

MEMORANDUM OF UNDERSTANDING

CONCERNING

**CONSERVATION MEASURES FOR THE EASTERN ATLANTIC
POPULATIONS OF THE MEDITERRANEAN MONK SEAL
(*MONACHUS MONACHUS*)**

Memorandum of Understanding

concerning

Conservation Measures for the Eastern Atlantic Populations of the Mediterranean Monk Seal (*Monachus monachus*)

Among the competent authorities of:

The Islamic Republic of Mauritania

The Kingdom of Morocco

The Republic of Portugal

The Kingdom of Spain

The undersigned, acting on behalf of the respective authorities named above,

Recognising that the Mediterranean Monk Seal (hereinafter the Monk Seal), *Monachus monachus*, is one of the most threatened mammals in the world and that IUCN – The World Conservation Union - has classified the species as critically endangered;

Aware of their international responsibilities to conserve the Atlantic populations of the Monk Seal pursuant to the Convention on Biological Diversity (CBD) (Nairobi, 1992), which has recognized migratory species as a unique globally important component of biodiversity under the Convention on Migratory Species (CMS) (Bonn, 1979), and that CMS is the CBD lead partner in conserving and sustainably using migratory species over their entire migratory range;

Recalling that the Monk Seal is included in both Appendix I and Appendix II of CMS, thus highlighting the need for concerted action and international cooperation among the Range States;

Further recalling that CMS calls for international cooperative action to conserve migratory species, and that CMS, article IV, paragraph 4, encourages CMS Contracting Parties to conclude Agreements in respect of the population or a part of the population geographically isolated;

Acknowledging that the Mediterranean populations of the Monk Seal have been the focus of attention since 1986 by the Mediterranean Action Plan of the United Nations Environment Programme (UNEP), and that an Action Plan for the Monk Seal in the Mediterranean has been developed within the framework of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (hereinafter Barcelona Convention);

Conscious that the Monk Seal remains endangered across West Africa and the Macaronesia due to the loss of its range and the decline in its numbers, and that actions must be taken immediately to prevent the disappearance of the remaining populations;

Noting that the Monk Seal plays an important ecological role in coastal and marine ecosystems, and that genetic studies indicate that the Atlantic populations may form a separate unit;

Acknowledging that natural phenomena and the development of human activities have significantly reduced the Monk Seal population, and that this has caused extreme demographic stress leading the species to find refuge in suboptimal and fragmented habitats;

Understanding that this species performs long movements, which makes the survival of the individuals dependent upon the conservation of habitats in the coastal and marine area of the Range States, and also in the high seas;

Conscious that better knowledge of the Monk Seal's biology and movements would assist in targeting conservation measures;

Recalling that the Atlantic Monk Seal Working Group, with financial and leading support from the Ministry of Environment of Spain, has developed the Action Plan for the Recovery of the Mediterranean Monk Seal in the Eastern Atlantic (hereinafter the Action Plan), and that the Eighth Meeting of the CMS Conference of the Parties (Nairobi, 2005) has endorsed the Action Plan;

Recognising that some of the Range States have already developed national Monk Seal conservation strategies and programmes, and that the implementation of this MoU will strengthen their on-going efforts, while providing a further basis for the other Range States to develop their own national strategies;

Acknowledging their shared responsibility to conserve the Monk Seal, especially those populations frequenting cross-border terrestrial and marine areas, and the desirability of encouraging all Range States, as well as non-governmental organizations, to take part in a joint initiative to implement this MoU and the Action Plan; and

Confirming that the Range States of the Monk Seal have the first responsibility to implement this MoU.

DECIDE to work closely together to improve the conservation status and the habitat of the Eastern Atlantic populations of the Monk Seal throughout its range.

To this end, in a spirit of mutual understanding and cooperation, they will individually or collectively:

1. Take steps to conserve and, when and where appropriate, to strictly protect the Monk Seal and to conserve and promote the sustainable use of the habitats essential for its survival.
2. Take steps to ratify the most relevant international conventions addressing Monk Seal's conservation, in order to reinforce the species' protection.

3. Subject to the availability of resources, implement in their respective countries the provisions of the Action Plan annexed to this MoU as a basis for conserving all populations of the species in the Eastern Atlantic. The Action Plan will include *inter alia* measures to: (a) evaluate the status and threats of monk seals; (b) maintain and increase Monk Seal populations; (c) create a network of protected areas for the Monk Seal; and (d) promote the regional coordination of actions between the Range States. These objectives would be accomplished, in large part through the development and implementation of national Monk Seal conservation and management strategies and action plans, effective international cooperation among the Range States involved and an increased liaison and coordination between the Barcelona Convention and CMS.
4. Facilitate through the Atlantic Monk Seal Working Group, the rapid exchange of scientific, technical and legal information necessary to coordinate conservation measures and to cooperate with recognized experts and scientists, other international organizations and other Range States so as to facilitate their work conducted in relation to the MoU and Action Plan.
5. Assess the implementation of this MoU, including the Action Plan, at regular meetings to be attended by representatives of each of the authorities concerned and persons or organizations technically qualified in the conservation of the Monk Seal. The Range States, in liaison with the CMS Secretariat, will convene such meetings.
6. The signatory authorities shall appoint a technical advisor in consultation with the CMS Secretariat, to facilitate the implementation of the MoU and Action Plan. The technical advisor will be fully involved with any meeting preparations and shall participate in any relevant meetings, whether regular or extraordinary, as well as the work of this Memorandum.
7. Designate a competent authority to serve as a contact point for the other signatories and communicate without delay the name and contact details of this authority (and any changes thereto) to the CMS Secretariat.
8. Provide the CMS Secretariat at least every two years after the date of the Memorandum's entry into effect with a report on implementation of the MoU in each of their respective countries. The CMS Secretariat will transmit to each of the Range States and the co-operating organizations all of the reports received.
9. This MoU will be considered an agreement under CMS article IV, paragraph 4.
10. The Action Plan annexed to this MoU is an integral part thereof.
11. This MoU will take effect immediately for those Range States that have signed it. It will remain open for signature indefinitely, and will become effective for each subsequent Range State on the date of signature. The MoU will remain in effect indefinitely subject to the right of any signatory to terminate its participation by providing one year's written notice to all of the other signatories.
12. Each signatory accepts financing the collaboration foreseen in the framework of this MoU according to its ordinary budget availability and always in conformity with the national legislation.

13. This MoU, including the Action Plan, may be amended by a consensus of all signatories.
14. Nothing in this MoU will be legally binding on any of the signatories either individually or collectively.
15. Nothing in this MoU will preclude signatories from implementing stronger measures than those specified in the Action Plan, in accordance with international law.
16. All Atlantic Range States of the Monk Seal will be eligible to sign this Memorandum of Understanding.
17. The signatory States, in consultation with CMS, shall agree upon the establishment of a Secretariat to facilitate the implementation of the MoU.
18. The working languages for all matters related to this MoU will be Arabic, English, French, Spanish and Portuguese.

On behalf of the respective authorities referred to above:
Au nom des autorités respectives nommées ci-dessus:
En representación de las respectivas autoridades anteriormente citadas:

Representative of Mauritania
Représentant de la Mauritanie
Representante de Mauritanie

ALMAMY SAMBA Baly BA
Chargé de Missions au Ministère des Pêches
18 octobre 2007



(Signature/Firma)

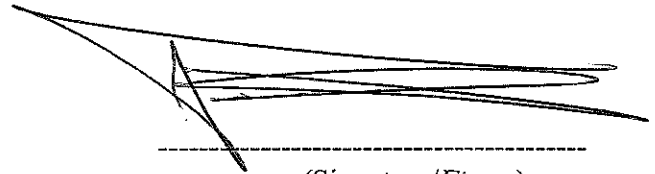
(Name in block letters/nom en majuscules d'imprimerie/Nombre en Mayúsculas)

(Date/Fecha)

(Function/position/Cargo)

Representative of Morocco
Représentant du Maroc
Representante de Marruecos

TARMIDI Mohammed



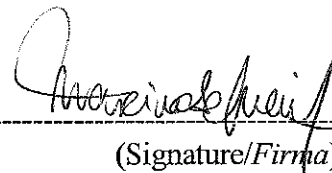
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(Name in block letters/nom en majuscules d'imprimerie/Nombre en Mayúsculas)

18 OCTOBRE 2007 Secrétaire Général du Département
des Pêches Maritimes (Date/Fecha) (Function/position/Cargo)

Representative of Portugal
Représentant du Portugal
Representante de Portugal

MARINA LOEWENSTEIN DE SEQUEIRA



(Signature/Firma)

(Name in block letters/nom en majuscules d'imprimerie/Nombre en Mayúsculas)

18 OCT. 2007

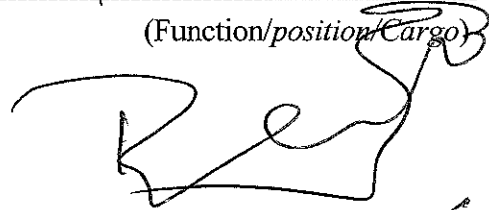
BIOLOGIST AT INSTITUTE FOR NATURE CONSERVATION
TISV

(Date/Fecha)

(Function/position/Cargo)

Representative of Spain
Représentant de l'Espagne
Representante de España

BORJA MEREDIA ARMADA



(Signature/Firma)

(Name in block letters/nom en majuscules d'imprimerie/Nombre en Mayúsculas /)

18 de OCTUBRE de 2007 JEFE DE AREA DE ACCIONES DE CONSERVACION

(Date/Fecha)

(Function/position/Cargo)

6 MINISTERIO DE MEDIO AMBIENTE
MADRID

Signatures of representatives of Organizations participating in the MoU
Signatures des représentants des organisations qui participent au MdA.
Firmas de los representantes de las organizaciones que participan en el MdE.

Representative of the UNEP/CMS Secretariat
Representante de la Secretaría de PNUMA/CMS.
Représentant du Secrétariat PNUE/CMS



(Signature/Firma)

ROBERT HEDWORTH

(Name in block letters/nom en majuscules d'imprimerie/Nombre en Mayúsculas)

18 October 2007

Executive Secretary, UNEP/CMS

(Date/Fecha)

(Function/position/Cargo)

Representative of IUCN – The World Conservation Union
Représentant de l’UICN - Union Mondiale pour la Nature
Representante de la UICN – La Unión Mundial para la Naturaleza

(Signature/Firma)

(Name in block letters/nom en majuscules d'imprimerie/Nombre en Mayúsculas)

(Date/Fecha)

(Function/position/Cargo)

DONE at/Fait à/Hecho en _____ on this/le/el _____ day of/le/de _____ 2007