

Inventory

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

Samoa		
Party since 1 November 2005 ¹		
National Reports submitted: COP12 (2017), COP11 (2014), COP10 (2011)		
Relevant Legislation		
	<ul style="list-style-type: none"> • Lands, Surveys and Environment Act 1989. • Environment Management and Conservation Bill 2013. • Marine Wildlife Protection Regulations 2009. • Fisheries Regulation 1996. 	
Article III.5		
	Laws that Implement the Take Prohibition	
	Aquatic Mammals	Taking of all Appendix I aquatic mammals is prohibited, but relevant law is not identified.
	Terrestrial Mammals	Unknown
	Birds	Taking of all Appendix I birds is not prohibited.
	Reptiles	Taking of all Appendix I reptiles is not prohibited.
	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

¹ Samoa reports that it became a party on 16 August 2005. However, that is the date on which its instrument of ratification was signed. Article XVIII, paragraph 2, of the Convention states that, after the Convention has entered into force, a State acceding to CMS thereafter becomes a party “on the first day of the third month following the deposit . . . of its instrument of ratification, acceptance, approval or accession”. As Samoa submitted its instrument of ratification 31 August 2005, the Convention entered into force for it on 1 November 2005, as recorded by the CMS website and Germany, the depositary government, in a Note Verbale of 31 October 2005.

Article III.4		
	Laws to conserve and, where feasible and appropriate, restore habitats of CMS Appendix I species	
	<ul style="list-style-type: none"> • The Aleipata and Safata Marine Protected Areas protect the nesting <i>Eretmochelys imbricata</i> (hawksbill turtles) and the nesting beaches, as well as some of the resting areas for whales and dolphins. Main nesting beaches around Aleipata are included in the MPAs and therefore specimens of <i>Eretmochelys imbricata</i> are not allowed to be harvested. • Samoa has engaged with local communities to restore nesting beaches of marine turtles. 	
	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)	<ul style="list-style-type: none"> • Marine turtles caught in by-catch alive are to be released. • Samoan fishermen have formed networks to discuss the bycatch issue resulting from tuna longlining and practicable measures to address it. • Samoa has been part to the efforts by some regional organizations to develop alternative methods to reduce cetaceans bycatch from longlining.
	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"> • Environmental Impact Assessment (EIA) appears to be required for land-based and coastal development activities. EIA must consider migratory species, e.g. turtles and their habitats, as part of the Development Consent application and approval process. • Samoa has developed Marine Mammal Action Plans and habitat level management and/or recovery plans. However, insufficient information is provided to identify the content of any obligations. 	

		<ul style="list-style-type: none"> • Samoa engages in awareness raising and education programs, particularly with respect to marine turtles, that involve local communities.
Reservations, territorial inclusions, and territorial exclusions		
	Reservations	None
	Territorial Scope	“Samoa national waters and Exclusive Economic Zone”. Thus, the Convention is presumed to apply to all territory, including any overseas territories and semi-autonomous zones.