



Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme



SECOND MEETING OF THE SIGNATORY STATES TO THE MEMORANDUM OF UNDERSTANDING CONCERNING CONSERVATION MEASURES FOR MARINE TURTLES OF THE ATLANTIC COAST OF AFRICA

5-7 March 2008, Senegal, Dakar

UNEP/CMS/MT-AFR2/Report

REPORT OF THE SECOND MEETING OF THE SIGNATORY STATES

1. The second meeting of the Signatory States to the Memorandum of Understanding that was initially scheduled to be held in South Africa in September 2007 in conjunction with the 5th and 8th conferences of the Abidjan and Nairobi Conventions, was postponed for several reasons. It was finally held in Dakar at the Hotel Ngor Diarama from 5 to 7 March, 2008.

2. The second meeting was attended by approximately 80 participants representing 22 Signatory States, experts from France, Spain, Italy, the United States of America, and several other institutions and non-governmental organisations (the list of participants can be found in Annex 1), and dealt with the agenda annexed to the report (see Annex 2) during three days of intensive work.

Item 1 of the agenda: Opening ceremony, adoption of the Agenda, provisional Schedule and Election of members of an Administrative Bureau for the meeting

3. In his welcoming speech (Annex 3), the Interim Secretary in charge of the New Partnership for African Development (NEPAD), Mr. David Njiki Njiki, welcomed the representative of UNEP, the Deputy Executive Secretary of CMS and other participants, and expressed satisfaction about the partnership between SINEPAD and CMS and his delight that the conference was being held.

4. He declared that his Secretariat had been established to enable the implementation of the first Action Plan on the Environment, a ten-year plan comprising themes which were subdivided into three main areas i.e. the conservation and sustainable use of natural resources, combating all forms of adverse impact and climate change. Section 4 of this plan provided for “the conservation and use of marine and coastal resources” which fitted the theme of this workshop perfectly into the main priorities of SINEPAD.

5. He appealed to all countries to take proper account of marine turtle conservation in their Development Plans since, he said, the issue of these reptiles was an integral part of the issue of cross-border management of natural resources which was a shared task. Indeed, it is quite true that migratory species did not apply for travel visas to cross national frontiers; they were guided solely by the favourable or unfavourable conditions prevalent in the natural environment hosting them.

6. The Deputy Executive Secretary of the CMS, Mr. Lahcen El Kabiri, expressed gratitude on behalf of CMS, to the government of Senegal for agreeing to host URTOMA and also for agreeing to stage the second meeting of the Signatory States of the Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa that had initially been scheduled to be held in South Africa (see Annex 4).

7. He also expressed his gratitude to all Signatory States and the renowned national experts from African and non-African countries for their participation in the meeting, six years after the first meeting had been held. He looked back at the different stages in the run-up to the signing in 1999, of this Abidjan Memorandum of Understanding and the launch of work to elaborate the Conservation Plan (CP) at the first meeting of the Signatory States in Nairobi in 2002.

8. He reminded participants that the principal objectives of the meeting were to re-assess the implementation of the Memorandum by the Signatory States on one hand, and on the other, to develop the Memorandum by creating a Scientific and Technical Advisory Committee as well as updating the Conservation Plan.

9. Moreover, he indicated that the adoption of a national reporting format would allow the new database to be provided with information and to move in a short time to a system of electronic continuous reporting following the example of the Indian Ocean – South-East Asian Marine Turtle Memorandum of Understanding (IOSEA).

10. He also noted that participants would be called upon to discuss the terms of reference and rules of procedure governing the Scientific Committee with the aim of achieving a lean and functional structure. The experts making up this committee would be elected on the basis of their professional competence, personal qualities and their reputation in this area, and should be in a position to meet and exchange expertise coordinated by the Secretariat, the Coordination Unit and the Signatory States.

11. Finally he emphasized that all these objectives and the improvements of the *modus operandi* in conjunction with this article 4, paragraph 4 agreement under the Convention would definitely necessitate the amendment of the text of the Memorandum by consensus (paragraph 2 of the Fundamental Principles).

12. Conveying the apologies as well as words of encouragement of Mr. Bakary Kanté, Director of the Division of Environmental Law and Conventions of UNEP, who could not be present because of last minute problems, Mr. Kilaparti Ramakrishna, thanked the government of Senegal on behalf of UNEP, for agreeing to host this meeting. He expressed the satisfaction of his organization at the significant advances made in the partnership between SINEPAD, the government of Senegal and UNEP/CMS (see Annex 5).

13. As for the Action Plan which required the commitment of all parties he indicated that UNEP found it desirable that other countries and organisations not yet signatories to the MoU should become involved in the process.

14. UNEP would do everything possible to seek financial resources from partners to facilitate the success of the work on the conservation of marine turtles and other migratory species. This will be realized through scientific research and capacity building for the purpose of promoting sustainable development. In his opinion, this meeting was an opportunity for exchange of knowledge amongst experts and an important tool for conservation that should contribute to the advancement of the process in the interest of all parties concerned.

15. He reminded participants of the major objectives of the conference and reaffirmed his confidence that the meeting would proceed smoothly and produce interesting results.

16. In his speech, the *Directeur de Cabinet*, Sidy Gueye representing the Minister of State at the Ministry of Environment, Nature Conservation, Reservoirs and Artificial Lakes (MEPNBRLA), welcomed participants and stressed the importance of the state of natural

resources characterizing the Atlantic coast of Africa with particular reference to the presence of six different species globally threatened species of turtle which were subject to different dangers.

17. He added that the commitment of African States with the help of external partners would undoubtedly contribute in the future to the improvement of the state of conservation and promotion of the development of the remaining population of turtles.

18. Amongst the measures thus far undertaken, he mentioned the establishment of the URTOMA sub-branch in Dakar and the start of the major project for a “large green wall” and the reservoirs.

19. According to the *Directeur de Cabinet*, the presence of Signatory States and several observers in this meeting would facilitate the harmonization of divergent positions in respect of the conservation of marine turtles of the region and would be able to offer the opportunity of re-assessing the state of the work of the MoU. It would also enable gaps to be measured, constraints identified, obligations and projections for the future made to finalise the national and legal institutional frameworks necessary for an integrated and effective policy to implement the memorandum.

20. He recognized the importance of the signing of the Memorandum of Understanding by countries like the United Kingdom of Great Britain and Northern Ireland, Spain and Portugal, as well as those within the range and other countries and international institutions that would lead to a better and more efficient implementation of the memorandum and finally wished participants much success in their undertaking.

21. Following the opening ceremony, the Deputy Executive Secretary of CMS asked participants to elect an Administrative Bureau as set out in the agenda. The participants gladly accepted the proposal made by Ms. Séné Thiam, Coordinator of URTOMA, to appoint an Administrative Bureau for the meeting.

22. The meeting adopted by consensus a resolution on the composition of the Administrative Bureau as follows: (a) Chairman – Senegal, M. Pape Ndiaye, presently the Director of IFAN (Cheikh Anta Diop University in Dakar), (b) Vice Chairman – Gambia, Mr. Alpha Oumar Djallo, and (c) Reporters: Cameroon - M. Mahamat Habibou and Sierra Leone - M. Edward Aruna.

23. There were a few remarks and observations concerning the provisional order of items contained in the document UNEP/CMS/MT-AFR 2/2 in respect of the agenda, expressing concerns about the huge volume of items of discussions planned for three days. Priorities were therefore re-defined and the amended timetable was adopted.

24. The Deputy Executive Secretary of CMS urged delegates who had not submitted their letters of accreditation to submit them to the Coordinator of URTOMA, who would then verify the letters of accreditation assisted by two volunteers and pass them over to the Secretariat of CMS.

Item 2 of the agenda: Presentation of the Report of the first Conference of the Signatory States held in Nairobi (Kenya)

25. The report of the Nairobi meeting (document UNEP/CMS/MT-AFR2/Inf1) was presented by the Deputy Executive Secretary of the CMS. It contained the joint vision of the Signatory States of the Agreement in relation to the African process scientific research, the general hazards faced by the turtle species and the priorities of the conservation for each species.

26. He touched on programmes which had already been implemented as well as those that were still being carried out and the difficulties encountered in carrying on actions initiated once all outside financial support had been exhausted.

27. Then, the Deputy Executive Secretary mentioned some natural and anthropogenic factors (artisanal and industrial fishery) that had had a negative impact on the survival of marine turtles. Still, in order to deal with environmental problems the African agenda for development and environmental protection had included on its list the protection and the management of marine turtle. At the time of the first conference, countries had been urged to encourage signature of the MoU to facilitate the implementation of the programme, solidarity amongst African countries and their participation in the MoU by nominating focal points and the enlargement of the MoU by other countries.

28. In this context, this report further stressed the necessity for each country to nominate a national focal point, to produce the conservation plan, to adopt a format for national reporting, to set a framework of measures and future collaboration, definition of priorities in key areas, identification of possible draft project proposals and other sources of financing as well as drawing up and adopting a provisional calendar for future activities.

29. Taking advantage of the presence of experts from Spain and the Canary Islands, the USA, France, Portugal and the United Kingdom, the Deputy Executive Secretary in his conclusion, asked members to look for opportunities of opening the possibility of accession to the MOU to such non-African countries whose activities had a bearing on the survival of as well as to other organizations capable of rendering support to the protection of marine turtles.

30. In this respect, France reaffirmed its intention to join the MoU after it had completed the process in respect of the Indian Ocean – South-East Asian Marine Turtle Memorandum of Understanding (IOSEA). Growing awareness was evident among decision-makers in the United Kingdom and Spain of the importance of acceding to the MoU, following the example of the 23 Range States along the Atlantic coast of Africa, which had all signed the agreement.

31. The Nairobi Declaration was introduced during the presentation of this report.

32. In the open debate following the presentation, it was observed that the African process was making gradual progress, as was becoming visible in numerous, specific actions. It should however be noted all the same that these actions should be coordinated with other African programmes like the Abidjan Convention, climate change, etc.

Item 3 of the agenda: Partnership between UNEP/CMS and SINEPAD

33. It was noted that the Agreements Officer at the CMS Secretariat was responsible for monitoring most of the other memoranda. However, as a result of insufficient staff numbers,

the CMS Secretariat had not been able to give priority to coordinating this Memorandum, whose activities were being led locally by existing marine turtle networks.

34. This explained the interest in the establishment of a partnership that had allowed the MoU to create a Coordination Unit (“URTOMA”) with the support of the Senegalese government, which had made premises available as well as staff made up of civil servants.

35. This Coordination Unit was subordinate to SINEPAD, and headed by CMS and UNEP which would support its operation during the period from 2006 to 2009. The unit should now be able to implement an annual work plan, to analyze national reports as well as raise public awareness.

36. SINEPAD was invited by this meeting to prepare a programme for the conference of the Ministers of NEPAD scheduled for June 2008, draw up a list of projects for sustainable development of marine turtles as well as seek sources of finance.

37. However, as far as scientific research was concerned, it had become clear that it was necessary to involve research institutions in the entire process. Certain difficulties had been revealed, in particular obtaining CITES permits in relation to transferring marine turtle samples for laboratory analysis.

38. At the same time, to ensure continued activities for the conservation of marine turtles, the question of financing projects revealed the necessity of synergy between partners so that finance for each country was known.

39. Moreover, communication between the Secretariat and Focal Points should be improved, and the objectives redefined with greater precision as to what is to be achieved.

40. Participants confirmed that the interval between meetings (6 years between the 1st and the 2nd) had not been conducive to better communication and making decisions aimed at the improvement of the conservation of marine turtles in Africa.

41. The Deputy Executive Secretary of CMS observed that holding meetings was an expensive venture and an acceptable frequency of such meetings should be looked into with a view to optimizing the use of funds.

42. He also mentioned that the creation of a committee within the Coordination Unit should look into additional sources of finance in cooperation with CMS, UNEP and SINEPAD/Env.

Item 4 of the agenda: Examining the items from the Workshop of January 2007 and the work programme of URTOMA

43. The focus was specifically on the working programme of URTOMA for the period 2007-2008 (document UNEP/CMS/MT-AFR2/Inf. 3, as presented to the participants) and the possibility of partnerships for conservation projects and research on marine turtles.

44. On this issue, Ms. Thiam, Coordinator of URTOMA reminded participants of the objectives of the unit, the progress made so far as well as difficulties encountered. She also called for the realistic and ambitious objectives to be defined.

45. In this context, she mentioned the problem of the dissipation of effort, which weakened the effectiveness of actions, as well as the problem of insufficient funds placed at the disposal of the unit.

46. Possible solutions included: the necessity of reinforcing the capacity of URTOMA to enable it to carry out its mandate and objectives to the greatest extent possible, the setting up of a meeting and exchange between actors in the field of the exploitation of marine resources (PRCM, European Union for the Agreement of Fishing Rights, Commission of the Sub-region on Fishing, African States, etc.) and the organisation of a common initiative with the help of FAO and the NGOs.

Item 5 of the agenda: Updating the Conservation Plan

47. The revised conservation plan (document UNEP/CMS/MT-AFR2/4) was presented with its different objectives and programmes by the consultant, Mr. Jacques Fretey.

48. Different points were expressed in respect of this document, particularly the relevance or not of its similarities with the conservation and structure plan of IOSEA, the difficulties in carrying out certain activities, the fact that certain programmes like management of beaches, monitoring of the hatching of turtles and the greater implication of local communities had not been taken into account.

49. It was agreed that the approval of the plan be deferred to the days ahead to enable participants to formulate their observations more precisely.

50. The document was debated on the second day and a small working group set up to subsequently elaborate the document further for onward transmission to the Secretariat of CMS and URTOMA, which would then circulate it to the States.

51. It was requested that the comments be passed over to Mr. Jacques Fretey within a reasonable period of time to enable him re-edit the document and produce a final draft (Annex 7).

Item 6 of the agenda: Presentation of progress made so far (Country-by-Country presentation)

52. The aim of this item on the agenda was to offer each country the opportunity to present the progress made by them in the field of marine turtle conservation. However, since there was a huge number of reports presented (23 reports of the Signatory States) and there was little time available, the presentations were then made in different groups. Moreover the time was still not enough to have all countries present their reports but the different reports were deposited at the secretariat for further processing and for publication on the website of URTOMA www.urtoma.org.sn. Only South Africa, Republic of Benin, Cape Verde, Côte d'Ivoire, Gabon, Ghana, Republic of Guinea and Guinea-Bissau were able to share the progress made by their various country with other participants.

53. All these reports had something in common: the efforts made by the countries in the conservation of marine turtles stressed the importance of effectively involving all the actors. The common problems related to the lack of technical, financial and material capacity came to light. In addition, it should be noted that many activities were still in progress.

54. The hazards to which turtles were exposed, the same across the entire range, are chiefly capture, pollution, coastal erosion, urbanisation and tourism. On the other hand,

management differs from country to country, with monitoring being better organised and more intensive in those countries benefiting from external and domestic financial resources like Gabon, South Africa and Cape Verde.

55. To be able to manage these species of migratory marine turtles in a sustainable manner, the meeting appealed for large-scale cooperation between people, countries, continents and organisations.

56. Sub-regional training sessions had already been held in Guinea-Bissau within the scope of the Regional Program for the Conservation of Coastal Zones and the marine region of West Africa (PRCM) and institutional arrangements would now have to be strengthened, the process of public awareness raising continued, alternative income-generating activities to be initiated for the population, with civil society and public authorities involved in the process.

Item 7 of the agenda: Presentation of the summary of national reports and discussion on the format of national reporting.

57. At the present moment, only three countries had submitted their national reports to URTOMA in time. No composite report could be presented in the absence of the other national reports. Countries that had yet completed their reports were kindly invited to do so as quickly as possible.

58. Participants had however recognized the relevance of a national report format (document UNEP/CMS/MT-AFR 2/5), but had also agreed that it should be closely intertwined with the pattern of the Conservation Plan, which was still under examination to take account of all activities.

59. The problems encountered by the countries were also discussed with respect to the filling in the form and it was agreed that the capacity of staff on the ground should be boosted to attain a higher level of efficiency in monitoring of marine turtles, which was a new activity.

60. The experts Mr. Jacques Fretey and Ms. Tiwari Manjula had been mandated by the CMS Secretariat to review the format of national reports and produce a final document in this respect. The final document would also be forwarded to the Secretariat of CMS and URTOMA to be sent round among the Signatory States (Format of national reports in Annex 8).

Item 8 of the agenda: Scientific aspects of the Memorandum

61. This item of the agenda included information in respect of the formation of a regional database on marine turtles and a Scientific Unit in Gorée (Senegal).

62. URTOMA had placed a public call for tender for the creation of a database on marine turtles of the Atlantic Coast of Africa. The associated Terms of Reference and the work of the selected consultant were presented to the meeting participants, highlighting the objectives, contents and the description of the main tasks to be performed. An Officer-in-Charge of the management of the database was also appointed.

63. Participants appreciated the progress that had thus far been accomplished and expressed the desire to develop the current project in such a simple manner so as to produce a flexible reporting system accessible to all actors (States, NGOs).

64. One of the delegates suggested making use of the database of IOSEA to benefit from the tried and tested too. CMS was invited to approach the Secretariat of IOSEA to look into the possibility of using the model of its database.

65. Secondly, the project of the creation of a scientific sub-agency by URTOMA the island of Gorée, within the structures of the Institut Fondamental d'Afrique Noire (IFAN), was also presented. The idea was to profit from the old biological marine station of IFAN, which was founded in the late 1950's by Professor Théodore Monod, but which was unfortunately no longer functional. The re-establishment of this station would require among other things the restoration of the buildings.

66. The Scientific sub-agency of Gorée would be placed under the direct authority of URTOMA. Its main functions would be to set major guidelines for the conservation of marine turtles, management of the three regional West African databases, implement awareness raising and public relations programmes carry out desk studies, distribution of available materials and tools.

67. This initiative was favorably accepted and the government of Senegal was requested to monitor this process with the help of interested parties.

Item 9 of the agenda: Examining of non-Signatory States and Organizations and amendment of the MoU

68. The document UNEP/CMS/MT-AFR2/6 prepared by the CMS Secretariat, was presented by Lahcen El Kabiri, who evaluated the state of accessions to the MoU, as well as the level of participation of States and organisations that were of significance to the memorandum.

69. He also noted that in addition of the signature of all African states, the position of the United Kingdom and the clarification of France's position to join the MoU, CMS had sent invitations to a number of organisations that were of importance to the cause of turtle conservation, but there had so far been no positive response. This meant that the procedure of signing the MoU during this meeting as foreseen in item 3 of the Agenda would not go ahead.

70. The overall picture of accession showed that all 23 African countries along the Atlantic coast had signed the MoU and contacts were underway with other political entities under the jurisdiction of Spain, United Kingdom, Portugal as well as France to join the MoU.

71. The representative of France demonstrated the interest of his country in signing the MoU and precised that this would be done after signing IOSEA. In its official reaction, the United Kingdom stated that it was currently in the process of consultation with the affected territories. Ms. Tiwari Manjula revealed that the USA had also declared interest in acceding to the memorandum. Partners such as IUCN had also declared their desire to support the MoU through their Consultative Committee, made up of a network of experts at their disposal.

72. Consequently, the Deputy Executive Secretary of CMS presented a draft decision seeking to amend the memorandum to allow the integration of the creation of a Consultative Scientific and Technical Committee in addition to enabling CMS to initiate the procedure for the creation of a regional Coordination Unit whenever deemed necessary. He explained that the proposed draft had been discussed with representatives of UNEP before presenting it to the meeting and for it to be adopted by consensus would have to be reached.

73. Delegates were invited to comment on the proposed amendment to the Memorandum in respect of the Scientific Committee as well as to give their opinion on the Secretariat's suggestion that necessary measures should be taken for the Coordination Unit of the MoU, whose activities had already been launched in January 2007.

74. On this point, a majority of those present at the meeting gave their opinion on broadening the amendment to allow the possibility to have the MoU signed by other non-African countries, Range States of marine turtles along the south Atlantic coast or simply countries interested in the conservation of turtles.

75. The meeting agreed that since some countries like the United States, United Kingdom and France were not mentioned in the wording of the MoU, it was necessary for the meeting to decide on the amendment.

76. To give this last point due consideration, the draft, the text which was initially prepared by the Secretariat of CMS was amended by a proposal tabled by Mr. John Frazier. The final text of the draft was presented once again to participants for adoption.

77. At this point, the Deputy Executive Secretary of CMS suggested to the meeting chairman to suspend debate on this issue until item 11 of the agenda (the creation of a Consultative Scientific and Technical Committee) had been resolved and this was accepted by the chairman.

Item 11 of the agenda: Establishment of a Consultative [Scientific and Technical] Committee.

78. The Terms of Reference (ToR) for the creation of a Scientific and Technical Committee (STCtee) of URTOMA (document UNEP/CMS/MT-AFR2/7) had been presented in advance by the Consultant Mr. Jacques Fretey. The presentation had been followed by a discussion on the excessive powers of the future Committee chairman, the administrative location, the powers of the committee, its composition and the manner of appointing members, its functions and the liaison between this committee and URTOMA.

79. The question of handling probable disputes between the URTOMA Secretariat and the STCtee and the election of its first members was raised. For this reason, it was decided that no hierarchical reporting but rather functional reporting and a preliminary group (of 5 to 6 persons) should be chosen on the basis of their competence (based on their CVs).

80. To finalise the Terms of Reference, two working groups were set up, one anglophone and one francophone. The submission of their work led to further observations, differences of opinion on method electing future members. The francophone group suggested that members should be appointed on the basis of their competence following a core for candidates.

81. The Anglophone group in addition to this method of appointment added the possibility of countries propose members.

82. To harmonize the positions, another mixed working group was put in place to consolidate the final shape of the draft resolution on the establishment of the committee being able to consolidate a final draft of the proposal for establishing the Committee.

83. Further remarks and observations were made notably on the equitable distribution of membership amongst member states, discipline, effective relationship between the committee

and URTOMA, the transmission of reports to URTOMA and to Signatory States, and the need to take account of the existence of sub-regional networks as it is the case of IOSEA.

84. The meeting adopted the Terms of Reference (Annex 9) and invited the CMS Secretariat to constitute the committee, which should henceforth bear the name “Consultative Committee” and would be included in the decision on the amendment of the MoU which is the subject of item 9c. of the agenda here below.

Item 9c. of the agenda: Amendment of the MoU (Continued)

85. After consultations with the delegates, the text of the draft amendment decision (Annex 9) was the subject of remarks by delegates from South Africa, Sierra Leone and Cameroon. Even though this issue was on the agenda, these States observed that they would have welcomed some more time to study the contents before making their positions known on the draft amendment as presented in the meeting. As requested by the Deputy Executive Secretary of CMS these delegates did not place particular reservations on the adoption of the principle.

86. The meeting recognized that putting back the amendment for more than a reasonable period of time might entail the risk of delaying certain initiatives like the signing of the MoU as currently envisaged for other states, and consensus should therefore be sought during this meeting as long as a quorum was available.

87. At this stage, the Coordinator of URTOMA passed on to the Deputy Executive Secretary of CMS the approved letters of accreditation of the following 11 Signatory States: South Africa, Angola, Cape Verde, Congo (DRC), Côte d’Ivoire, Gambia, Guinea, Liberia, Nigeria, Sao Tome & Principe, and Sierra Leone.

88. The meeting adopted the decision by consensus on the condition that none of the three Signatory States specified in paragraph 84 above or any other signatory state filed an official objection to the resolution at the Secretariat of CMS within a maximum period of fifteen days following the meeting. Once the period had passed the draft amendment would be considered accepted and final.

Item 12 of the agenda: Adoption of the Closing Report

89. The presentation of the draft report by the team of rapporteurs in the plenary and its adoption formed the last part of work of the meeting.

90. The meeting was brought to a close by the Technical Counsellor of the Minister of Environment, Nature Conservation, Reservoirs and Artificial Lakes of Senegal (Annex 10), after words of thanks expressed by the Chairman, the UNEP representative and the Deputy Executive Secretary of CMS Secretariat to the government of Senegal and to the participants for all their efforts and for the excellent outcomes which the meeting had achieved.

91. At the end of the afternoon, participants were invited for an excursion to the island of Gorée, as part of UNESCO’s World Cultural Heritage.