



**Inter-American Convention for the Protection and
Conservation of Sea Turtles
Fifth Conference of the Parties**
June 1-3, 2011 - Bonaire

CIT-COP5-2011-R2

Procedures for Cases Where Exceptions Exist

Preamble

According to Annex IV(e) of the text of the Inter-American Convention for the Protection and Conservation of Sea Turtles (Convention), Parties have the obligation to give a detailed description of any exceptions allowed.

Exceptions will only be considered in cases where national regulations exist that recognize and regulate extractive use to satisfy economic subsistence needs of traditional communities.

Exceptions will only be considered when the Conference of the Parties deems that such exceptions do not undermine efforts to achieve the objective of this Convention.

The Consultative Committee should be mindful as it reviews the exception(s) presented by a Party to ensure it is in line with the spirit of Article IV(3) a so that the exception does not undermine the objectives of the Convention.

Parties should inform as part of the Annual Report about any extractive use (direct take) allowed under national regulations, in accordance with Articles IV(3) a and b, and Annex IV(e).

Therefore, every Annual Report must inform about the existence of all exceptions. The Party must also indicate explicitly in the Report when no exceptions exist.

Procedure for cases where exceptions exist

1. According to Article IV(3) a and b and Annex IV(e), the Party that allows an exception will present said exception to the Convention in the Annual Report, according to the guidelines established by the Conference of the Parties so that the subsidiary bodies can provide the relevant recommendations and assess if the scheme of use in question undermines the objectives of the Convention.

2. The Secretariat will verify that all of the information requested in this procedure is included in the exception presented by the Party. If this is met, the Secretariat will deliver the information to the Scientific Committee for their review and analysis. In cases where the guidelines are not met, the Secretariat will request from the Party any additional information that is relevant.

3. The Scientific Committee will analyze the validity of the information on the exception. If necessary, the Scientific Committee can request additional information from the Party through the Secretariat, and report to the Consultative Committee.

4. The Consultative Committee will review the exception, based on the analysis of the



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Scientific Committee, and give its recommendations to the Conference of the Parties.

5. If any of the subsidiary bodies determine that the exception undermines the objectives of the Convention, the Consultative Committee as established in Article VII(2) a-e, can recommend that the Conference of the Parties request the Party in question to carry out immediate remedial measures that resolve the concerns of the Committees.

6. Based on the recommendations of the Consultative Committee, the Conference of the Parties will evaluate if the exception in question upholds the objectives of the Convention, in accordance with Article II.

7. The Party presenting the exception is required to follow up on any recommendations from the Conference of the Parties.

8. The interested Party must report any changes in the information presented in Annual Reports subsequent to the presentation of the exception.

9. The Secretariat will follow up with the Party during the intercessional period to assess the compliance with the recommendations and report to the subsidiary bodies, which in turn will inform the Conference of the Parties.

Basic elements to be included for the presentation of exceptions:

Specific elements for the presentation of exceptions will be developed in detail by the Scientific Committee, based on the best available scientific information.

I. GENERAL INFORMATION

- a. Introduction (summary, 2 pages maximum)
- b. Background, including:
 - i. Location
 - ii. Type of use (description)
- c. Attach a copy of the law or regulation in place

II. BIOLOGICAL INFORMATION

The information to be presented must demonstrate that the use does not undermine the objectives of the Convention. It must include, among others:

- a. Information on species and populations present and their threats (including possible effects of climate change)
- b. Geographic distribution of sea turtles and the impacts
- c. Research carried out or in progress
- d. Population assessment including status and trends
- e. Description of the habitat
- f. Number/limit of nests (eggs) or individuals taken annually
- g. Predicted impact to local, domestic and regional sea turtle populations



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III. SOCIO-ECONOMIC AND CULTURAL INFORMATION

The Parties must demonstrate that the use conforms to Article IV(3) a with respect to economic subsistence needs of traditional communities. This information can include, among others:

- a. Socio-economic and cultural characterization of the beneficiaries
- b. Characterization of the traditional/cultural use in place
- c. Marketing of the product, if carried out (Commercialization chain, income generated for immediate users, and distribution pattern of benefits, among others)
- d. Characterization and estimation of size of illegal trade

IV. MANAGEMENT PLAN

In compliance with Article IV(3)(b)i, Parties presenting an exception must formulate and present a Management Plan specific to the sea turtle resource, which establishes limits on extractive use. It is recommended that the Management Plan include, as a minimum, the following information or specifications:

- a. Conservation, control and protection measures to be implemented
- b. The means of implementation
- c. Monitoring and evaluation (indicators and verifiers) including monitoring of illegal trade/harvest
- d. Resource scheme of use and methodology
- e. Period established for use of the resource
- f. Impact of use of the target species and other species of sea turtles at local and regional level
- g. Limitations, obstacles and threats
- h. Study of the viability of economic alternatives when applicable
- i. Financial plan of the management plan
- j. Enforcement plan for the management plan
- k. Minimum 5-year duration
- l. Bibliography