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

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FIRST MEETING OF THE SIGNATORY STATES

Bangkok, 22-24 January 2003

REPORT OF THE INTERIM SECRETARIAT

1. The present report covers the activities of the interim secretariat, the functions of which have been provided by the UNEP/CMS Secretariat in Bonn, Germany, since June 2001. The main issues covered include: reporting, depositary functions, recruitment of signatory States, establishment of the MoU Secretariat, efforts to secure a Junior Professional Officer, and organisation of the present meeting.

Reporting

2. An official copy of the *Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia*, including the Conservation and Management Plan adopted in Manila in June 2001, was widely circulated in August of that year. The report of the Conference on the Conservation and Management of Marine Turtles of the Indian Ocean and South-East Asia (Manila, 9-23 June 2001) was circulated at the same time, and posted on the CMS Web site.

Depositary Functions

3. The Arabic translation of the Memorandum of Understanding was reviewed at the Manila conference. There, the Arabic-speaking participants indicated, after examination and incorporation of some amendments, that the Arabic version would need a final review by legal advisors. The Ministry of Regional Municipalities and Environment of the Sultanate of Oman generously arranged for such a review of the translation of the Memorandum, as well as the preparation of an Arabic translation of the Conservation and Management Plan.

4. As soon as the final translations were received in February 2002, the interim secretariat circulated them to all Arabic-speaking Range States, with a request to receive comments of a purely editorial nature by 31 March 2002.

5. There being no further comments, the text contained in Annex 1 to this report is considered to be the official Arabic version of the Memorandum of Understanding, including the Conservation and Management Plan.

6. The interim secretariat prepared the French translation of the Conservation and Management Plan (the French translation of the Memorandum of Understanding having been approved already in Manila), and circulated it to all French-speaking Range States for comment in February 2002. In March 2002, the secretariat received from the *Centre d'Etude et de Découverte des Tortues Marines de la Réunion* a number of proposals for editorial improvements to the translation. Unfortunately, the interim secretariat's subsequent efforts to have these proposed changes submitted through official channels, so that they could be transmitted for consideration by other Governments, did not bear fruit.

7. If the procedure prescribed in the interim secretariat's letter of 4 February 2002 were followed, the official French language version of the Conservation and Management Plan should stand as it appears in Annex 2a, since no official comments to the contrary were received by the deadline of 31 March 2002. The interim secretariat considers this situation to be unfortunate, as the suggestions that were made by the *Centre d'Etude et de Découverte des Tortues Marines de la Réunion* were strictly editorial in nature and constitute improvements to the original translation.

8. Should the Bangkok meeting wish to re-examine this matter, a version of the Conservation and Management Plan containing the suggested editorial improvements to sections 1.3, 1.5, 4.1, 5.2, 5.3, 5.4, 6.2, and 6.3 has been reproduced in Annex 2b.

Recruitment of Signatory States

9. The Memorandum of Understanding took effect on 1 September 2001 for the following eight States: Australia, Comores, Islamic Republic of Iran, Myanmar, Philippines, Sri Lanka, United Republic of Tanzania, and United States of America.

10. The interim secretariat has sought to secure additional signatures, most recently on the occasion of the Seventh Meeting of the Conference of the Parties to CMS, held in Bonn, Germany, in September 2002. A further five Range States have signed the Memorandum over the past year (date of effectiveness shown in brackets): Vietnam (1 October 2001), United Kingdom (1 June 2002), Kenya (1 August 2002), Mauritius (1 December 2002) and Cambodia (1 March 2003).

11. At least three States -- India, Maldives, and Seychelles -- are expected to sign the Memorandum on the occasion of the present meeting. The secretariat has also received indications from Djibouti, Oman and Pakistan of their intention to sign the Memorandum in the not too distant future. Interventions made by the Australian Government in the course of 2002 were said to have received a positive reception from several other States, including Egypt, France, Indonesia, Jordan, Papua New Guinea, South Africa, and United Arab Emirates.

Establishment of the MoU Secretariat

12. The conference held in Manila in June 2001 agreed by consensus to accept an offer from the United Nations Environment Programme to co-locate the MoU Secretariat with the UNEP Regional Office for Asia and the Pacific (UNEP/ROAP), in Bangkok, under terms described in Annex 6 to the report of that meeting (reproduced as document MT-IOSEA/SS.1/Inf. 3). Formal establishment of the secretariat would depend on securing sufficient voluntary funding to cover operating costs for at least two years.

13. Over the past year and a half, the CMS Secretariat has solicited Governments and other organisations for voluntary contributions, and the results of those successful efforts are described in document MT-IOSEA/SS.1/Doc. 10 (Financial and Administrative Matters). In February 2002, satisfied that the pledges of funding were expected to reach a sufficient level, the Deputy Executive Director of UNEP authorised the CMS Executive Secretary to initiate the procedures required to establish a new post in Bangkok. In February-March 2002, in consultation with the UNEP/ROAP Regional Director and the UNON/Human Resource Management Service in Nairobi, a job description was prepared as a basis for the formal establishment and classification of the new post of Coordinator/Senior CMS Advisor. In May 2002, the United Nations Office of Human Resources Management in New York formally classified the post, an essential prerequisite for the circulation of a vacancy announcement. The vacancy announcement was prepared and circulated internally and externally by UNON/HRMS in June 2002, with the closing date for applications set at 11 July 2003.

Recruitment procedures were finalised in December 2002. Details of the arrangements for the formal establishment of the MoU Secretariat, which is expected to occur by end of February/beginning of March 2003, will be announced at the meeting in January.

Efforts to secure a Junior Professional Officer

14. As part of its offer to host the MoU Secretariat, UNEP indicated it would endeavour to source a second staff member through its Junior Professional Officer (JPO) programme, primarily to assist the Coordinator, as well as carrying out other duties for the UNEP/ROAP office, on a 60/40 time share basis. In August 2002, the interim secretariat worked with UNEP's Division of Environmental Conventions and UNEP/ROAP to develop an appropriate job description (submission attached at Annex 3).

15. In October 2002, UNEP advised that the request for a JPO for the Bangkok office was one of 26 that had been prioritised for sending to donors for their consideration for funding. As of the time of writing, no Government had so far expressed an interest in financing the post. It is hoped that one of the signatory States attending the meeting will give serious consideration to financing either one of its own nationals or a junior professional officer from a developing country within the region, to provide the MoU Secretariat with this essential support.

Organisation of the present meeting

16. In view of its intensive preparations for the Seventh Meeting of the Conference of the Parties to CMS, held in September 2002, the earliest possible date for the CMS Secretariat to organise the present meeting would have been late 2002. As the original proposal of early December proved to be inconvenient for at least one signatory State, the meeting was shifted to the first date in January when the United Nations Conference Centre in Bangkok could accommodate it. Since announcing the meeting in mid-November, the interim secretariat has worked intensively to contact interested organisations, to make the necessary logistical arrangements and to prepare the meeting documentation.

17. In addition to sending documents to interested parties by post, the interim secretariat has sent documents regularly by e-mail or fax and has posted them on the CMS Web site in Word and/or PDF format as they became available. To the extent that internet connections may not be ideal in some countries, the interim secretariat would appreciate feedback on whether any difficulties have been encountered in obtaining documents in advance of the meeting.

18. With some notable exceptions, the list of countries having expressed interest in participating in the meeting corresponds fairly closely to representation at previous negotiation sessions. A handful of countries that have never participated in the process remain on the sidelines. Disappointingly, a number of Range States that were quite active in earlier deliberations have not registered to attend, despite having been sent several reminders. Whether this indicates a breakdown in communication channels or pre-occupation with other commitments is hard to assess. In any case, an early priority for the MoU Secretariat should be to try to re-establish reliable communication channels with all of these countries so that they are kept abreast of developments and are encouraged to participate in the Memorandum.