

Inventory

Implementation of Articles III.4 and III.5 of the Convention

Madagascar			
Party since 1 January 2007			
National Reports submitted: COP12 (2017), COP11 (2014), COP10 (2011)			
Relevant Legislation			
	See below		
Article III.5			
	Laws that Implement the Take Prohibition		
		Aquatic Mammals	Taking of all Appendix I aquatic mammals is prohibited. • Law 2015-053 of 2 December 2015 on the Code of fishing and aquaculture prohibits taking of all species protected under Madagascar laws or ratified treaties.
		Terrestrial Mammals	Unknown
		Birds	Taking of all Appendix I birds is prohibited. • Law n° 2015-005 of 26 February 2015 reforming the Code of protected areas. • Law n° 2015-053 of 2 December 2015 on the Code of fishing and aquaculture.
		Reptiles	Taking of all Appendix I reptiles is prohibited. • Law 2015-053 of 2 December 2015 on the Code of fishing and aquaculture prohibits taking for all species protected under Madagascar laws or ratified treaties.
		Fish	Unknown
	Exceptions to the Take Prohibition		
		Aquatic Mammals	None granted, but no law is identified to determine the scope of permissible exceptions.
		Terrestrial Mammals	Unknown
		Birds	None granted, but no law is identified to determine the scope of permissible exceptions.
		Reptiles	None granted, but no law is identified to determine the scope of permissible exceptions.
		Fish	Unknown

Article III.4		
	Laws to conserve and, where feasible and appropriate, restore habitats of CMS Appendix I species	
		<ul style="list-style-type: none">• 123 protected areas that constitute potential habitat for migratory species in Madagascar.• Antogil Bay, Sainte Marie, Cap Sainte Marie for <i>Megaptera novaeangliae</i>.• Nosy Ve Marine Park, Antogil Bay, Cap Sainte Marie for <i>Physeter microcephalus</i>.• Nosy Hara marine park, Barren Islands for sea turtles. However, insufficient information is provided to identify the content of any obligations for these areas.
	Laws that prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species	
		Windmills (birds and bats) Unknown
		Cell towers (birds and bats) Unknown
		Dams (fish) Unknown
		Road construction (mammals) Unknown
		Train tracks (mammals) Unknown
		Fishing gear/bycatch (marine mammals, sea turtles, fish) Unknown
		Shipping (marine mammals) Unknown
	Laws that prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of or controlling or eliminating, already introduced species.	
		<ul style="list-style-type: none">• Awareness and follow-up actions and plans, but insufficient information provided as to whether the plans and policies include mandatory duties.• Various guides and directives have been enacted for the preparation of environmental impact studies, but insufficient information provided as to whether the plans and policies include mandatory duties.• In Mahajanga, authorities buy back from fishermen captured turtles to release them. When infractions are found, local administrative authorities can arrest, confiscate fishing gear, and destroy camping gear that interferes with habitat.• On the Barren Islands, turtles poachers are arrested and fined 214 euros.• Surveillance and monitoring activities from national parks agents are efficient to prevent and reduce factors that threaten migratory species. However, no specific measures or obligations are listed.• BaOBaB project is financing the census of humpback whales, studying their movement and breeding. However, no specific measures or obligations are listed.

Reservations, territorial inclusions, and territorial exclusions		
	Reservations	None
	Territorial Scope	"Madagascar". Thus, the Convention is presumed to apply to all territory, including all overseas territories and semi-autonomous zones.