

Inventory

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

Panama		
Party since 1 May 1989		
National Reports submitted: COP12 (2017), COP10 (2011), COP9 (2008)		
Relevant Legislation		
<ul style="list-style-type: none"> • Law 24 of 9 June 1995: Wildlife Law. It establishes that wildlife is part of Panama’s natural patrimony and declares as public domain the protection, conservation, restoration, research, management, and development of the natural patrimony. It prohibits hunting wildlife outside of authorized areas and without the necessary permits. No permits are granted for any Appendix I species. • Decree 43 of 7 July 2004: Establishes regulations to implement Wildlife Law. • Law 39 of 24 November 2005: Law of sports hunting. • Law 13 of 5 May 2005: Creates the Panama Marine Corridor for the protection of marine mammals. • DM-0657-2016 of 16 December 2016: Update of the list fauna and flora species in danger of extinction, and grants protection to marine and aquatic mammals. • Executive Decree 5 of 1 February 2017: Regulates the procedure of direct punishments for environmental infractions. • Law 24 of 18 May 2007: Criminal Code, incorporates crimes against the environment. • Resolution AG-0069-2014: Whale shark watching. • Law 1 of 2 February 2015: Creates the Protected Area Ramsar Site Wildlife Refuge Panamá Bay Wetland. • Law 5 of 3 January 1989: Approves CMS. • Resolution AG-051-2008: Update of endangered species. 		
Article III.5		
Laws that Implement the Take Prohibition		
	Aquatic Mammals	<p>Taking of all Appendix I aquatic mammals is prohibited.</p> <ul style="list-style-type: none"> • Law 13 of 5 May 2005: Creates the Panama Marine Corridor for the protection and conservation of marine mammals from hunting, capture, or any other activity that harms these species. It declares marine mammals as “species of special national attention”. However, insufficient information provided to understand legal significance of this classification. • Law 24 of 9 June 1995: Wildlife Law • DM-0657-2016 of 16 December 2016: grants protection to marine and aquatic mammals. However, insufficient information provided to

		understand legal significance of this classification.
	Terrestrial Mammals	Taking of all Appendix I terrestrial mammals is prohibited. None of the Appendix I mammals has presence in Panama, but there are laws focused on the protection and conservation of terrestrial mammals and their habitats. Law 24 of 9 June 1995: Wildlife Law, No hunting permits are granted for any Appendix I species.
	Birds	Taking of all Appendix I birds is prohibited. <ul style="list-style-type: none"> • Law 24 of 9 June 1995: Wildlife Law. • DM-0657-2016 of 16 December 2016: Prohibits capture, possession, and transportation of wildlife without the necessary permits.
	Reptiles	Taking of all Appendix I reptiles is prohibited. <ul style="list-style-type: none"> • Law 24 of 9 June 1995: Wildlife Law • Law 8 of 4 January 2008: Ratifies the Inter-American Convention for the Protection and Conservation of Sea Turtles. • DM-0657-2016 of 16 December 2016: Update of fauna and flora species in danger of extinction. • DE-No.5 of 1 February 2017: Regulates the procedure to impose direct sanctions for environmental infractions. Possession for commercial or consumption purposes of sea turtle products and sub-products in violation of current regulation is sanctioned with a fine of B/.2,000.00.
	Fish	Taking of all Appendix I fish is not prohibited.
Exceptions to the Take Prohibition		
	Aquatic Mammals	Exceptions are allowed but none have been granted. Resolved ARAP ¹ No. 01 of 14 March 2007: Adopts the agreement of exceptions for the capture of marine mammals for captivity, which was issued on 18 January 2007 by the Directive Committee of the Panama Marine Corridor. There has not been a situation yet where this regulation had to be applied.
	Terrestrial Mammals	None granted, but no law is identified to determine the scope of permissible exceptions.
	Birds	None granted, but no law is identified to determine the scope of permissible exceptions.
	Reptiles	Exceptions are allowed.

¹ ARAP probably refers to Autoridad de los Recursos Acuáticos de Panamá. See <http://arap.gob.pa/>.

			Resolution CIT-COP6-2013-R1 about exceptions under article IV (3A and 3B) for the harvest for subsistence purposes of <i>Lepidochelys olivacea</i> in Guatemala and Panama: Authorizes the harvest for subsistence purposes of eggs of this species to the community of the Wildlife Refuge Isla de Cañas, in the Tonosi district, Los Santos province. This resolution does not authorize capture or hunt of adult turtles. Also, the community does not consume turtle meat; whether it may do so is not clear.
		Fish	Unknown
Article III.4			
Laws to conserve and, where feasible and appropriate, restore habitats of CMS Appendix I species			
		<p>Reforestation programs and sanitation of Panama Bay. However, insufficient information provided to understand legal status and specific content of the programs.</p> <p>Creation of protected areas. 34% of the territory is protected.</p> <ul style="list-style-type: none"> • Ramsar Site Wildlife Refuge Panamá Bay Wetland. • Creation of sites of biological importance for the protection of migratory marine mammals. However, insufficient information provided to understand legal status and specific content of the programs. 	
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)	Monitoring use of Turtle Excluder Devices (TEDs) in shrimp nets. Using these devices is mandatory.
		Shipping (marine mammals)	Using devices to separate traffic to avoid collisions of ships with whales in the Panama Canal in the Pacific Ocean during migratory season of humpback whales. However, insufficient information provided to understand legal status.
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.			
		Beach and mangrove cleanup programs. However, insufficient information provided to understand legal status and specific content of the programs.	

		<p>Law 24 of 18 May 2007 Title XIII: Criminal Code, Crimes against the environment and territorial planning. It penalizes actions that violate rules for the protection of the environment and wildlife. It includes sanctions against hunting, fishing, capturing, killing, extracting, or trafficking and commercializing without permits, a protected aquatic or terrestrial wildlife species that is endemic, vulnerable, threatened, or in danger of extinction.</p> <p>DM-0031-2017 of 27 January 2017: Approval of the National Action Plan for Sea Turtles in Panamá. However, insufficient information provided to understand if the plan includes mandatory duties.</p> <p>National legislation on environmental contamination, soil, water, and air. However, no specific laws mentioned.</p> <p>National legislation on whale watching. However, no specific laws mentioned.</p> <p>Oversight to control illegal sea turtle hunts. However, insufficient information provided to identify content of oversight measures.</p> <p>Evaluation Impact Assessments are mandatory for any infrastructure project, and the depth of the assessment depends on the category of the project. The study needs to include alternatives or modifications to the project so that it does not drastically affect fauna. There is also a Resolution that mandates companies that carry out development projects to create a plan to rescue and relocate fauna. However, no specific law identified.</p> <p>Recovery of populations of <i>Lepidochelys olivacea</i>. However, insufficient information provided to identify content of any measures.</p>
Reservations, territorial inclusions, and territorial exclusions		
	Reservations	None
	Territorial Scope	“República de Panamá”. Thus, the Convention is presumed to apply to all territory, including any overseas territories and semi-autonomous zones