

## Report of the V Meeting of the Scientific Committee

### Summary

After reporting on the status of the Convention as well as several events held between the fourth and fifth meetings of the Committee, acknowledging the achievement of initiatives supporting compliance with the objective of this Convention, and, taking into account the uncertainty of the future of this Convention, the urgent need for establishing collaborative links and synergies with others having similar objectives was emphasized. The revision of the document prepared during the Fourth Meeting of the Committee by the Fisheries Interactions Working Group was completed, based on agreements and other progress made in forums focusing on fishery issues, particularly FAO, IATTC and CICC, in order to provide concrete recommendations for the Parties and facilitate the implementation of resolution **CIT-COP3 2006 R2 “Reduction of the adverse impact of fisheries on sea turtles”**. At the same time, such guidelines will help compliance with previously acquired commitments in other international forums. Upon acknowledging the complexity of regulating different activities outside the jurisdictional waters of the Parties—such topic being of outmost importance -, the recent FAO initiative was used as a recommendation that Parties incorporate and support the proposed **agreement on measures to be taken by the port State in order to prevent, deter and eliminate illegal, unreported and unregulated fishing**, in particular to make sure that the concept of conserving sea turtles and their habitats is clearly included in the agreement. Annual reports submitted to the Secretariat were reviewed, and it was found that, in addition to a very late submission pattern, well after the established deadline, or a lack of submission, there was also a general lack of basic and clear information and evidence, which expresses the lack of compliance with some measures adopted in the resolutions. Consequently, some of the Committee members were concerned about the actual usefulness of the annual reports. With the intention of clarifying any confusion, simplify the process, reduce the administrative load and reinforce the usefulness of the information provided, the format of the annual reports was revised once more, and some changes were proposed. It should be noted that since presenting an annual report is a mandated of the Convention, it is essential to continue working on this matter.

### 1) Updating the status of the Convention

The *Pro Tempore* Secretariat reported on the events of the Extraordinary Meeting held from October 10 to 12, 2007 in Lima, Peru, which was scheduled since COP3 and called specifically for resolving two urgent matters: (1) the financing of the Convention and (2) the establishment of a permanent Secretariat, with one head office and rules for selecting staff.

### 2) It was stated that:

- The financial situation of the Convention is still uncertain;
- Several countries are not able to make economic contributions due to the lack of legal personality of the Convention;
- Since each Party has to pay for the expenses of its delegation, it is unlikely that a Consultative Committee meeting will be held this year since to date, only 3 countries have expressed their ability to participate;

- It is very likely that by the end of the present year the Convention will run out of funds;
  - The process for appointing a Permanent Secretary is still under discussion;
  - No candidates were postulated for the Secretary position;
  - The situation of the Secretariat's venue is still unclear;
  - In view of the foregoing facts, it is evident that the priority of the COP4 will be to work on these fundamental challenges, which remain unresolved to this date. This implies that there will be little time during the COP4 for working on aspects directly related to the conservation of sea turtles and their habitats, which is the purpose of the Convention.
- 3) After hearing such news, the Committee members expressed their deep concern for the uncertainty of the status of the Convention and the lack of resolution of the fundamental steps for its operation. It was noted that, facing this situation of uncertainty and lack of concrete progress, it is the Scientific Committee who has sustained some level of activity and the image of a working Convention.
  - 4) It was agreed that each member of the Committee should make an effort to explain to their respective focal points and governments the urgent need for finding mechanisms for quickly resolving such challenges, in order to develop an effective collaboration instrument in the conservation of shared resources, taking advantage of the considerable human and financial resources already invested in it.
  - 5) Likewise, the urgency of developing synergies and cooperation with different instruments, conventions, commissions and organizations whose objectives are similar to the objectives of this Convention was pointed out.
  - 6) Some information was considered – both recent and historical – about events relating to sea turtles in different countries of the region, particularly with regard to high levels of direct exploitation, significant incidental catch values, continuous problems of illegal traffic and large disturbances of nesting and feeding areas, as well as important turtle concentrations during different nesting, feeding and migration stages. Due to all of this, it is most pressing that the Parties and the Secretariat develop cooperation mechanisms with different Non-Party States, in particular Canada, Chile, Cuba, El Salvador, Nicaragua and Dominican Republic-, preferably by means of their adhesion to the Convention.
  - 7) The basic importance of the Committee sending comments, as well as clear and trustworthy suggestions to the governments of the Parties for the purpose of providing the best scientific information available and complying with the objective of the Convention was expressed.
  - 8) **Update concerning events directly related to the Convention performed during the period between the fourth and the fifth meeting:**  
 Different Committee members submitted brief summaries on the different initiatives in which they participated after their last (fourth) meeting (between August 2007 and August 2008), which are shown in Annex III. In considering this information, and for strengthening the development of the Inter American Convention for the Protection and Conservation of Sea Turtles, particularly through synergies, the Scientific Committee deems it fundamental to highlight the following points:

9) **Atlantic Basin**

The Committee recognizes the importance of the creation of the Southwest Atlantic Network (ASO), as well as the South Atlantic Sea Turtle Network, and supports such valuable initiatives for the knowledge and conservation of turtles depending on sea and coastal areas in Western South America and also in Western Africa; the connectivity of these regions in opposite sides of the South Atlantic ocean basin has been verified through research with conventional tagging and satellite transmitters, as well as through genetic studies.

- 10) In this same regard, the Committee recognizes the importance of the **Memorandum of Understanding Relative to the Conservation Measures for Sea Turtles in the West Coast of Africa** as a collaboration instrument between the States interested in the conservation of sea turtles and their habitats in that region, which is part of the area of geographical distribution of turtles inhabiting the western Atlantic. Because of this, the Committee supports this initiative and invites the States and organizations interested in the subject to explore the possibilities of collaborating with such an instrument.

11) **Pacific Basin**

The Committee recognizes the importance of the **Regional Program for the Conservation of Sea Turtles in the Southeastern Pacific**, which, as an activity of the Lima Convention, is constituted by five States of the region, of which three are Contracting Parties to the Inter American Convention for the Protection and Conservation of Sea Turtles: Ecuador, Panama and Peru. The Committee agrees with the importance of the three priorities identified: creation of committees/national networks, national diagnostic and standardization workshops. Therefore, it is essential to develop mechanisms for an ample collaboration between these two instruments that are very closely interrelated, starting with the signing of the Memorandum of Cooperation, approved by the Parties at the Lima Convention.

- 12) The Committee also recognized the importance of holding the **Expert's Workshop on the Reduction of Incidental Catch of Sea Turtles in the Eastern Pacific, with emphasis on the Leatherback turtle -*Dermochelys coriacea***-, in which experienced people working towards the conservation of these turtles identified and prioritized activities to be carried out that would minimize incidental catch, as a way of supporting the recovery of *Dermochelys coriacea* in the Eastern Pacific. The Committee congratulates the Mexican Government for their current support on the recovery of this species. It is known that the leatherback turtles nesting in the Eastern Pacific migrate to southern waters on the same side of the ocean, thus exposing themselves to different fishing fleets operating in that region; hence the importance of involving experts from Peru and Chile.

- 13) Due to the abovementioned, the Committee recommends the following:

- a. That the Secretariat and the Parties make all necessary efforts for achieving the adhesion of Chile to this Convention;
- b. That the Party States of this Convention that are present in the area of distribution of this turtle population (including reproduction, feeding and migration areas) adopt the pertinent actions recommended by the workshop experts.

- 14) Furthermore, the Committee recognizes the importance of the **Eastern Pacific Hawksbill Turtle Initiative (ICAPO)**, and congratulates the government of El Salvador for its support in carrying out this initiative. The Committee agrees that, according to the IUCN, *Eretmochelys imbricata* is “critically endangered”, a conservation status especially predominant in the Eastern Pacific, where, along the Eastern Pacific littoral, this species is being threatened by a series of human activities that affect its conservation status. Since nesting of *E. imbricata* along the coasts of El Salvador represents over 70% of the known nesting in the region, the importance of this country to the convention is emphasized.
- 15) Therefore, the Scientific Committee recommends that:
- a. The Secretariat of the Convention makes all possible efforts in promoting the adherence of El Salvador to this Convention;
  - b. The Contracting Parties in this Convention make all possible efforts for promoting the adherence of El Salvador to this Convention.
- 16) It was observed that many initiatives directly related to the work of this Convention, financed, organized and/or supported by some Party states, do not contemplate the official participation of the Convention, which detracts from the value of its status and operation.
- 17) **Recommendations for the implementation of the Resolution “Reduction of the adverse impacts of fisheries on sea turtles” (CIT-COP3 2006 R2).**  
The Committee reviewed the draft of the Fisheries Interactions Working Group written during the IV Meeting of the Committee last year. It was made clear that the object of the document is to provide follow up on Resolution “**Reduction of the adverse impacts of fisheries on sea turtles” (CIT-COP3 2006 R2)**, in which the Parties agreed to adopt the “Guidelines to reduce sea turtle mortality in fishing operations” of the United Nations’ Food and Agriculture Organization (FAO), to reduce the mortality of sea turtles captured by fisheries operations, and consider, as appropriate, recommendations integrated by the Scientific and Consultative Committees of the Convention.
- 18) Through lengthy discussions on the “Fisheries interactions” document, an attempt was made to clarify, strengthen, organize and focus the recommendations based on the FAO guidelines approved by the FAO Fisheries Committee (COFI) in 2005.
- 19) For the purpose of emphasizing that most measures exposed in the document have already been previously approved by the Parties in other forums, a column was included indicating the commitments acquired prior to the added actions. The document “**Recommendations for the implementation of the Resolution “Reduction of the adverse impacts of fisheries on sea turtles” (CIT-COP3 2006 R2)**” is presented in Annex IV.
- 20) **Proposed Agreement on measures to be taken by the port State in order to prevent, deter and eliminate illegal, unreported and unregulated fishing**  
The fifth Meeting of the Scientific Committee of the Inter American Convention for the Protection and Conservation of Sea Turtles acknowledged the progress made in the elaboration of the previous **Agreement** as a result from a technical inquiry made from

writing a legally binding instrument, carried out by FAO in Rome, from July 23 to 27, 2008. Such project is based on the **International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing** approved by the FAO Fishing Committee in 2001. Its main objective is to “guarantee the sustainable use and long-term conservation of marine resources through the adoption of harmonized measures reinforced by the port State, in order to prevent, deter and eliminate illegal, unreported and unregulated fishing” [Article 2].

- 21) It should be pointed out that, since the first COP of this Convention, incidental catch of sea turtles, especially in high seas, has been identified as one of the most important, yet most difficult to document, let alone mitigate, threats. For such reason, it is considered that the Proposed Agreement provides the legal tools needed to face the most serious problems concerning the handling of live marine resources, particularly sea turtles.
- 22) The Scientific Committee considers that a binding agreement such as that promoted by FAO could reinforce sea turtle protection measures, especially populations where their distribution also comprises the high-sea zones outside of the jurisdictional areas of the Signatory Parties of this Convention.
- 23) Therefore, the Committee acknowledges the significance of this Proposed Agreement for regulating high-sea fishing activities that exert a great impact on sea turtles and suggests that the Parties participate actively in the discussions involving the official collaboration of the Convention, in order to guarantee that the final text of the agreement includes conservation measures for sea turtles and their habitats.
- 24) **Review the information provided in annual reports submitted to the Secretariat (Annexes V, VI and VII).**

Three working groups were formed to review annual reports, which were divided into three sections: sections 1.1 to 3.1, 3.2 to 9 and the section recently added to the annual report on implementing the resolutions on *Dermochelys* conservation, *Eretmochelys* conservation and mitigation of fisheries interactions. The objective was to present a synthesis of the information provided and a comparative analysis between Parties.
- 25) Nevertheless, the three groups detected a series of basic problems, including the lack of standardization in the methodology of the way information was presented in each one of the reports, lack of information in many of the reports, inconsistencies between years within the same country, too-general or imprecise information, use of ambiguous terms, overloaded information tables or too much information in one single table, confusion in the repetition of data from former years although only data from the current year should be presented, unnecessary repetition of information in two or more tables, etc.
- 26) There were several problems concerning the clarity and precision of the information provided, due in part to a lack of clarity and/or organization in the instructions, although this is not the only possible explanation of the lack of basic information in the reports. In any case, the problems with the format and content made it impossible to perform a comparative analysis of such information.

- 27) Concerning the *Dermochelys*, *Eretmochelys* and fisheries resolutions, the analysis of the reports on the section regarding compliance with resolutions showed that in the case of the resolution on *Dermochelys*, compliance is only 30.3% when taking into account the seven reports submitted to this date, while this percentage is lower (13.4%) for the total number of countries party to the Convention. It is remarkable that the activity most achieved was measures for reduction in use.
- 28) In the case of the resolution on *Eretmochelys*, the analysis for its compliance shows 11.9% for the countries that submitted reports, while for the total number of Parties to the Convention the percentage was only 6.4%. It should be noted that the most frequent activities carried out are research, reinforcement and monitoring.
- 29) The analyses of answers provided in the national reports for follow up on the fisheries resolution showed a compliance of 43.6%, while the analysis of this compliance for all Parties was 21.8%.
- 30) The serious problem in the delay in submitting annual reports –or on the other hand, the total failure in submitting the report (see summary in Annex VIII) was pointed out. It is very rare for a Party to submit its report on time. The problem was particularly serious during the present year, with four Parties submitting their reports with a delay of over 3 months, and three Parties did not submit theirs. Three reports were submitted during the fifth Committee meeting. Since work was carried out in Spanish during the meeting, there was no urgent need for translating such reports into English, which would have been impossible.
- 31) **Review of the annual report format and instructions (Annexes V, VI and VII)**  
The tables of the annual report format were analyzed and a restructuring was suggested for several of them. Such restructuration consisted of eliminating some columns, since the information they contained could not be analyzed with comparative parameters at a regional level. In other cases, it was proposed that the information requested in a table was separated and presented in a new table or in a simpler text form.
- 32) Concerning the tables requesting legal, administrative and other types of information. From 4 to 9, a reorganization of the information was proposed in order to reduce redundancy, in some cases combining the information from two tables into a single one.
- 33) Likewise, based on a synthesis of mandates directly deriving from the text of the Convention (summary provided by the Chair of the Committee; see Annex IX), a proposal was made for organizing the description of activities carried out for complying with these basic mandates.
- 34) Along with the restructuring of the tables, several modifications to the corresponding instructions were proposed.

- 35) The technical criteria considered for eliminating or modifying the tables were based on the usefulness of the information and its use in future analyses by the Scientific Committee.
- 36) In summary, there was a great deal of debate on the amount and quality of the information to be conveniently requested in the annual reports. Some Committee members commented on the need to be pragmatic and request only the minimum necessary, since neither the Secretariat nor the Committee have to store and handle databases or perform analyses with the different types of information requested. Concerning this point, some comments were made on the possibility for requesting information through a general narration. Other members of the Committee considered that all the already requested information should be asked for, and maybe more, and if the Parties do not submit such information, this would be evidence of lack of compliance.
- 37) The possibility for organizing national reports into two sections was suggested: (A) a compliance questionnaire (see Annex IX), and (B) a technical questionnaire, to be reviewed by the representative of the Scientific Committee of the pertinent country before submitting it to the Secretariat for guaranteeing the quality of the information.
- 38) It was observed that, regardless of whether the information provided in the annual reports is useful to the Committee, and regardless of whether the Committee is able to analyze such information or not, the exercise of filling out the form for annual reports has helped several countries to better organize their sea turtle conservation programs.
- 39) **General Observations:** During the discussions of the Fifth Committee Meeting, there were several topics addressed that were considered important to emphasize:
- 40) The communication, coordination and cooperation between different government offices and departments, as well as with universities, research centers, non-governmental organizations devoted to environmental and/or social issues and other civil organizations is essential, since all of these organizations include key role players in the complex task of the conservation of sea turtles and their habitats. For such reasons, the Committee urges the Parties to establish and/or reinforce the coordination and communication mechanisms resulting from a better handling of sea turtles at a national and regional level, and the efficient utilization of human and material resources.
- 41) The Strategic Plan must include the identification of financing sources for the application of the guidelines indicated in the document **Recommendations for the implementation of the Resolution “Reduction of the adverse impacts of fisheries on sea turtles” (CIT-COP3 2006 R2)**.
- 42) **Agreements:** It was agreed that the Chairman of the Committee should send via electronic mail the files of the fifth meeting and the 2008 minute to the members of the Committee, who shall have 15 days for reviewing any documents. If, after that time, a member has not answered, it shall be understood that such member agrees to the documents sent.

- 43) It was agreed that the current representatives occupying the position of President, Vice President and Narrator should keep their positions until the next meeting of the Scientific Committee and represent the committee in the COP and Consultative Committee meetings. At the beginning of the next meeting of the Scientific Committee, the new board of directors of this Committee shall be elected.
  
- 44) It was agreed that if it is cheaper to organize the meeting of the Scientific Committee in Costa Rica, then we should keep it as venue. It is acknowledged, however, that holding the meetings in other Party States stimulates local work groups and ensures compliance with the objectives of the Convention. Therefore, holding and promoting meetings in other countries is considered and encouraged, provided there are additional resources for contributing the difference in cost between Costa Rica the country proposed as host.