme support costs. He queried whether the CMS Trust Fund contribution of USD 25,000 per year for secretariat operations would be subject to a 13% levy for UNON programme support costs, on top of the 13% levied from Party contributions to CMS.

82. Australia was of the view that the 13% charge should not be applied twice, since the programme support costs were levied against actual expenditure, not income. The Secretariat advised that it would seek advice from UNON, but was of the opinion that the funding would not be subjected to the 13% charge.

83. Responding to a further query of the United Kingdom, the Secretary advised that the First Meeting of Signatory States had cost approximately US\$25-30,000 and he estimated that the next meeting would need in the order of USD 25,000 beyond the USD 22,500 available from CMS funds. The prospect of more participants, given likely new signatories, would increase costs. Also, as the Secretariat would not have the same access to the CMS Secretariat resources in Bonn for organising the meeting, there might be a need to hire additional help.

84. The Secretary advised that the funding needed for the Advisory Committee would depend on the size of the Committee, as well as the timing and location of the meetings. Some savings might accrue through the convening of back-to-back meetings. He noted that from the positive experience of the present gathering, Bangkok was a relatively inexpensive location to hold meetings.

85. The representative of the United States said there was a need to minimise costs wherever possible, which had included locating the secretariat in Bangkok with in-kind support from UNEP. He pointed to holding the Advisory Committee meeting alongside the sea turtle symposium in Kuala Lumpur as another means of minimising costs.

86. The Secretary requested that if the meeting were to agree on the timing for the next Meeting of the Signatory States, participants should take note of the schedule and inform their respective Finance Ministries so that budgetary provision could be made well in advance. This was particularly relevant to those countries ineligible for financial support, which necessarily had to be reserved to for those developing countries most in need.

87. The Secretary proposed that the Second Meeting of Signatory States be held a few weeks later in the year, in February, in order to put more distance from the end of year holidays. There were no objections.

Agenda Item 10: Development of a timetable for possible amendment of the legal character of the MoU

88. The representative of the United States outlined his Government's position in relation to the possible amendment of the legal character of the Memorandum of Understanding. The United States believed that while it was premature at this stage of the MoU's development to make it a legally-

binding instrument, it remained an important issue that should be kept on the agenda for future meetings of the Signatory States to consider. The meeting took note of the position of the United States.

Agenda Item 11: Organisation and provisional schedule of future activities

89. Referring to Document MT-IOSEA/SS.1/Doc. 11, the Secretary asked for views on the proposed 'IOSEA Year of the Turtle' initiative for 2005, noting that the launch of a turtle awareness programme by WWF and TRAFFIC could coincide favourably.

90. The CMS Scientific Councillor gave details of a similar "Year of the Turtle" project in the Pacific carried out by the South Pacific Regional Environment Programme in 1995. It had raised the awareness of turtle conservation in the region and had prompted stronger conservation measures by a number of countries. He commended the idea to the meeting for consideration by the IOSEA MoU participants, but cautioned that it required significant organisation. He noted that TRAFFIC had been identified as a group that could assist.

91. The representative of the United Kingdom noted that such an initiative would also require substantial financial resources, and suggested that a proposal be drawn up for consideration at the next meeting, even if that meant holding the IOSEA Year of the Turtle in 2006. The representative of Australia pointed out that the budget for the initiative would depend on the extent of the proposed activities. She was attracted to the idea in principle, but warned against a proposal that would be too ambitious unless there was a sufficient budget available.

92. The Secretary suggested that the Advisory Committee be tasked at its first meeting with examining the feasibility of the initiative, with a view to preparing a written proposal for the Signatory States to decide on in early 2004. This would still allow sufficient time for planning an event in 2005. The observer from TRAFFIC said she would be happy to communicate to the Advisory Committee the plans of WWF's campaign as they became available.

93. The Chair noted the agreement of the meeting to task the Advisory Committee with developing a proposal for the Year of the Turtle to bring to the Signatory States for their consideration.

Agenda Item 12: Any other business

Focal points

94. The Secretary introduced document MT-IOSEA/SS.1/Inf. 5, the List of Competent National Authorities (Focal Points) for the IOSEA MoU, which was largely incomplete. The Secretary reminded that a formal letter from each Government was required to designate a Focal Point. Non-signatory States were asked to provide informal contact details to the Secretariat to facilitate ongoing communications until such time as they signed the MoU. Indications could be given already at the present meeting, but these would have to be followed up thereafter through a formal exchange of correspondence.

95. The representative of Cambodia asked if the Secretariat could provide advice prior to a meeting as to who should attend, for example if participants should have a policy or technical background. He raised the question in the knowledge that there remained a number of items of outstanding business from the present meeting that would need to be finalised. The Secretary stated that the decision of whom to send to the meetings ultimately rested with the Signatory States, but that scrutiny of the annotated agenda should reveal whether policy or technical experts were required.

Communications

96. Noting that many participants used "Hotmail" or equivalent services to receive e-mail, the Secretary wondered if this – or the use of PDF files – had posed a problem for downloading large

documents in connection with the present meeting. None of the participants reported encountering any such problems.

97. The representative of the United Kingdom asked how long participants should continue to contact the CMS Secretariat in Bonn, rather than the soon to be established Secretariat for the IOSEA MoU in Bangkok. The Secretary gave the end of February as a provisional deadline, adding that any new developments in this regard would be communicated to all concerned³.

Logo for the Memorandum of Understanding

98. The Secretary circulated some artwork that had been prepared by a Philippines' artist, Ms. Emelinda Ramoso, for the June 2001 Manila conference. He proposed that the illustration, depicting a sea turtle emerging from an egg (actually a globe showing the countries of the IOSEA region) be used as the MoU's official logo. The meeting agreed to the adoption of the logo and authorised the Secretary to offer the artist a modest honorarium for its use.

CMS Marine Turtle Conservation Database

98. Dr Limpus reported on the database that was being developed to make detailed information on turtle conservation more readily accessible. The project had been approved for funding at the last CMS Conference of the Parties. The database would collate data from historical and current data sets on migration, abundance, nesting sites, migratory routes etc. It would be hosted by the UNEP World Conservation Monitoring Centre (UNEP-WCMC) and would also link into their data sets, for example on habitat types. Dr Limpus added that he would maintain a library of public documents as part of the database he was working on and that he would circulate a bibliography of the library at each meeting of Signatory States, along with information on how to access the documents. He invited delegates to provide reports from the region for him to include in this library.

Regional activities

99. An informative presentation was given by Romeo Trono (WWF-Philippines) on the WWF-sponsored tri-national (Philippines, Malaysia and Indonesia) turtle conservation project and the Sulu-Sulawesi Marine Ecoregion project. He drew the meeting's attention to the area's high biodiversity, particularly corals, which were an important habitat for marine turtles.

Agenda Item 13: Signature of the MOU

100. This matter is reported under Agenda Item 1, above.

Agenda Item 14: Closure of the meeting

101. The Chair closed the meeting thanking all delegates for their contributions, especially the chairs and facilitators of the sub-regional groups and working groups, the Vice-Chair and the Secretariat.

³ *Note from the interim secretariat:* As of the time of writing, the anticipated start-up date for the IOSEA MoU Secretariat is 1 April 2003; correspondence may be directed to the interim secretariat in Bonn until then.



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

FIRST MEETING OF THE SIGNATORY STATES
Bangkok, 22-24 January 2003

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**First Meeting of Signatory States to the Memorandum of Understanding
on the Conservation and Management of Marine Turtles and their
Habitats of the Indian Ocean and South-East Asia**

Bangkok, 22-24 January 2003

**Statement of the UNEP Regional Director for Asia and the Pacific, on behalf of the Executive
Director of the United Nations Environment Programme**

Distinguished Delegates, Ladies and Gentlemen,

This is an historic moment - the first meeting of a new Multilateral Environment Agreement. It is my very great pleasure on behalf of the Executive Director of the United Nations Environment Programme, Dr Klaus Toepfer, to welcome you to this inaugural meeting of the Signatory States to the IOSEA Marine Turtle Memorandum of Understanding. Dr Toepfer would like to have been present himself, but he is preparing for next week's UNEP Governing Council meeting in Nairobi. He sends his best wishes to all the Signatory States and observers gathered here today.

We are all too aware of the problems facing the six species of marine turtles in the Indian Ocean and Southeast Asia regions. The first is unsustainable direct harvesting for consumption at nesting sites and in near-shore waters. The second is the destruction of nesting beaches, which often results from inappropriate coastal and beach development. The third - and arguably the most potent and increasing threat - is bycatch by modern fisheries. Pollution is also a problem in some areas. Lack of information and training are also issues requiring a regional and multi-sectoral approach.

The conservation of marine turtles is a major global challenge that requires well-co-ordinated national and regional efforts. It is gratifying that you have chosen the appropriate framework within which to channel your activities. The Convention on the Conservation of Migratory Species of Wild Animals, or "CMS", is expressly designed to foster regional co-operation, and to intervene where necessary to ensure the protection of endangered species. Through this agreement, and a similar one in Africa, CMS aims to conserve these remarkable animals, which have roamed our oceans for millions of years.

The Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-east Asia was negotiated and adopted under CMS auspices in July 2000. With Cambodia's endorsement in December last year, thirteen States have now signed the Memorandum. I am pleased to note that virtually all of the Signatory States are represented here this week. This is a promising start for effective action to save the regions' marine turtles.

The Signatory States have already agreed a comprehensive Conservation and Management Plan for marine turtles and their habitats in the region. The Plan contains 24 programmes and 105 specific activities. These focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional co-operation, and seeking resources for implementation.

I wish to stress the importance of research. It is absolutely essential that this instrument should give priority to studies that will enable the understanding of marine turtle ecology and populations, if effective conservation and management targets are to be met.

The need for a secretariat and an advisory committee to facilitate the implementation of the MoU has been identified. This meeting will serve to establish that advisory committee and to create an active, and indeed I hope proactive, secretariat here in Bangkok. UNEP and several range and donor states are providing financial assistance to the secretariat in its first three years of operation. It is important that signatory States build on this seed money. The objective should be to make this Agreement financially secure within three years through contributions - both financial and in-kind - from all its signatories, taking into account their ability to contribute.

The Executive Director of UNEP commends the collocation of the turtle secretariat in Bangkok with two other bodies -- UNEP's Regional Office for Asia and the Pacific and the East Asian Seas Regional Co-ordination Unit. Many fine words have been spoken and persuasive decisions taken in the UN and elsewhere about the need for synergy and interlinkages in the international environmental arena. Yet turning those fine words into practice is not so easy. Here we have a practical example, which we hope will be the

model for many other multilateral environment agreements, large and small, in pooling resources and gaining critical mass by working in daily co-operation with other organisations.

UNEP is happy to formally announce the appointment, in March 2003, of the current CMS Deputy Executive Secretary, Douglas Hykle, as the first co-ordinator to run this new secretariat here in Bangkok. In addition to reinforcing strong linkages between the secretariat and CMS, Mr. Hykle can deploy his wide experience and inside knowledge of CMS from more than a decade of experience there, much of it spent in negotiating new agreements like this one. Mr Hykle's leadership in the Secretariat will go a long way in marking the beginning of a long-lasting synergy with the parent Convention. He has also worked at an earlier stage in his career with the CITES Secretariat, and this should help in drawing attention to international rules on trade in turtle products under CITES. His experience at CMS will also help to forge instant links with your sister MoU – the Memorandum of Understanding on Conservation Measures for Marine Turtles of the Atlantic Coast of Africa, which already has 20 Signatory States.

UNEP is anxious to support you in a practical way as you convene here today to chart the way forward for this historic new Agreement. Two years ago, during its formative stages, the Executive Director offered a startup grant of \$25,000 towards the cost of running the Secretariat over the first three years, on condition that other parties or donors provided the balance. This has taken some time, but we are delighted that pledges and contributions from several donors including Australia, the United States, France and the United Kingdom, as well as the parent CMS Convention have had the desired snowball effect raising a total of well over \$250,000 for the Agreement's initial operations.

In addition to our cash grant, UNEP is providing in-kind support through the co-location arrangement with the Regional Office for Asia and the Pacific. Additionally, the UNEP-World Conservation Monitoring Centre in Cambridge – now UNEP's focal point for biodiversity assessment and analysis – is working with the CMS Secretariat to develop a Marine Turtle Information Mapping System for the Indian Ocean and Australasian region. This innovative system is expected to provide user-friendly web access to reliable current information on marine turtles. This will include data on distribution, abundance, migration and status, and other relevant environmental factors. This regional project will contribute to a longer-term objective of building a global marine turtle database accessible over the web.

Ladies and Gentlemen,

Last year, the 6th Conference of the Parties to the Convention on Biological Diversity, adopted a decision formally recognising CMS as its lead partner for the conservation of migratory species. I urge you to strengthen collaboration with the CBD and other biodiversity-related conventions, particularly the Convention on International Trade in Endangered Species (CITES) which has also developed relevant marine turtle initiatives. Keep in mind also regional biodiversity agreements and in particular the recently revised African Convention on biodiversity.

It is important also to look to the WSSD Plan of Implementation for guidance, particularly the important provisions and targets it sets in the areas of marine environment, biodiversity, Small Island Developing States, and sustainable development in Africa, Asia and the Pacific. This is the top level plan which Heads of State have agreed to guide our international environmental and sustainable development effort over the next decade or more. It provides the global vision for us all. Relating what we do under our MoU to the wider global agenda set by WSSD, for example on tackling destructive fishing methods and establishing more marine protected areas, will be critical to its ultimate success in preserving sea turtle ecosystems.

This meeting provides an important platform to establish your priorities for the conservation and sustainable management of marine turtles. At the same time, you have an opportunity to sensitise your countries and governments, Ministers, and other senior government officials, on the importance and the effectiveness of this new instrument.

Ladies and gentlemen

In concluding, I commend all of those States that have already demonstrated their commitment to the conservation of these important species. I am given to understand that several more States will join this assemblage before the end of this meeting, and I would encourage others to do so at the earliest opportunity. I wish you good luck during your deliberations.



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

FIRST MEETING OF THE SIGNATORY STATES
Bangkok, 22-24 January 2003

AGENDA

1. Welcoming remarks
2. Election of officers
3. Adoption of the agenda and work programme
4. Opening statements
5. Report of the interim secretariat
6. Identification of complementary initiatives and collaboration with sub-regional bodies
7. Establishment of an Advisory Committee
 - (a) Terms of reference
 - (b) Nominations
 - (c) Timing, venue and financing of the first meeting
8. Review and further refinement of the Conservation and Management Plan
 - (a) Prioritization of activities
 - (b) Progress in implementation
 - (c) National reporting format
9. Financial and administrative matters
 - (a) Status of voluntary contributions
 - (b) Work programme and budget for 2003-2004
 - (c) Additional sources of funding for implementation
10. Development of a timetable for possible amendment of the legal character of the MoU
11. Organization and provisional schedule of future activities
12. Any other business
13. Signature of the Memorandum of Understanding by other States
14. Closure of the meeting

**MEMORANDUM D'ACCORD SUR LA CONSERVATION ET LA GESTION DES
TORTUES MARINES ET DE LEURS HABITATS DE
L'OCEAN INDIEN ET DE L'ASIE DU SUD-EST**

Version révisée et annotée, adoptée le 24 janvier 2003

LES ETATS SIGNATAIRES

Conscients que les populations des six espèces de tortues marines de la Région sont inscrites comme vulnérables, menacées d'extinction ou gravement menacées d'extinction sur la Liste Rouge des espèces menacées de l'UICN - Union mondiale pour la nature;

Notant que les tortues marines bénéficient d'une priorité pour les mesures de conservation par leur inscription dans les textes ou les annexes respectifs de la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage (CMS), de la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES), de la Convention africaine pour la conservation de la nature et des ressources naturelles, et de la Convention pour la protection, la gestion et la mise en valeur du milieu marin et des zones côtières de la région de l'Afrique orientale et des protocoles y relatifs;

Reconnaissant que la conservation des tortues marines et de leurs habitats est spécifiquement traitée dans le Mémoire d'Accord sur la conservation et la protection des tortues marines des pays de l'ASEAN et dans le Mémoire d'Accord sur la *Turtle Islands Heritage Protected Area* (TIHPA);

Reconnaissant que d'autres instruments internationaux, notamment la Convention des Nations Unies sur le droit de la mer (UNCLOS), le Code de conduite de la FAO pour une pêche responsable, la Convention internationale pour la prévention de la pollution par les navires (MARPOL) et la Convention sur la diversité biologique (CDB), s'intéressent à la conservation des tortues marines et de leurs habitats;

Conscients que les organisations régionales existantes, notamment l'Association des nations de l'Asie du Sud-Est (ASEAN), l'Organisation régionale pour la conservation de l'environnement de la mer Rouge et du Golfe d'Aden (PERSGA) et l'Organisation régionale pour la protection de l'environnement marin (ROPME), mettent en œuvre des programmes ayant trait à la conservation des tortues marines et de leurs habitats;

Reconnaissant que les tortues marines migrent et se dispersent sur de grandes distances et qu'en conséquence leur survie dépend de leur conservation dans une vaste zone et dans une grande variété d'habitats marins et côtiers;

Reconnaissant que les activités humaines susceptibles de menacer directement ou indirectement les populations de tortues marines comportent notamment la récolte des œufs et des tortues, des opérations inappropriées d'éclosion, la destruction ou la modification d'habitats, le développement côtier, la pollution, les activités de pêche, la mariculture et le tourisme;

Reconnaissant l'importance d'intégrer les actions de conservation des tortues marines et de leurs habitats avec les activités relatives au développement socio-économique des Etats signataires, y compris le développement côtier et les activités maritimes;

Conscients de leur responsabilité partagée en matière de conservation et de gestion des populations de tortues marines et de leurs habitats;

Reconnaissant l'importance de la participation de tous les Etats de la Région, des organisations intergouvernementales et non-gouvernementales concernées ainsi que du secteur privé, à des activités coopératives de conservation et de gestion des tortues marines et de leurs habitats;

Notant qu'il serait souhaitable de faire participer d'autres Etats dont les ressortissant ou les navires se livrent à des activités susceptibles d'avoir une incidence sur les tortues marines de la Région, ainsi que les Etats susceptibles de contribuer par leurs ressources ou leur expérience à promouvoir l'application du présent Mémoire d'Accord;

Reconnaissant que des mesures concertées et coordonnées doivent être prises immédiatement à l'encontre des menaces pesant sur les populations de tortues marines et leurs habitats;

Désirant établir, par le présent Mémoire d'Accord, des mesures coopératives pour la protection, la conservation et la gestion des tortues marines et de leurs habitats dans toute la Région;

SONT CONVENUS d'appliquer individuellement et collectivement les mesures figurant dans le présent Mémoire d'Accord pour améliorer l'état de conservation des tortues marines et de leurs habitats.

DEFINITIONS

1. "Tortues marines" désigne toutes les espèces énumérées ci-dessous :

<u>Nom vulgaire</u>	<u>Espèce</u>
Tortue caouanne	<i>Caretta caretta</i>
Tortue olivâtre	<i>Lepidochelys olivacea</i>
Tortue verte	<i>Chelonia mydas</i>
Tortue imbriquée	<i>Eretmochelys imbricata</i>
Tortue luth	<i>Dermochelys coriacea</i>
Tortue à dossière plate	<i>Natator depressus</i>

2. "Habitats" désigne tous les environnements aquatiques et terrestres qu'utilisent les tortues marines à tous les stades de leur cycle de vie.

3. "Région" désigne toutes les eaux et tous les Etats côtiers de l'océan Indien, du Sud-Est asiatique et des mers adjacentes s'étendant à l'est, jusqu'au détroit de Torres.

4. "Etat de conservation des tortues marines" désigne la somme des influences agissant sur une espèce de tortues marines susceptibles d'affecter sa répartition et ses effectifs à long terme.

5. "L'état de conservation" sera considéré comme "favorable" lorsque :

- a) les données relatives à la dynamique des populations de l'espèce de tortues marines en question indiquent que cette espèce continue et continuera à long terme à constituer un élément viable des écosystèmes auxquels elle appartient;
- b) l'étendue de l'aire de répartition de cette espèce de tortues marines ne diminue ni ne risque de diminuer à long terme;
- c) il existe, et il continuera d'exister dans un avenir prévisible, un habitat suffisant pour que la population de cette espèce de tortues marines se maintienne à long terme; et
- d) la répartition et les effectifs de la population de cette espèce de tortues marines sont proches de leur étendue et de leurs niveaux historiques dans la mesure où il existe des écosystèmes susceptibles de convenir à ladite espèce et sous réserve de la mise en oeuvre d'une gestion prudente de la faune sauvage.

OBJECTIF

L'objectif du présent Mémorandum d'Accord est de protéger, conserver et reconstituer les populations de tortues marines et leurs habitats, en se basant sur les données scientifiques les plus fiables, en tenant compte de l'environnement et des caractères socio-économiques et culturels des Etats signataires.

MESURES

Pour atteindre l'objectif du Mémorandum d'Accord, dans un esprit de compréhension et de coopération mutuels, les Etats signataires:

1. Coopéreront étroitement afin de réaliser et de maintenir un état de conservation favorable des tortues marines et des habitats dont elles dépendent.
2. Appliqueront, sous réserve de la disponibilité des ressources nécessaires, les dispositions du Plan de conservation et de gestion qui sera annexé au présent Mémorandum d'Accord. Le Plan de conservation et de gestion portera sur la protection de l'habitat des tortues marines, sur la gestion du prélèvement et du commerce direct, sur la réduction des menaces, y compris les prises accidentelles des activités de pêche, sur la recherche et l'éducation, sur l'échange d'informations et la création de capacités.
3. Etudieront, formuleront, réviseront et harmoniseront, si besoin est, la législation nationale relative à la conservation des tortues marines et de leurs habitats et **mettront tout en œuvre** pour appliquer efficacement cette législation.
4. Envisageront de ratifier les instruments internationaux s'appliquant le mieux à la conservation des tortues marines et de leurs habitats, ou d'adhérer à ces instruments, afin de renforcer la protection juridique de ces espèces dans la Région.
5. Etabliront un Secrétariat qui aidera à la communication, stimulera l'élaboration de rapports et facilitera les activités des Etats signataires, des institutions sous-régionales et des autres Etats et organisations intéressés. Le Secrétariat transmettra à tous les Etats signataires et à chacune des institutions sous-régionales créées en application des paragraphes 5 et 6 des Principes de Base tous les rapports nationaux qu'il recevra, préparera un aperçu périodique des progrès accomplis dans l'application du Plan de conservation et de gestion et remplira les autres fonctions qui pourront lui être assignées par les Etats signataires. Le Secrétariat sera installé dans les locaux d'une organisation nationale, régionale ou internationale appropriée, comme convenu par consensus des Etats signataires à leur première réunion, après examen de toutes les offres reçues.
6. Etabliront un Comité consultatif destiné à fournir des conseils scientifiques, techniques et juridiques aux Etats signataires, individuellement et collectivement, sur la conservation et la gestion des tortues marines et de leurs habitats dans la Région. Les Etats signataires pourront nommer comme membres du Comité des personnes ayant une expérience dans les domaines suivants : biologie des tortues marines, gestion des ressources marines, développement côtier, socio-économie, droit, technologie de la pêche et autres disciplines pertinentes. L'importance numérique, la composition et les conditions de nomination du Comité consultatif seront déterminées par les Etats signataires à leur première réunion.
7. Désigneront une autorité nationale compétente pour remplir les fonctions de correspondant afin d'assurer la communication entre les Etats signataires et les activités au titre du présent Mémorandum d'Accord, et communiqueront au Secrétariat les coordonnées détaillées de cette autorité (et tout changement s'y rapportant).
8. Fourniront au Secrétariat un rapport régulier sur leur application du présent Mémorandum d'Accord, dont la périodicité sera déterminée à la première réunion des Etats signataires.

9. Etudieront, à leur première réunion, l'importance des ressources financières nécessaires et la possibilité de les obtenir, y compris la création d'un fonds spécial de manière à :
 - a) faire face aux dépenses nécessaires au fonctionnement du Secrétariat, du Comité consultatif et aux activités effectuées au titre du présent Mémoire d'Accord; et
 - b) aider les Etats signataires à faire face à leurs responsabilités au titre du présent Mémoire d'Accord.

PRINCIPES DE BASE

1. Le présent Mémoire d'Accord sera considéré comme un accord au titre du paragraphe 4 de l'Article IV de la CMS. Il entrera en vigueur le premier jour du troisième mois suivant sa signature par le second Etat. Il restera ouvert à la signature indéfiniment pour les Etats suivants et entrera en vigueur pour ces Etats le premier jour du troisième mois après leur signature.
2. Chaque Etat signataire appliquera, dans les limites de sa juridiction, le Mémoire d'Accord en ce qui concerne :
 - a) son territoire terrestre de la Région;
 - b) les zones marines de la Région sous sa juridiction nationale; et
 - c) les navires navigant dans la Région sous son pavillon.
3. L'application du présent Mémoire d'Accord ainsi que du Plan de conservation et de gestion seront évalués lors de réunions régulières auxquelles participeront des représentants de chacun des Etats signataires et des personnes ou des organisations techniquement qualifiées dans la conservation des tortues marines ou s'y intéressant. Ces réunions seront convoquées par le Secrétariat et seront organisées en collaboration avec un des Etats signataires qui en assurera l'accueil. Ces réunions seront tenues annuellement tout au moins au début. La périodicité de ces réunions pourra être revue et révisée par consensus des Etats signataires à l'une quelconque de leurs réunions régulières.
4. Le présent Mémoire d'Accord ainsi que le Plan de conservation et de gestion pourront être amendés par consensus des Etats signataires. Le cas échéant, les Etats signataires envisageront d'amender le présent Mémoire d'Accord pour le rendre juridiquement contraignant.
5. Des Etats signataires pourront établir, par consentement mutuel, des plans de gestion bilatéraux, sous-régionaux ou régionaux compatibles avec le présent Mémoire d'Accord.
6. Les mesures prises au titre du présent Mémoire d'Accord seront coordonnées avec les Etats signataires et avec les institutions sous-régionales de la Région.
7. Le texte original du présent Mémoire d'Accord, en anglais, arabe et français, sera déposé au Secrétariat PNUE/CMS qui sera le Dépositaire. En cas de divergences, la version anglaise fera foi.
8. Rien dans le présent Mémoire d'Accord n'empêchera les Etats signataires d'appliquer des mesures nationales plus contraignantes que celles spécifiées dans le Plan de conservation et de gestion, conformément au droit international.
9. Le présent Mémoire d'Accord restera en vigueur indéfiniment sous réserve du droit de tout Etat signataire de mettre un terme à sa participation en prévenant le Dépositaire un an à l'avance.

PLAN DE CONSERVATION ET DE GESTION (proposition de révision)

Objectif 1. Réduire les causes directes et indirectes de la mortalité des tortues marines

Programme	Activité	Priorité	Avancement de la mise en oeuvre à ce jour
<p>1.1 Identifier et documenter les menaces envers les populations de tortues marines et leurs habitats</p>	<p>a) Rassembler et organiser les données existantes sur les menaces pesant sur les populations de tortues marines</p> <p>b) Etablir des programmes de collecte des données de base ainsi que des programmes de surveillance afin de rassembler les informations sur la nature et l'ampleur des menaces</p> <p>c) Déterminer les populations affectées par l'exploitation traditionnelle et directe, les prises accidentelles des pêcheries et d'autres sources de mortalité</p>		
<p>1.2 Déterminer et appliquer les approches fondées sur les meilleures pratiques afin de réduire au minimum ces menaces pour les populations de tortues marines et leurs habitats</p>	<p>a) Identifier et documenter les protocoles relatifs aux meilleures pratiques pour la conservation et la gestion des populations de tortues marines dans la région</p> <p>b) Adapter et adopter les meilleures pratiques de conservation et de gestion pour les populations de tortues marines</p>		
<p>1.3 Mettre en oeuvre des programmes en vue de corriger les incitations économiques négatives menaçant les populations de tortues marines</p>	<p>a) Effectuer des études socio-économiques concernant les communautés en interactions avec les tortues marines et leurs habitats</p> <p>b) Identifier les modifications souhaitées des incitations économiques afin de réduire les menaces et la mortalité, et développer des programmes visant à mettre en oeuvre ces modifications</p> <p>c) Identifier les ressources et les sources de financement pour ces programmes</p>		
<p>1.4 Réduire dans toute la mesure du possible les prises accidentelles et la mortalité des tortues marines au cours des activités de pêche</p>	<p>a) Développer et utiliser des engins, dispositifs et techniques en vue de minimiser les prises accidentelles de tortues marines par la pêche, tels que dispositifs permettant efficacement aux tortues marines de s'extraire des filets, ainsi que les fermetures territoriales et saisonnières</p> <p>b) Développer des procédures et des programmes de formation en vue de promouvoir la mise en oeuvre de ces mesures, telles que des systèmes de surveillance des navires et des inspections en mer, sur les sites portuaires et de débarquement, et des programmes nationaux d'observation à bord</p> <p>c) Procéder à des échanges d'informations et, sur demande, fournir une assistance technique aux autres Etats signataires en vue de promouvoir ces activités</p>		

	<p>d) Entrer en contact et se coordonner avec les industries de la pêche et les organisations de gestion halieutique en vue de développer et de mettre en œuvre des mécanismes pour réduire au minimum les captures accidentelles dans les eaux nationales et en haute mer</p> <p>e) Appuyer la résolution 46/215 de l'Assemblée générale des Nations unies relative au moratoire sur l'utilisation de filets dérivants en haute mer</p> <p>f) Développer et mettre en œuvre des systèmes de récupération et de recyclage des filets pour réduire au minimum l'abandon des engins de pêche en mer et sur les plages</p> <p>g) Permettre et assurer l'utilisation des installations portuaires pour l'élimination des déchets transportés par navire</p>	
<p>1.5 Interdire les prises directes (capture ou mise à mort) et le commerce intérieur de tortues marines, de leurs oeufs, parties ou produits, tout en octroyant des dérogations pour les prises traditionnelles par les communautés relevant des juridictions respectives, pourvu que de telles prises n'amoindrissent les efforts de protection, de conservation et de rétablissement des populations de tortues marines et de leurs habitats, et que les populations de tortues marines en question puissent supporter ces prises</p>	<p>a) Adopter, là où ce n'est pas encore le cas, les dispositions légales et réglementaires en vue d'interdire les prises directes et le commerce intérieur</p> <p>b) Evaluer l'ampleur et l'incidence des prises traditionnelles de tortues marines et de leurs oeufs</p> <p>c) Etablir des programmes de gestion pouvant inclure des quotas pour les prises intentionnelles</p> <p>d) Déterminer les valeurs culturelles et traditionnelles, ainsi que l'exploitation économique, des tortues marines (extractive et non-extractive)</p> <p>e) Négocier, le cas échéant, des accords de gestion sur le quota des prises traditionnelles, en consultation avec d'autres Etats concernés, afin d'assurer que ces prises n'amoindrissent pas les efforts de conservation</p>	
<p>1.6 Développer des programmes de gestion des plages de ponte afin de porter au maximum le recrutement des nouveau-nés</p>	<p>a) Evaluer l'efficacité des programmes de gestion des nids et des plages</p> <p>b) Réduire la mortalité des oeufs et des nouveau-nés en vue de porter au maximum le recrutement et la survie des nouveau-nés, de préférence à l'aide de techniques de conservation mettant l'accent, là où c'est possible, sur les processus naturels</p> <p>c) Minimiser la mortalité des oeufs, des nouveau-nés et des tortues femelles pendant la période de ponte, causée par les animaux sauvages et domestiques</p>	

Objectif 2. Protéger, conserver et réhabiliter les habitats des tortues marines

Programme	Activité	Priorité	Avancement de la mise en oeuvre à ce jour
<p>2.1 Etablir les mesures nécessaires pour protéger et conserver les habitats des tortues marines</p>	<ul style="list-style-type: none"> a) Identifier les aires renfermant des habitats critiques tels que les corridors de migration, les plages de ponte, les aires d'alimentation et celles occupées entre les pontes b) Désigner et gérer des zones protégées/de conservation, sanctuaires ou zones d'exclusion temporaire dans les aires renfermant des habitats critiques ou prendre d'autres mesures (p. ex. modification des engins de pêche, restrictions du trafic maritime) pour écarter les menaces de ces zones c) Mettre au point des incitations pour la protection adéquate des aires renfermant des habitats critiques hors des zones protégées d) Procéder à des évaluations de l'impact environnemental de la mise en valeur du milieu marin et des zones côtières et d'autres activités humaines susceptibles d'affecter les populations de tortues marines et leurs habitats e) Gérer et réglementer, dans le cadre des compétences respectives, l'utilisation des plages et des dunes maritimes, par exemple l'emplACEMENT et la conception des bâtiments, l'éclairage artificiel et le transit de véhicules dans les aires de ponte f) Surveiller et promouvoir la protection de la qualité des eaux contre les pollutions tellurique et marine, y compris les débris marins susceptibles de porter atteinte aux tortues marines g) Renforcer la mise en oeuvre des interdictions existantes concernant l'emploi de produits chimiques toxiques et d'explosifs dans le cadre de l'exploitation des ressources marines 		
<p>2.2 Réhabiliter les habitats de tortues marines dégradés</p>	<ul style="list-style-type: none"> a) Regarnir le cas échéant les dunes frontales sur les plages de ponte, dans la mesure du possible avec flore indigène, afin de fournir des barrières visuelles à la mise en valeur des zones côtières et de rétablir des régimes de température appropriés sur les plages b) Enlever les déchets faisant obstacle à la nidification des tortues et à la production de nouveau-nés c) Renforcer la réhabilitation des récifs coralliens dégradés d) Renforcer la réhabilitation des habitats de mangroves et d'herbiers 		

Objectif 3. Améliorer la compréhension de l'écologie et des populations de tortues marines par l'intermédiaire de la recherche, de la surveillance et de l'échange d'informations

Programme	Activité	Priorité	Avancement de la mise en oeuvre à ce jour
<p>3.1 Effectuer des études sur les tortues marines et leurs habitats visant à leur conservation et à leur gestion</p>	<p>a) Effectuer des études de base ou collecter des informations secondaires sur les populations de tortues marines et leurs habitats b) Initier et/ou continuer la surveillance à long terme des populations de tortues marines prioritaires afin d'évaluer leur état de conservation c) Préciser l'identité génétique des populations de tortues marines d) Identifier les routes de migration par l'utilisation du marquage, des études génétiques et/ou du traçage par satellite e) Réaliser des études sur la dynamique et les taux de survie des populations de tortues marines f) Mener des recherches sur la fréquence et la pathologie des maladies des tortues marines g) Promouvoir l'utilisation des connaissances écologiques traditionnelles dans les études et recherches h) Examiner périodiquement et évaluer les activités de recherche et de surveillance</p>		
<p>3.2 Réaliser des recherches et surveillances conjointes</p>	<p>a) Identifier et intégrer les besoins prioritaires en matière de recherche et de surveillance dans les plans d'action régionaux et sous-régionaux b) Réaliser des études et surveillances conjointes sur l'identité génétique, l'état de conservation, les migrations et d'autres aspects biologiques et écologiques des tortues marines</p>		
<p>3.3 Analyser les données pour contribuer à atténuer les menaces et évaluer et améliorer les politiques de conservation</p>	<p>a) Hiérarchiser les populations devant faire l'objet des mesures de conservation b) Identifier les tendances des populations c) Utiliser les résultats des recherches pour améliorer la gestion, atténuer les menaces et évaluer l'efficacité des activités de conservation (p. ex. pratiques de gestion des écloseries, perte d'habitats, etc.)</p>		
<p>3.4 Echanger des informations</p>	<p>a) Standardiser les méthodes et niveaux des collectes de données et adopter ou développer une série de protocoles agréée pour, entre autres, la surveillance des plages de ponte, les études des aires d'alimentation, l'échantillonnage génétique et la collecte de données sur la mortalité b) Déterminer les méthodes les plus appropriées à la diffusion de l'information c) Echanger, à des intervalles réguliers, des informations scientifiques et techniques et l'expertise entre les nations, les institutions scientifiques, les organisations non-gouvernementales et internationales, afin de développer et mettre en oeuvre des approches fondées sur les meilleures pratiques pour la conservation des tortues marines et de leurs habitats d) Diffuser les connaissances traditionnelles sur les tortues marines et leurs habitats pour la conservation et la gestion e) Compiler systématiquement les données sur les populations de tortues marines d'un intérêt régional</p>		

Objectif 4. Augmenter la sensibilisation du public aux menaces pesant sur les tortues marines et leurs habitats et accroître la participation du public dans les activités de conservation

Programme	Activité	Priorité	Avancement de la mise en oeuvre à ce jour
<p>4.1 Etablir des programmes d'enseignement public, de sensibilisation et d'information</p>	<p>a) Collecter, développer et diffuser des matériels éducatifs b) Mettre en place des centres d'apprentissage/d'information communautaires c) Développer et mettre en oeuvre des programmes d'information médiatiques rigoureux d) Développer et réaliser des programmes d'éducation et de sensibilisation s'adressant à des groupes cibles (p. ex. responsables politiques, enseignants, établissements scolaires, communautés de pêcheurs, médias) e) Encourager l'intégration des questions relatives à la biologie et à la conservation des tortues marines dans les programmes scolaires f) Organiser des événements spéciaux portant sur la conservation et la biologie des tortues marines (ex. Journée de la Tortue, Année de la Tortue, colloques, Parrainage d'une tortue)</p>		
<p>4.2 Développer des perspectives économiques alternatives pour les communautés locales en vue d'encourager leur participation active dans les efforts de conservation</p>	<p>Identifier et faciliter l'accès à des ressources alternatives (y compris les activités susceptibles de produire des revenus) non nuisibles aux tortues marines et à leurs habitats, en consultation avec les communautés locales et les autres parties intéressées</p>		
<p>4.3 Promouvoir la participation du public</p>	<p>a) Faire participer les parties intéressées, notamment les communautés locales, dans la planification et la mise en oeuvre des mesures de conservation et de gestion b) Encourager la participation des administrations publiques, des organisations non-gouvernementales, du secteur privé et de la communauté dans son ensemble (p. ex. étudiants, volontaires, communautés de pêcheurs, communautés locales) dans les recherches et les efforts de conservation c) Mettre en oeuvre, le cas échéant, des régimes d'incitation en vue d'encourager la participation du public (p. ex. T-shirts pour les retours des marques, reconnaissance publique, certificats)</p>		

Objectif 5. Accroître la coopération nationale, régionale et internationale

Programme	Activité	Priorité	Avancement de la mise en oeuvre à ce jour
<p>5.1 Coopérer avec les Etats signataires et non-signataires et les aider à systématiser et partager les informations sur le commerce, à lutter contre le commerce illégal et à collaborer à la mise en application de la réglementation concernant les produits de tortues marines</p>	<p>a) Encourager les Etats signataires qui ne sont pas encore Parties contractantes à la Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction (CITES) à y adhérer</p> <p>b) Examiner, au niveau national, la conformité avec les obligations au titre de la CITES relatives au commerce de tortues marines, de leurs oeufs, parties ou produits</p> <p>c) Favoriser une meilleure conformité avec la CITES moyennant la formation des autorités compétentes en coopération avec d'autres Etats signataires, le Secrétariat de la CITES et d'autres organisations pertinentes</p> <p>d) Identifier les itinéraires du commerce international illégal par l'intermédiaire de la surveillance et rechercher la coopération en vue de prendre des mesures de prévention, de dissuasion et, là où c'est possible, de suppression du commerce illégal</p> <p>e) Echanger et discuter à des intervalles réguliers les informations sur les questions de conformité et de commerce, p. ex. moyennant l'établissement de rapports annuels adressés au Secrétariat du MoU et à l'occasion des réunions des Etats signataires</p> <p>f) Procéder à l'identification, la prévention, la dissuasion et, là où c'est possible, la suppression du commerce illégal à travers la surveillance, la mise en application de la législation, l'identification des faiblesses des capacités de mise en application de la réglementation dans chaque Etat et la formation des forces de l'ordre</p>		
<p>5.2 Assister les Etats signataires et non-signataires, sur demande, dans le développement et la mise en œuvre des plans d'action nationaux, sous-régionaux et régionaux pour la conservation et la gestion des tortues marines et de leurs habitats</p>	<p>a) Mettre au point une série de mesures-clés de gestion pouvant servir de base aux plans d'action, en consultation avec les administrations publiques concernées, les ONG, les institutions de recherche, les communautés locales et d'autres parties intéressées</p> <p>b) Identifier les plans d'action existants susceptibles de servir de modèles</p> <p>c) Identifier les questions spécifiques de gestion au niveau local pour lesquelles la coopération entre les Etats est nécessaire afin d'assurer le succès des efforts de gestion et de conservation</p> <p>d) Examiner systématiquement les plans d'action afin de tenir compte des derniers progrès accomplis en ce qui concerne les qualifications et les connaissances en matière de conservation et de gestion des tortues marines, ainsi que les changements de l'état de conservation des populations de tortues marines</p>		
<p>5.3 Accroître les mécanismes de coopération et promouvoir l'échange des informations</p>	<p>a) Identifier et renforcer les mécanismes existants en vue d'une coopération au niveau sous-régional</p> <p>b) Développer un site Web et/ou un bulletin d'information afin de faciliter la mise en réseau et l'échange des informations</p>		

	<ul style="list-style-type: none"> c) Développer un outil d'information basé sur Internet pour la conservation des tortues marines (y compris les données sur les populations, la nidification et les projets en cours) d) Créer un annuaire d'experts et d'organisations s'intéressant à la conservation des tortues marines e) Mettre au point des réseaux visant à une gestion coopérative des populations partagées à l'intérieur ou à travers des sous-régions et, le cas échéant, donner un caractère formel aux dispositions de gestion coopérative f) Là où c'est possible, coopérer à la mise en place de zones marines protégées transfrontalières en utilisant les frontières écologiques plutôt que les frontières politiques g) Développer un format rationalisé pour l'établissement des rapports et l'échange des informations (par l'intermédiaire du Secrétariat du MoU et entre les Etats signataires) sur l'état de conservation des tortues marines au niveau national h) Encourager les Etats signataires du MoU qui ne sont pas encore Parties contractantes à la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage (CMS) à y adhérer i) Encourager les Etats signataires à adhérer aux accords mondiaux relatifs à la pêche tels que l'Accord des Nations unies sur les ressources halieutiques (1995) et l'Accord de conformité de la FAO (1993) et mettre en œuvre le Code de conduite pour une pêche responsable de la FAO (1995) j) Etablir des relations avec les organismes régionaux de pêche en vue d'obtenir des données sur les prises accidentelles et les encourager à prendre des mesures de conservation de tortues marines dans le périmètre des ZEE et en haute mer 	
<p>5.4 Renforcer les capacités afin d'augmenter les mesures de conservation</p>	<ul style="list-style-type: none"> a) Identifier les besoins pour le renforcement des capacités en termes de ressources humaines, de connaissances et de moyens b) Offrir une formation (p. ex. sous forme d'ateliers) en matière de techniques de conservation et de gestion de tortues marines aux agences, particuliers et communautés locales c) Coordonner les programmes de formation et les ateliers d) Créer des partenariats avec les universités, les institutions de recherche, les organismes de formation et d'autres organisations compétentes 	
<p>5.5 Renforcer et améliorer la mise en application de la législation en matière de conservation</p>	<ul style="list-style-type: none"> a) Examiner la politique nationale et les règles de droit interne en vue d'identifier les lacunes ou obstacles en matière de conservation des tortues marines b) Coopérer dans le domaine de la mise en œuvre de la législation afin d'assurer l'application compatible des dispositions légales et réglementaires à travers et entre les juridictions (y compris par l'intermédiaire d'accords bilatéraux/multilatéraux et du partage des informations) 	

Objectif 6. Promouvoir la mise en œuvre du MoU, y compris le Plan de conservation et de gestion

Programme	Activité	Priorité	Avancement de la mise en œuvre à ce jour
<p>6.1 Etendre l'adhésion au MoU et assurer la continuité des activités au titre du MoU</p>	<p>a) Encourager les Etats non-signataires à signer le MoU b) Organiser des ateliers sous-régionaux impliquant les Etats non-signataires en vue d'accroître la sensibilisation au MoU c) Réfléchir, à la première réunion des Etats signataires, à la mise au point d'un calendrier pour modifier éventuellement le MoU afin d'en faire un instrument juridiquement contraignant</p>		
<p>6.2 Promouvoir le rôle du Secrétariat et du Comité consultatif du MoU pour assurer que les objectifs du Plan de conservation et de gestion seront atteints</p>	<p>a) Obtenir des sources de financement faibles en vue de soutenir le Secrétariat du MoU b) Nommer, à la première réunion des Etats signataires, les membres du Comité consultatif c) Mettre en place les moyens de communication entre le Secrétariat du MoU et le Comité consultatif pour aider les Etats signataires à prendre avis</p>		
<p>6.3 Rechercher des ressources visant à appuyer la mise en œuvre du MoU</p>	<p>a) Déterminer les activités de conservation et de gestion à financer en priorité b) Etudier les possibilités de financement avec les gouvernements et les autres donateurs tels que la Banque asiatique de développement, la Banque mondiale, le PNUD, l'Union européenne, le PNUF, le FEM, etc. c) Solliciter des crédits et d'autres contributions des industries dont les activités ont un impact sur les tortues marines et sur leurs habitats (p. ex. pêcheries, tourisme, industrie pétrolière, immobilier) d) Etudier l'utilisation d'instruments économiques pour la conservation des tortues marines et de leurs habitats e) S'adresser au secteur privé, aux fondations et aux ONG susceptibles de s'intéresser au financement d'activités dans des pays particuliers en vue de catalyser la mise en place d'un fonds de petites subventions f) Réaliser le financement des activités de conservation et de gestion par l'intermédiaire d'un écotourisme dirigé et d'autres régimes financièrement indépendants (tout en profitant aux communautés locales) g) Rechercher des synergies (en ce qui concerne la collecte de fonds, l'apport de soutien institutionnel, etc.) avec les secrétariats d'autres conventions régionales/mondiales h) Etudier le soutien financier international et d'autres incitations pour les Etats signataires qui gèrent efficacement les populations de tortues marines, ce qui peut inclure l'interdiction totale des prises directes (capture ou mise à mort)</p>		
<p>6.4 Améliorer la coordination entre les secteurs gouvernementaux et non-gouvernementaux en matière de conservation des tortues marines et de leurs habitats</p>	<p>a) Examiner les rôles et les responsabilités des administrations publiques liées à la conservation et à la gestion des tortues marines et de leurs habitats b) Désigner un organisme chef de file responsable de la coordination de la politique nationale en matière de conservation et de gestion des tortues marines c) Encourager la coopération dans et entre les secteurs gouvernementaux et non-gouvernementaux, y compris le recours au développement et/ou au renforcement des réseaux nationaux</p>		

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

First Meeting of the Signatory States
Bangkok, 22-24 January 2003

Report of the Screening Committee

1. The Screening Committee, comprised of representatives of Australia, Cambodia, Mauritius, Philippines, Sri Lanka, the United States and Viet Nam, met to review the nominations submitted by signatory States for the Advisory Committee, as set forth in the Memorandum of Understanding. Fifteen nominations were submitted.
2. The Screening Committee took into account the agreement of the signatory States that the Advisory Committee should be expertise-based, and further added the criteria that the members should have a background of marine turtle biology and conservation work, in addition to other qualifications, and that they should have experience within the region.
3. Although the draft terms of reference indicated that there could be up to 10 members on the Advisory Committee, the Screening Committee took note that it was not necessary at this time to choose all 10 members. It considered that it might be beneficial to retain some flexibility to recruit additional expertise as the signatory States deemed necessary, or to allow for new signatories to make nominations that could add to the membership of the Advisory Committee over the next two years.
4. Within these guidelines, the Committee reviewed the nominations. Although all nominees were deemed to be qualified in some way to contribute to the work of the MoU, the Committee chose six nominees to forward to the meeting of the signatory States. These nominees were chosen based on their academic and practical expertise. The Screening Committee felt they would provide the best possible scientific and management advice and assistance to the signatory States.
5. The nominees forwarded for the consideration of the meeting of the signatory States are: K.D. Amarasooriya, Dr. Jack Frazier, Dr. Colin Limpus, Dr. Jeanne Mortimer, Dr. Nicholas Pilcher, and Romeo Trono. The C.V.'s for these nominees are available from the Secretariat. The Screening Committee prepared a resolution to adopt these nominees as the first members of the Advisory Committee, which will be attached to the report of the meeting after its adoption.
6. The Screening Committee also recommended some revisions to the draft terms of reference for the Advisory Committee to reflect suggestions and changes proposed during plenary and developed in the discussions of the Screening Committee. The Screening Committee felt these changes would refine the procedures for nominations and improve the guidance for the activities of the Advisory Committee. For example, one suggested change was to add a point to the Mandate and Tasks section to indicate that the Advisory Committee should make recommendations to the signatory States regarding additional expertise it determined might be necessary to help in its work.
7. Another suggestion of the Screening Committee was to develop some tasks for the Advisory Committee, to be included on the agenda of its first meeting whenever that might be scheduled. The example used in the paragraph above regarding a recommendation on additional expertise might be one of the items for that agenda. Another recurrent item for the agenda of the Advisory Committee would be to review any available nominations to provide advice to the meetings of the signatory States on the merits of the nominees.
8. The Screening Committee discussed the question of timing of the meetings, and agreed that meetings of the Advisory Committee should be held at least once a year. Members of the Screening

Committee expressed a preference that meetings be held immediately prior to the meetings of the signatory States. The Screening Committee endorsed the concept that all methods of communication between meetings be utilized, specifically electronic means such as e-mail, and that the Advisory Committee should also take advantage of other sea turtle meetings or conferences to carry out their work where possible.

9. The members of the Screening Committee also discussed the idea that the chair of the Advisory Committee sit as an observer/participant at the meetings of the signatory States, and that in addition the Advisory Committee chair attend the meetings of the African Marine Turtle MoU, and vice versa. These ideas are reflected in the draft Terms of Reference for the Advisory Committee, the final text of which will be annexed to the report of the meeting.

10. The Screening Committee further recommends to the signatory States that future nominations include individuals in the associated fields of expertise that have been identified as relevant to the work of the MoU, including community development, socio-economics, coastal development/management, environmental impact assessment etc. Future nominations should also include a curriculum vitae that describes the nominee's expertise in the areas related to marine turtles in a very detailed and comprehensive way.

11. A member of the Screening Committee proposed that when the Scientific Councillor for Marine Turtles for the Convention on Migratory Species was also a member of the IOSEA MoU Advisory Committee, that person should report to the CMS Scientific Council on the progress of the Memorandum of Understanding.

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

First Meeting of the Signatory States
Bangkok, 22-24 January 2003

Resolution on the Establishment of an Advisory Committee

The signatory States, in fulfilment of the provisions of the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia, as regards the establishment of an Advisory Committee, select at their first meeting the following individuals to initially comprise the Advisory Committee:

1. K.D. Amarasooriya
2. Dr. Jack Frazier
3. Dr. Colin Limpus
4. Dr. Jeanne Mortimer
5. Dr. Nicholas Pilcher
6. Romeo Trono

The signatory States also adopt the terms of reference for the Advisory Committee, attached to this resolution, with a view to strengthening the procedures for the work of the Committee.

**Terms of Reference for the Advisory Committee established pursuant
to the Memorandum of Understanding on the Conservation and Management of
Marine Turtles of the Indian Ocean and South-East Asia**

Adopted on 24 January 2003

Nomination and Appointment

Each signatory State may nominate one or more individuals 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 a 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.

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).

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.

Size and Composition

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.

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

Meetings

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.

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

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.

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

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;
- 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 (SEAFDC), 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.