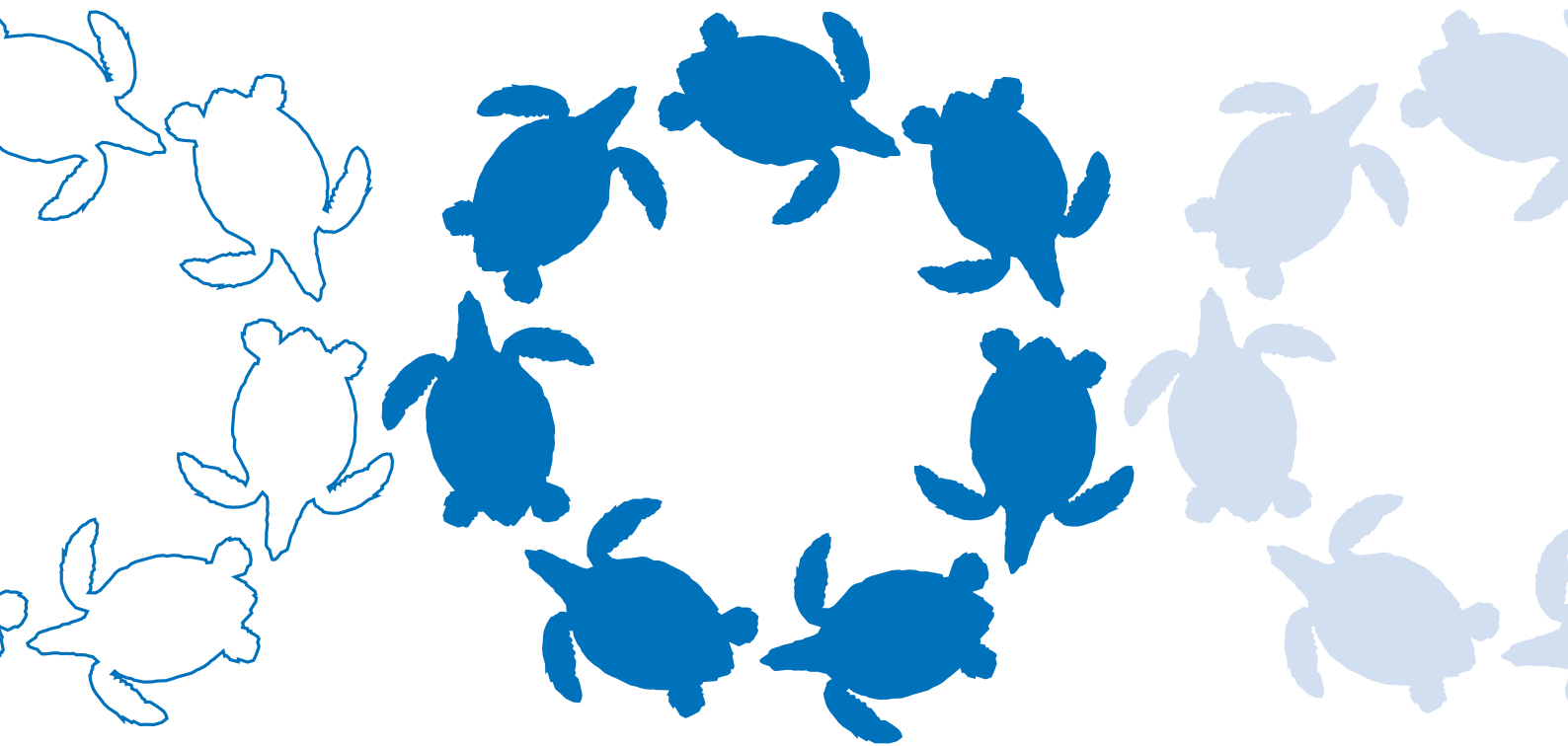


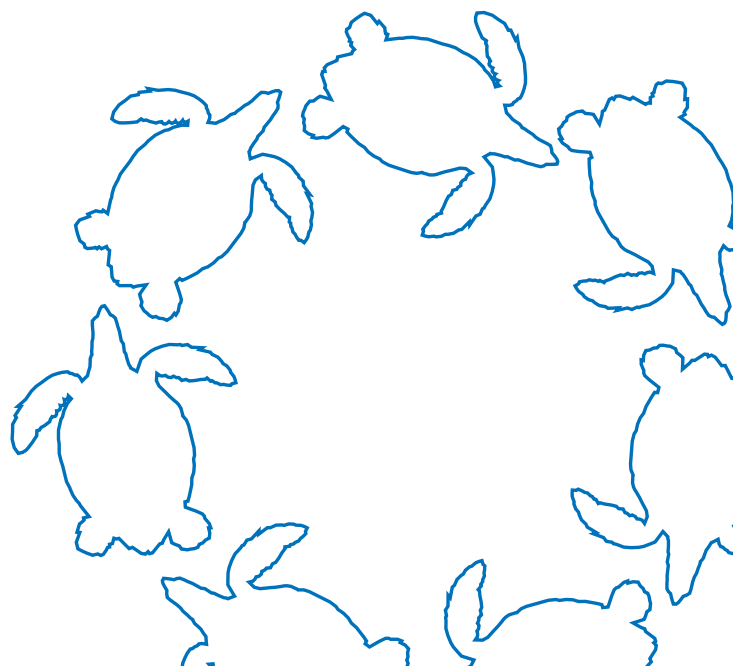
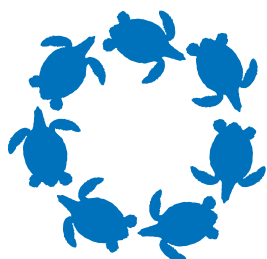
MARINE TURTLES AND INTERNATIONAL LAW

An introduction to how the Environment Charter and
selected Multilateral Environmental Agreements apply
to marine turtles in the UK Overseas Territories



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INTRODUCTION

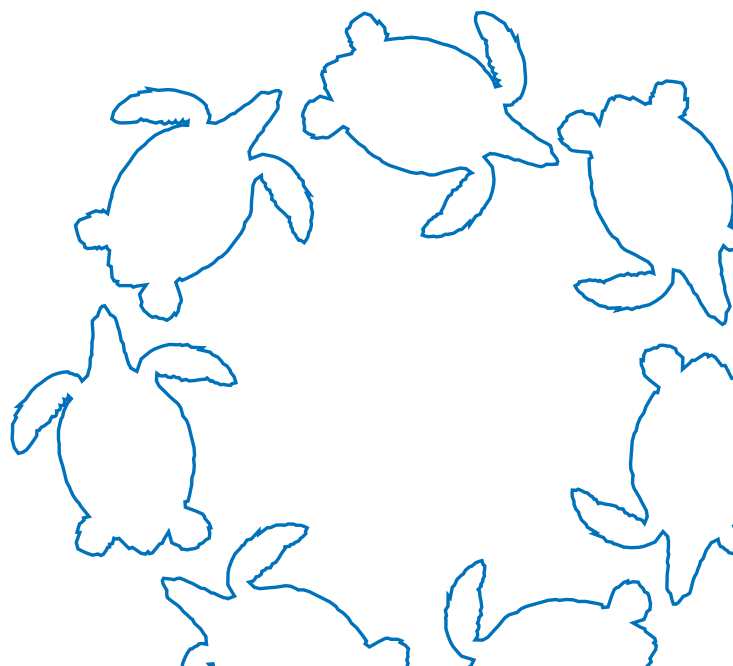
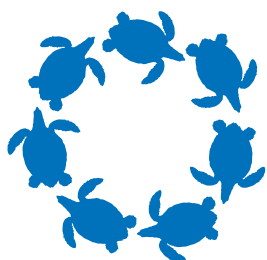
The World Conservation Union (IUCN) lists the seven species of marine turtles as either 'Data deficient', 'Endangered' or 'Critically Endangered' based on global listing criteria (see table 1). Global populations of marine turtles are therefore of conservation concern, and as the species are migratory, their conservation and management generally requires participation and cooperation between several range states within the oceanic basins.

Turtle species	IUCN Global listing
Flatback turtle (<i>Natator depressus</i>)	Data Deficient
Green turtle (<i>Chelonia mydas</i>)	Endangered (<i>Mediterranean sub-population critically endangered</i>)
Hawksbill turtle (<i>Eretmochelys imbricata</i>)	Critically endangered
Kemp's ridley turtle (<i>Lepidochelys kempii</i>)	Critically endangered
Leatherback turtle (<i>Dermochelys coriacea</i>)	Critically endangered
Loggerhead turtle (<i>Caretta caretta</i>)	Endangered
Olive ridley turtle (<i>Lepidochelys olivacea</i>)	Endangered

Table 1: World Conservation Union (IUCN) global status listing of the seven extant species of marine turtle

In recognition of this need for international cooperation, the conservation of marine turtles and their habitats is specifically referred to by several Multilateral Environmental Agreements (MEAs). Furthermore, marine turtle conservation can be enhanced by other MEAs that do not specifically mention turtles, as well the Overseas Territories' Environment Charters. This document and associated presentation explores the Environment Charters and the following MEA's from the perspective of marine turtle conservation in the UK Overseas Territories:

- The Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters (Aarhus Convention)
- Convention on Biological Diversity (Biodiversity Convention - CBD)
- Convention on the Conservation of Migratory Species of Wild Animals (CMS)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar)
- The Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention - WHC)
- Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)
- Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC)
- United Nations Framework Convention on Climate Change (Kyoto Protocol)



What is an MEA and why are MEA's relevant to marine turtles?

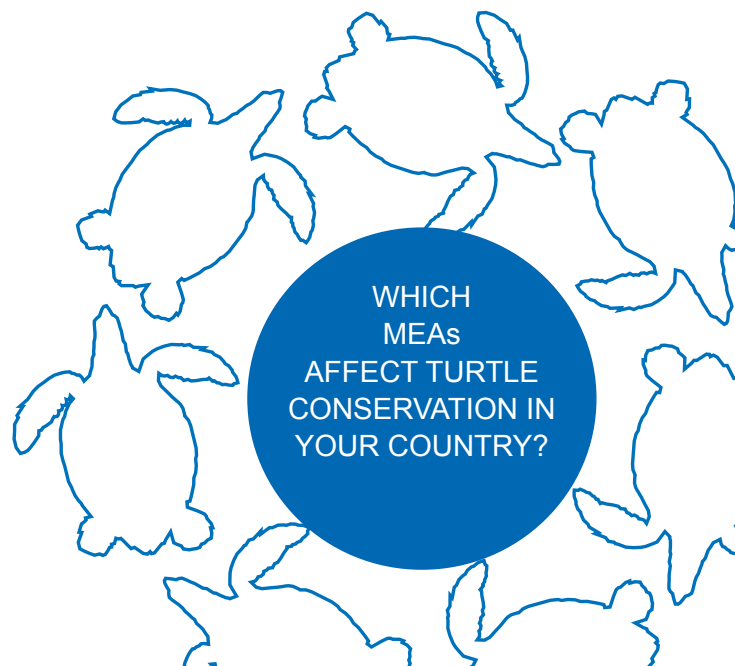
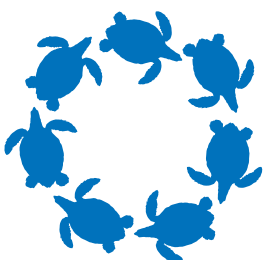
- A Multilateral Environmental Agreement (MEA) is an agreement between several countries to take action to protect the world's natural resources (e.g. turtles and their habitats) or promote environmental quality.
- MEAs are the main method available under international law for countries to work together on global environmental issues. Marine turtles are migratory and therefore international cooperation is essential to protect these animals throughout their range.
- MEAs can either set out non-legally binding principles, which Parties agree to respect, or specify legally binding actions.
- MEAs include international and regional conventions and protocols; where a convention provides a general framework for action, and a protocol outlines steps to address specific problems.
- Most MEAs require ratification before they become legally binding. Therefore, while the UK may sign an MEA, until it has deposited a document known as the 'instrument of ratification' with the MEA Secretariat, the UK is not legally bound to comply with the MEA obligations. However, after signing and before ratification, the UK would be obliged to refrain from acts that defeat the purpose of the MEA in question.

MEAs AND THE OT'S?

While Overseas Territory governments carry the responsibility for biodiversity conservation within the Territories, the UK Government is responsible for the Overseas Territories' external affairs including all Multilateral Environmental Agreements.

In order for an MEA to extend to a UK Overseas Territory, the UK Government must first sign and ratify the MEA, which is then extended to an Overseas Territory on request and, if necessary, when appropriate domestic legislation is in place to allow the Overseas Territory to meet the commitment to the MEA.

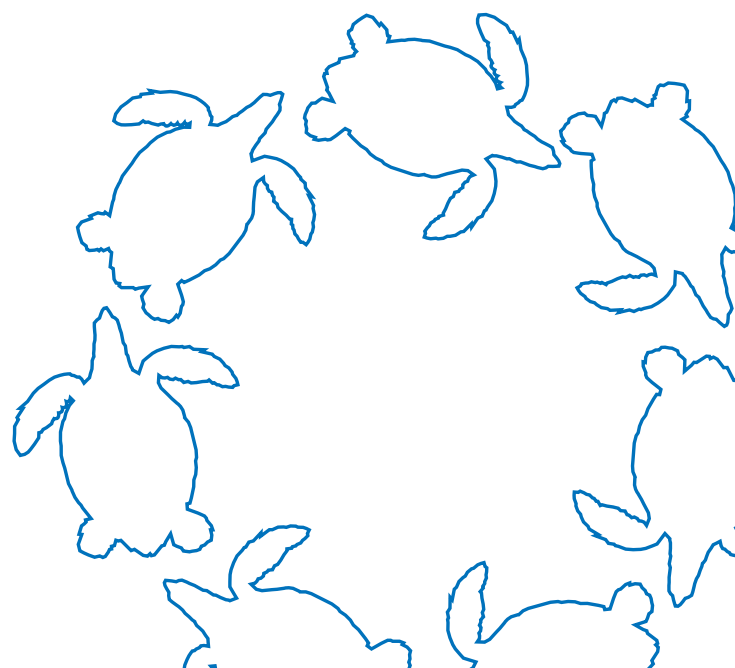
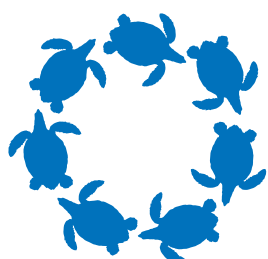
Different UK Government departments are responsible for leading on the various MEAs, but generally the Foreign and Commonwealth Office is responsible for the external affairs of the UK Overseas Territories. Therefore, the Foreign and Commonwealth Office, in cooperation with the appropriate UK Government department, represents the interests of the UK Overseas Territories within MEAs and also reports to the MEA Secretariats regarding UK Overseas Territory commitments to each MEA.



WHICH
MEAs
AFFECT TURTLE
CONSERVATION IN
YOUR COUNTRY?

	Anguilla	Ascension	BIOT	BVI	Cayman	Montserrat	TCI
AARHUS	×	×	×	×	×	×	×
CBD	×	YES	×	YES	YES	×	×
WHC	YES	YES	YES	YES	YES	YES	YES
CMS	×	YES	YES	YES	YES	YES	YES
CITES	×	YES	YES	YES	YES	YES	×
SPAW	×	N/A	N/A	×	×	×	×
RAMSAR	YES	YES	YES	YES	YES	YES	YES
IAC	×	×	N/A	×	×	×	×
KYOTO	×	×	×	×	×	×	×

Table 2: The UK Overseas Territories participating in TUKOT and the MEA's that extend to them.

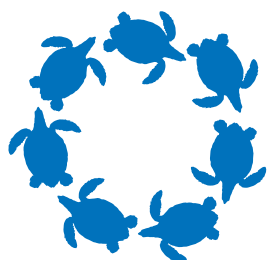


THE ENVIRONMENT CHARTER

The Environment Charters are Overseas Territory-specific sets of guiding principles signed by the UK and Territory Governments in 2001 that promote and facilitate sustainable conservation and use of the Territories' natural resources.

The Environment charter for your country was signed by your Government and the Government of the UK in September 2001. The Charters were agreed in response to the UK's commitments to the 27 guiding principles set out in the Rio Declaration on Environment and Development, proclaimed at the United Nations Conference on Environment and Development, in Rio de Janeiro June 1992. The Environment Charter is therefore a set of guiding principles for the UK Government, your Government and your people. These guiding principles are:

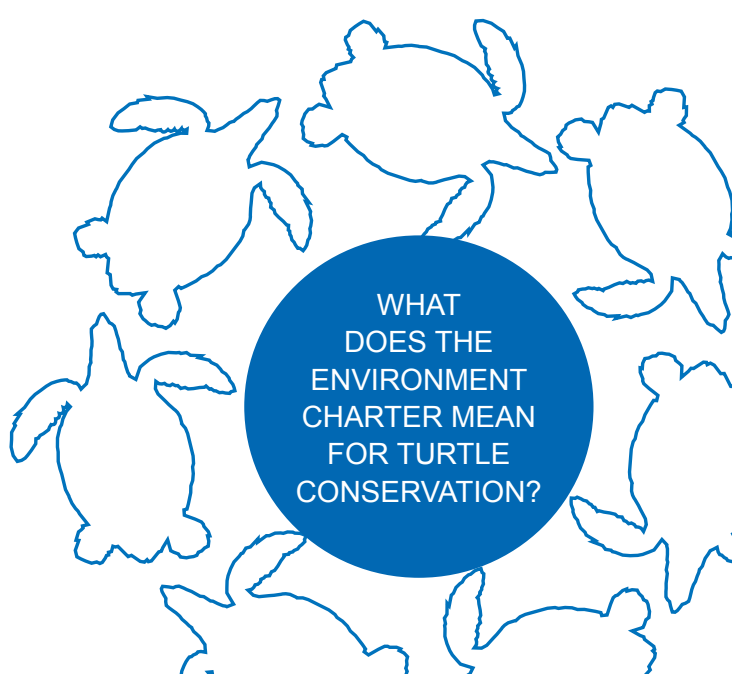
1. To recognise that all people need a healthy environment for their well being and livelihoods and that all can help to conserve and sustain it.
2. To use our natural resources wisely, being fair to present and future generations.
3. To identify environmental opportunities, costs and risks in all policies and strategies.
4. To seek expert advice and consult openly with interested parties on decisions affecting the environment.
5. To aim for solutions which benefit both the environment and development.



6. To contribute towards the protection and improvement of the global environment.
7. To safeguard and restore native species, habitats and landscape features, and control or eradicate invasive species.
8. To encourage activities and technologies that benefit the environment.
9. To control pollution, with the polluter paying for prevention or remedies.
10. To study and celebrate our environmental heritage as a treasure to share with our children.

The Environment Charter's guiding principles are a framework, which will facilitate the conservation of marine turtles for future generations in the following ways:

- i. They highlight the need to safeguard and restore native species and habitats, such as turtles, their nesting beaches and their foraging habitats (e.g. sea grass beds and coral reefs).



WHAT
DOES THE
ENVIRONMENT
CHARTER MEAN
FOR TURTLE
CONSERVATION?

ii. They emphasise to policy makers and the public that conserving natural resources, like turtles and their habitat, is of direct benefit to people and their standard of living.

iii. They acknowledge that people depend on resources like turtles and their habitats in many different ways, and so the needs of those dependent on consumptive use (such as turtle fishermen) must be considered equally to the needs of those that depend on non-consumptive use of the same resources (e.g. dive operators whose customers like to see turtles).

iv. They acknowledge that environmental resources like turtles are central to island heritage and are valuable not only in economic terms, but also as part of the social and cultural heritage of your island.

v. They emphasise our current communal responsibility to future generations and make it clear that natural resources, such as turtles and their habitat, must be wisely managed now so that your children, and your children's children, will benefit from their continued survival.

vi. They acknowledge that environmental conservation has to be progressed hand in hand with development, so, for example, tourism and turtle conservation must be allowed to flourish in harmony. The Charter also encourages technology that benefits the environment, such as turtle friendly lighting on beachfront property.

vii. They specifically prioritise control of pollution, which can include organic and

chemical pollution that can negatively impact turtle marine habitat, marine litter, which can directly impact turtles and greenhouse gas emissions, whose effects on climate change may have catastrophic consequences for marine turtle ecology.

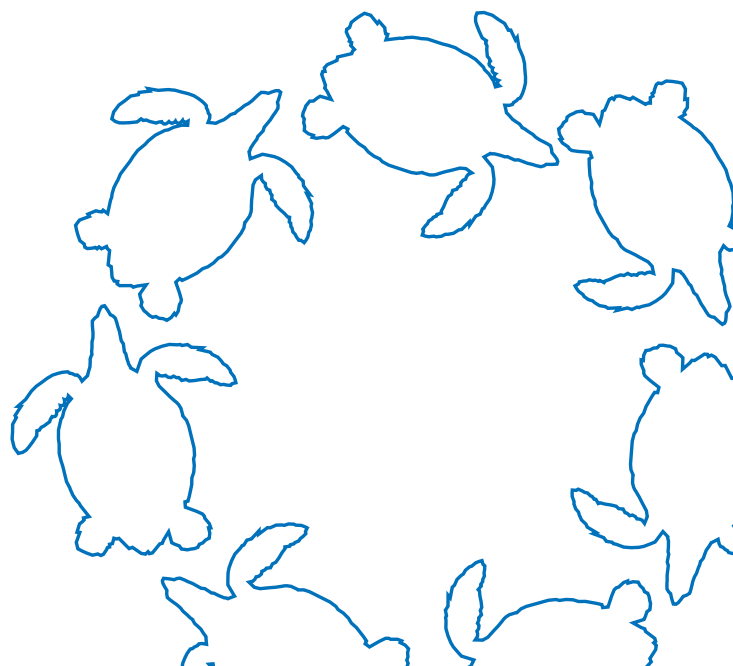
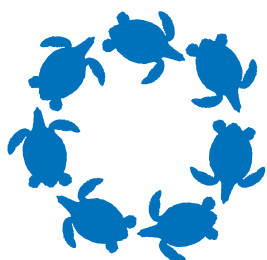
viii. They acknowledge that international cooperation is necessary to protect the 'global environment', which is particularly relevant to turtles, which regularly migrate across territorial boundaries. The Environment Charter calls for an open exchange of information and a willingness to contribute to wider goals of protection and environmental improvement.

ix. They specifically mention the need for study and celebration of natural heritage, and therefore endorse much-needed further research into marine turtles and their habitat, as well as public awareness programmes that highlight the importance of marine turtles, their habitats and their conservation needs.

WHERE CAN I FIND OUT MORE?

www.ukotcf.org

www.fco.gov.uk



AARHUS

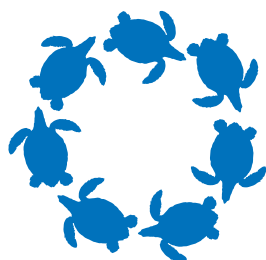
THE CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS (AARHUS CONVENTION)

The Aarhus Convention links procedural environmental protection rights with human rights and acknowledges that sustainable development can only be achieved through the involvement of all stakeholders. It seeks to strengthen the role of members of the public and environmental organisations in protecting and improving the environment for the benefit of future generations. Through its recognition of citizens' environmental rights to information, participation and justice, it aims to promote greater accountability and transparency in environmental matters. While it is an instrument to protect the environment, it may also be seen as an instrument promoting democracy.

Parties must make legislative provisions to ensure public access to environmental information, public participation in decision-making and public access to justice when the provisions under the Convention and environmental regulations are violated.

Parties must have domestic legislations in place to ensure the obligations in relation to public access to environmental information, public participation in decision making and public access to justice under the Convention are met.

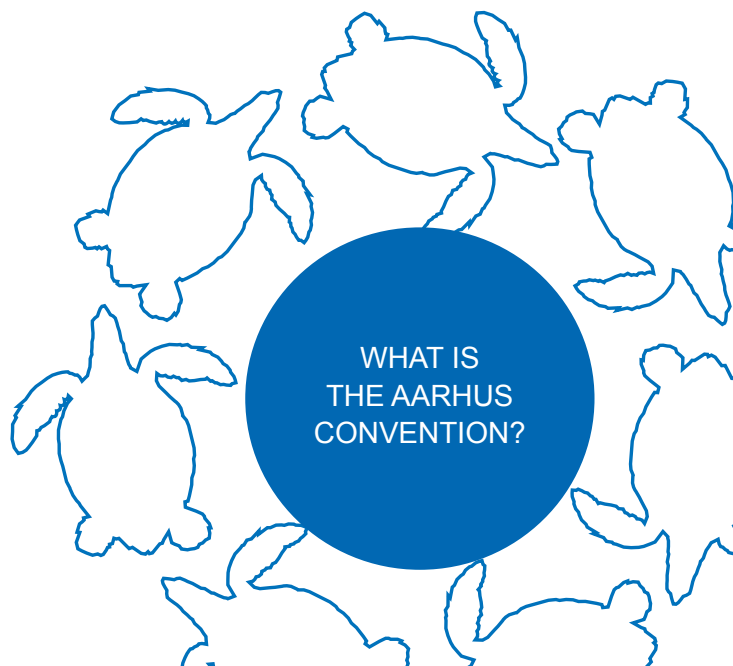
Parties must put in place systems that allow greater and easy public access to key environmental information and decision-making processes and must ensure that mechanisms are in place to facilitate public environmental education and awareness.



Parties must establish mechanisms that allow public participation in the formulation of environmental policy and the preparation of environmental regulations.

WHEN DID THE AARHUS CONVENTION COME INTO FORCE? The Aarhus Convention was adopted in June 1998 at the Fourth Ministerial Conference "Environment for Europe" in Aarhus, Denmark held by the United Nations and Economic Commission for Europe. By 2000, 39 countries had signed up to the Convention, which came into force in October 2001. The UK signed up to the Convention on the day it was adopted in 1998 and ratified it on the 24th of February 2005.

WHO IS RESPONSIBLE FOR THE AARHUS CONVENTION IN THE UK? The Department for Environment, Food and Rural Affairs (Defra) in the UK has lead responsibility, but the UK Foreign and Commonwealth Office has overall responsibility for the conclusion of treaty obligations, and for their application, if appropriate, in the Overseas Territories. The Secretary of State for Environment, Food and Rural Affairs has lead responsibility for the Convention in the UK, and specific responsibility for ensuring the implementation of obligations arising from the Convention in England and Northern Ireland. In Wales, the Minister for Environment, Planning and Countryside has lead responsibility. In Scotland, implementation of the Convention is a devolved function and is the responsibility



of the Minister for Environment and Rural Development.

Both the Deputy Prime Minister and the Secretary of State for Constitutional Affairs also have a policy interest in the Convention.

The Secretary of State for Foreign and Commonwealth Affairs has overall responsibility for the conclusion of treaty obligations, and for their application, if appropriate, in the Overseas Territories.

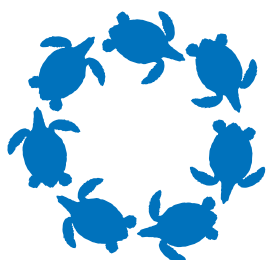
Since the access to environmental information provisions of the Convention will apply to all Government Departments, all Ministers will have a responsibility to ensure that these provisions operate correctly.

DOES THE AARHUS CONVENTION CURRENTLY EXTEND TO MY COUNTRY?

The Aarhus Convention does not currently extend to any of the UK Overseas Territories. Nonetheless, Overseas Territories and Crown Dependencies were consulted about the extension of the Convention to them. Whilst none are currently in a position to ratify alongside the UK, some will return to their consideration of this issue at a future opportunity.

WHAT DOES A UK OVERSEAS TERRITORY HAVE TO DO FOR THE AARHUS CONVENTION TO BE EXTENDED? Your Government must make an official request to the Foreign and Commonwealth Office to have the Convention extended to your country. Furthermore, your Government must have domestic legislation in place to meet the obligations of the Convention.

WHAT CAN THE AARHUS CONVENTION DO FOR MARINE TURTLE CONSERVATION?



The Convention could:

- Ensure that the public has access to all published

information about marine turtles and their conservation requirements, as well as information about the impacts of certain activities.

- Ensure that the public is informed about and facilitate public involvement in decision-making processes about certain development plans that have the potential to negatively impact marine turtles and their habitat.
- Facilitate public participation in the formulation of environmental policy that may affect marine turtles (e.g. fisheries policy, tourism development policy).
- Facilitate public participation in the preparation of national environmental regulations that may affect marine turtles (e.g. planning regulations regarding development of nesting beaches, fisheries regulations).
- Ensure the public has access to judicial systems in order to execute justice when the provisions of the Convention have not been granted or if certain national environmental laws have been violated.

WHERE CAN I FIND OUT MORE?

www.unece.org/env/pp
[http://defraweb/
environment/international/
aarhus/index.htm](http://defraweb/environment/international/aarhus/index.htm)





CONVENTION ON BIOLOGICAL DIVERSITY (BIODIVERSITY CONVENTION)

The Biodiversity Convention is the first treaty to provide a legal framework for biodiversity conservation, and established three main goals:

- conservation of biological diversity;
- sustainable use of its components;
- fair and equitable sharing of the benefits arising from the use of genetic resources.

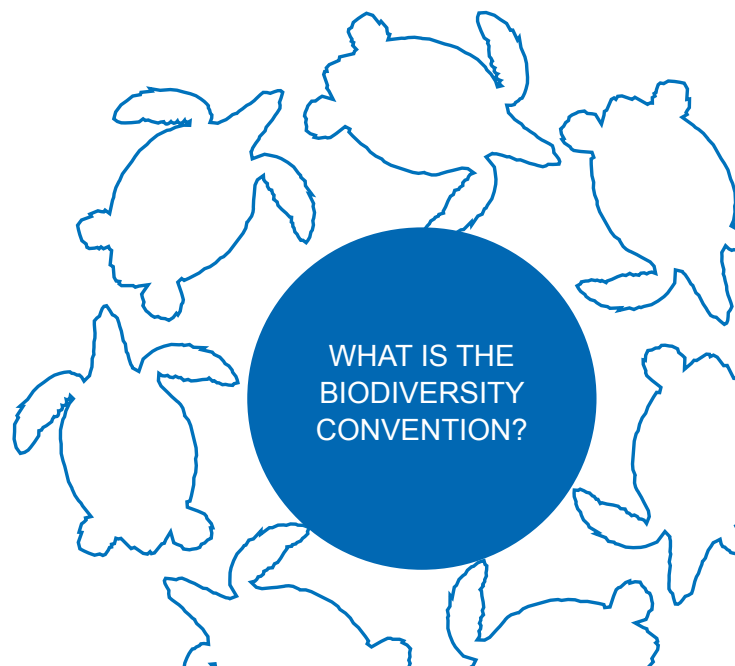
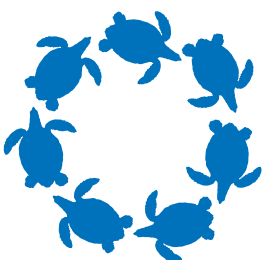
The Convention is guided by 27 agreed principles, as proclaimed in the Rio Declaration of 1992. Among the obligations under this Convention, Parties to this Convention must “as far as possible and as appropriate”;

- prepare national biodiversity conservation plans;
- integrate conservation and sustainable use into plans and policies;
- identify and monitor components of biological diversity important for conservation and sustainable use;
- prepare Environmental Impact Assessments (EIAs) for projects that are likely to have significant adverse impact on biological diversity;
- protect ecosystems, habitat and minimum viable populations of species in their natural surroundings;
- establish protected areas to conserve biological diversity and prepare appropriate management guidelines;
- manage biological resources outside of protected areas to ensure their conservation and sustainable use;
- restore degraded ecosystems;
- promote the recovery of threatened species,

- maintain legislation to protect threatened species;
- protect customary uses of biological resources in accordance with traditional cultural practices, so long as these practices are in accordance with the principles of conservation and sustainable use.

WHEN DID THE BIODIVERSITY CONVENTION COME INTO FORCE? The Convention was adopted at the Earth Summit in Rio de Janeiro, Brazil in June 1992, and entered into force in December 1993. The UK ratified the Convention in June 1994.

WHO IS RESPONSIBLE FOR CBD IN THE UK? The Department for Environment, Food and Rural Affairs (Defra). Within Defra, the Environment and Sustainable Development International (ESDI) Division promotes the integration of biodiversity into policies, projects and programmes within Government and beyond. Defra also coordinates the Darwin Initiative, a small grants programme aimed at promoting biodiversity conservation and sustainable use of resources in countries rich in biodiversity but low in resources. Through the Darwin Initiative Defra has supported marine turtle research and conservation in Anegada (BVI), Ascension Island and the Cayman Islands.



WHAT IS THE
BIODIVERSITY
CONVENTION?

In addition, the Government launched the UK Biodiversity Action Plan in 1994 and a Marine Turtles Grouped Species Action (SAP). This SAP makes specific reference to the UK Overseas Territories and can be accessed at

www.ukbap.org.uk

DOES THE BIODIVERSITY CONVENTION CURRENTLY EXTEND TO MY COUNTRY? Of the UK Overseas Territory marine turtle range states, this Convention currently extends to the British Virgin Islands, Bermuda, the Cayman Islands, Gibraltar, St Helena & Dependencies and Ascension Island.

WHAT DOES A UK OVERSEAS TERRITORY HAVE TO DO FOR THE BIODIVERSITY CONVENTION TO BE EXTENDED? Your Government must make an official request to the Foreign and Commonwealth Office to have the Convention extended to your country. Defra and the Foreign and Commonwealth Office will then consult to review the legislation in your country and recommend amendments or new legislation to meet the provisions of the Convention. Once appropriate legislation is in place, the UK Government will make arrangements to extend the Convention.

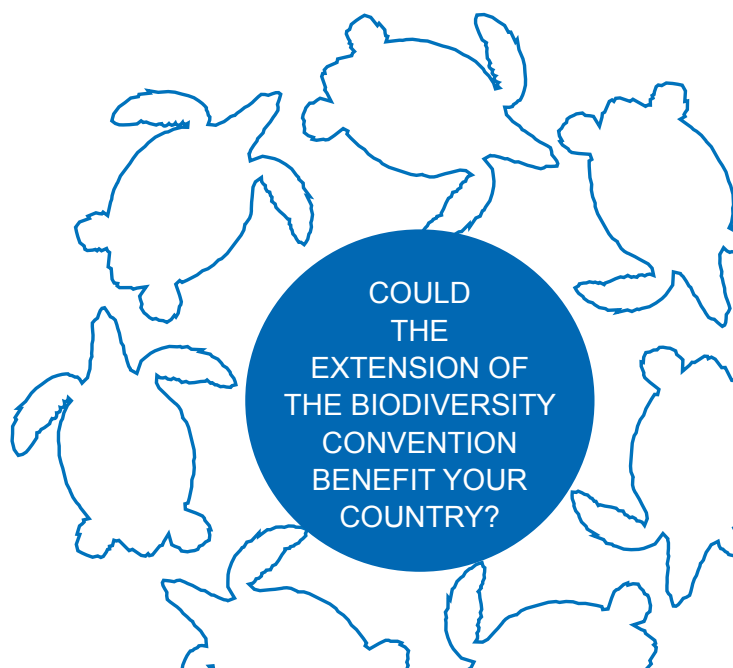
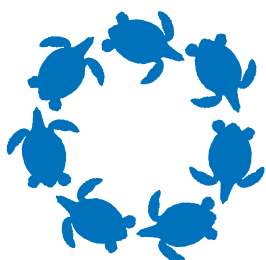
WHAT CAN THE BIODIVERSITY CONVENTION DO FOR MARINE TURTLE CONSERVATION? The UK has taken many of its obligations under this Convention seriously and has invested resources in a Biodiversity Action Plan for the UK and the UK territorial waters. The extension of this Convention to your country could require:

- the preparation of national biodiversity conservation plans to include the conservation and management of marine

- turtles and their habitat,
- integration of marine turtle conservation needs into national planning and policies,
- monitoring of marine turtle populations and their habitat,
- preparation of Environmental Impact Assessments (EIAs) for any development projects likely to adversely impact on turtles and their habitats,
- establishment of protected areas and appropriate management regimes,
- restoration of degraded beaches, coral reefs and sea grass beds,
- greater promotion of marine turtle conservation,
- formulation of extra legislation to protect marine turtles and their habitats,
- protection of traditional cultural use of marine turtles and their products, so long as such use is in accordance with the principles of conservation and sustainable use.

WHERE CAN I FIND OUT MORE?

www.biodiv.org



**COULD
THE
EXTENSION OF
THE BIODIVERSITY
CONVENTION
BENEFIT YOUR
COUNTRY?**

THE CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE (WORLD HERITAGE CONVENTION)

The World Heritage Convention is a unique international instrument that seeks to encourage the identification, protection, conservation, presentation and transmission to future generations of cultural and natural heritage considered to be of outstanding universal value and significance to humanity. It recognizes that conservation of the world's heritage is an international, as well as national, responsibility, and has established a World Heritage List under the management of an inter-governmental World Heritage Committee, which is also responsible for implementing the Convention.

UNESCO's mission under the World Heritage Convention is to:

encourage countries to sign up to the Convention ensure the protection of their natural and cultural heritage

encourage Parties to nominate sites within their national territory for inclusion on the World Heritage List;

encourage Parties to establish management plans and set up reporting systems on the state of conservation of their World Heritage sites;

help Parties safeguard World Heritage properties by providing technical assistance and professional training;

provide emergency assistance for World Heritage sites in immediate danger;

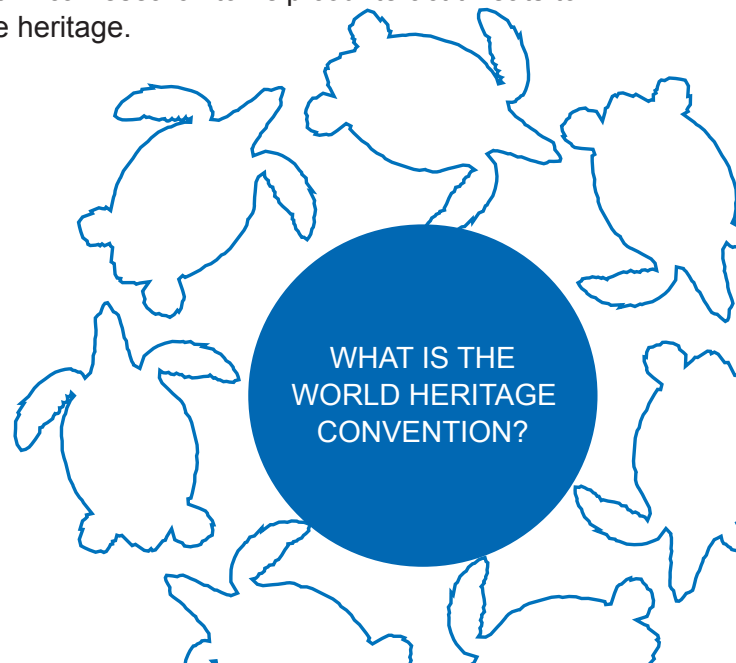
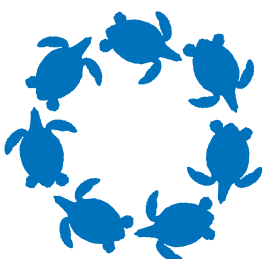
support Parties' public awareness-building activities for World Heritage conservation;

encourage participation of the local population in the preservation of their cultural and natural heritage;

encourage international cooperation in the conservation of our world's cultural and natural heritage.

WHEN DID THE WORLD HERITAGE CONVENTION COME INTO FORCE? The Convention was adopted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1972 and came into force in 1975. Over 180 countries (States Parties) have signed the Convention so far making it an almost universally accepted set of principles. The UK ratified the Convention in May 1984.

THE ROLE OF PARTIES: The Convention sets out the duties of Parties in identifying potential sites and protecting and preserving them. Parties to the Convention are obliged, for example, to ensure that adequate legal protection and appropriate management systems are in place for their World Heritage Sites; establish services and foster training for the protection, conservation and presentation of the heritage; and develop scientific and technical research to help counteract threats to the heritage.



Parties are also required not to take any deliberate measures that might damage directly or indirectly World Heritage Sites on the territory of other Parties to this Convention.

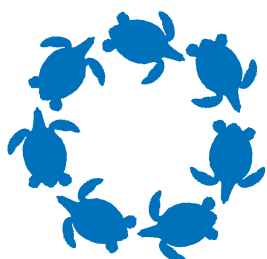
Under the terms of the Convention the UK and other Parties make annual contributions to UNESCO's World Heritage Fund which helps to protect World Heritage Sites in danger, usually in developing or war-affected countries.

WHAT SORT OF SITES DOES THE CONVENTION COVER?

The Convention defines the kind of sites that can be considered for inclusion on the World Heritage List as 'cultural' sites such as ancient monuments and groups of buildings or 'natural' sites that cover biodiversity and geological heritage. A particularly important aspect of the Convention is its ability to recognise landscapes that combine these values where the biological and physical aspects of landscape have evolved alongside human activity. The Convention defines natural heritage as:

- natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;
- geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;
- natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.'

There are currently 812 cultural and natural sites worldwide of which 26 are in the UK and



UK Overseas Territories. Only one of these, Henderson Island in the Pitcairn Islands has any relevance to marine turtle conservation as a small population of green turtles nest there.

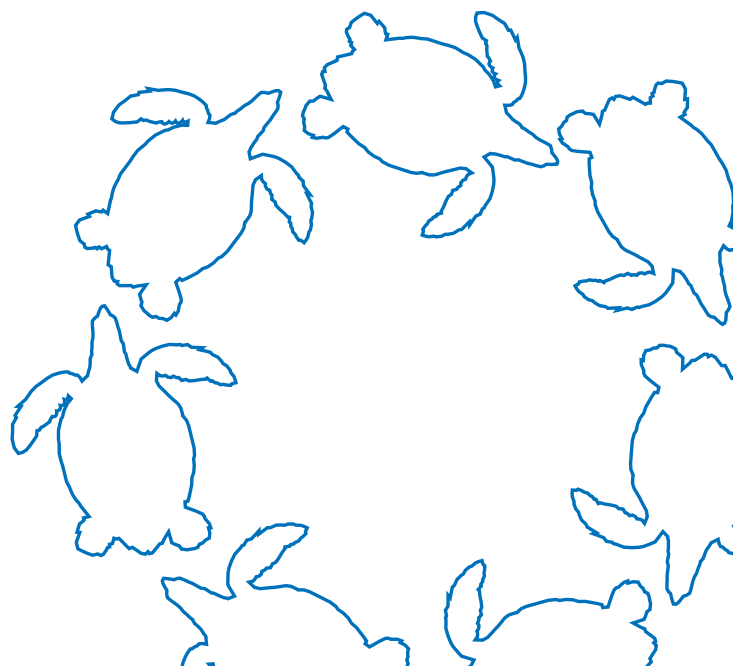
WHO IS RESPONSIBLE FOR THE WORLD HERITAGE CONVENTION IN THE UK?

The Department for Culture, Media and Sport (DCMS) is responsible for the UK's general compliance with the Convention and for nominating UK sites for inclusion on the World Heritage List. The devolved administrations in Wales, Scotland, and the Environment and Heritage Service in Northern Ireland are responsible for identifying and proposing sites to nominate from their areas. The Foreign and Commonwealth Office (FCO) is responsible for sites in the UK's Overseas Territories, and the Department of Constitutional Affairs is responsible for Crown Dependencies.

WHAT DOES AN OVERSEAS TERRITORY HAVE TO DO TO ADD A SITE TO THE WORLD HERITAGE LIST?

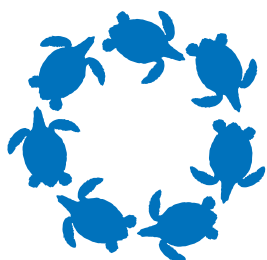
For a site to become a World Heritage Site, it first has to be nominated by the UK Government. A pre-requisite for nomination is the inclusion of a site on the national Tentative List of sites likely to be put forward in future years.

- Initially, your Government must make an official request to the Foreign and Commonwealth Office to seek inclusion of the site on the UK's Tentative List of potential sites. The current list was published in 1999 and is periodically reviewed.



- Once the UK has accepted a site for the Tentative List, a Statement of Significance will be produced that demonstrates outstanding and universal value judged according to a set of criteria agreed by the World Heritage Committee. A Nomination Document and Management Plan then need to be prepared. The UK encourages OT's to work closely with the local community throughout the process.
- Once these documents have been accepted and approved by the UK Government, the site may then be nominated for inclusion on the World Heritage List. Parties to the Convention can only nominate up to one natural and one cultural site each year.
- All nominations are subject to a rigorous assessment by the Committee's non-governmental international advisors: ICOMOS (International Council on Monuments and Sites) for cultural sites; and IUCN (World Conservation Union) for natural sites. Assessment takes about 18 months following nomination by the State Party.
- Final decisions on inscription are made by the World Heritage Committee at its annual meeting.

DOES THE WORLD HERITAGE CONVENTION CURRENTLY EXTEND TO MY COUNTRY? Of the Overseas Territory marine turtle range states, this Convention currently extends to Anguilla, Ascension Island, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Gibraltar, Montserrat, Pitcairn Islands, St Helena & Dependencies and the Turks and Caicos Islands.



WHAT CAN THE WORLD HERITAGE CONVENTION DO FOR MARINE TURTLE CONSERVATION? The Convention enables the UK Government to seek to protect the natural heritage of the UK Overseas Territories. These sites might typically include regionally important turtle nesting beaches, as well as significant expanses of healthy foraging habitat such as coral reefs and seagrass beds if they are considered to have outstanding universal value. Before acceptance on the list, your Government would be bound to formulate plans for the conservation and management of such sites, and in addition UNESCO and the UK Government may provide resources to support local training in World Heritage Site management and conservation.

The UK Government may also assist with site-twinning, whereby World Heritage Site management authorities of twinned sites in different countries are encouraged to transfer skills through workshops and exchange visits. World Heritage status brings a variety of benefits including greater emphasis on conservation and protection, an holistic approach to conservation through comprehensive Management Plans and possible increased access to funding for management, research and conservation projects.

WHERE CAN I FIND OUT MORE?
UNESCO World Heritage website

<http://whc.unesco.org/pg.cfm>

ARE
THERE ANY
SITES THAT
SIGNIFICANTLY
BENEFIT MARINE
TURTLES?

CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS (CMS OR THE BONN CONVENTION).

The CMS aims to conserve migratory species throughout their range. Contracting Parties are required to work unilaterally, and cooperatively to conserve migratory species and their habitats by: providing strict protection for endangered migratory species (listed in Appendix I of the Convention); concluding multilateral agreements (such as Memoranda of Understanding - MoUs) for the conservation and management of migratory species which require or would benefit from international cooperation (listed in CMS Appendix II); and by undertaking co-operative research activities. Agreements under CMS can be legally binding or non-binding and can also include signing by range states that are not signatories to the CMS.

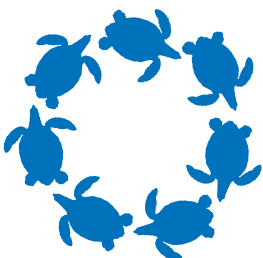
All species of marine turtle, except the Flatback (*Natator depressus*), are listed on Appendix I, and all marine turtle species are listed on Appendix II.

Parties that are range states of Appendix 1 species are required to:

- prohibit or restrict the take of endangered species,
- where feasible, restrict damage to habitats, introductions of alien invasive species, and restrict other activities that may obstruct or interfere with migratory species,

Exceptions may be made to the prohibition of taking Appendix 1 species if:

- 'the taking is for scientific purposes;
- the taking is for the purpose of enhancing the propagation or survival of the affected species;



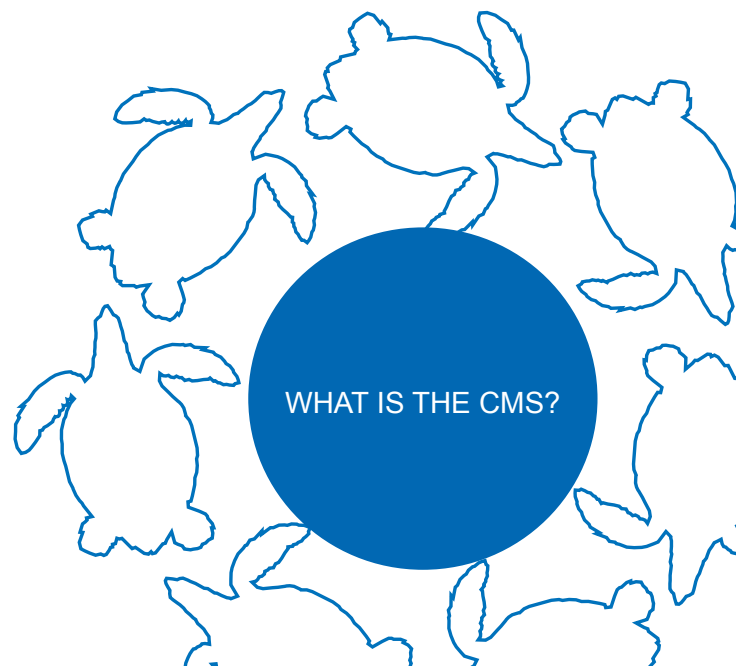
- the taking is to accommodate the needs of traditional subsistence users of such species; or
- extraordinary circumstances so require; provided that such exceptions are precise as to content and limited in space and time. Such taking should not operate to the disadvantage of the species.'

For Appendix II species, Parties are expected to endeavour to conclude international agreements relating to specific, relating to specific migratory species or groups of species whose range or migratory route includes areas within the Party's jurisdiction.

WHEN DID CMS COME INTO FORCE? CMS was adopted in Bonn, Germany in 1979 and came into force in 1985. It is also known as the Bonn Convention. The UK ratified the Convention in 1985 and by July 2005, 91 Parties had ratified the Convention.

WHO IS RESPONSIBLE FOR CMS IN THE UK? The Department for Environment, Food and Rural Affairs (Defra), who consult with the Foreign and Commonwealth Office on any CMS matters relevant to the UK Overseas Territories.

DOES THE CMS EXTEND TO MY COUNTRY? Of the Overseas Territory marine turtle range states, this Convention currently



extends to: Ascension Island, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Gibraltar, Montserrat, Pitcairn Islands, St Helena & Dependencies, Turks and Caicos Islands, Sovereign Base Areas in Cyprus

WHAT DOES A UK OT HAVE TO DO FOR CMS TO BE EXTENDED? Your Government must make an official request to the Foreign and Commonwealth Office to have the Convention extended to your country. Furthermore, your Government must have domestic legislation in place to meet the obligations of the Convention before it can be extended to your country.

WHAT CAN THE CMS DO FOR MARINE TURTLE CONSERVATION? The CMS is directly relevant to marine turtle conservation, prohibiting the take (with exceptions) of marine turtles and requiring the protection of critical turtle habitat.

There is some confusion as to whether or not the UK is satisfying its obligations under this convention with respect to the legal harvests of marine turtles in British Virgin Islands, Cayman Islands, Montserrat and the Turks and Caicos Islands. These legal harvests involve commercial trade of marine turtles that may or may not qualify as accommodating 'the needs of traditional subsistence users'. The term 'traditional subsistence users' has not been defined in the CMS text or by the Secretariat, and it is the definition of this term that will determine whether or not the UK is in breach of this Convention through existing turtle harvests in the UK Overseas Territories in the Caribbean.

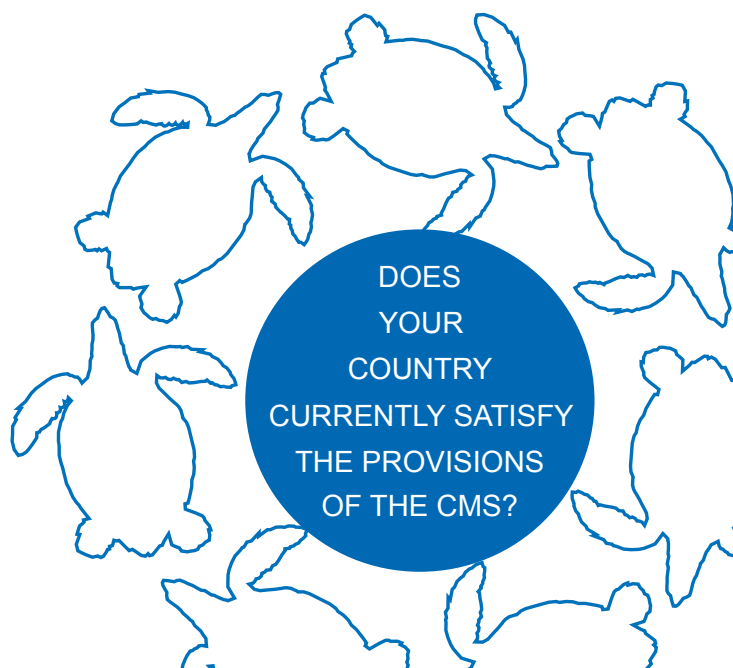
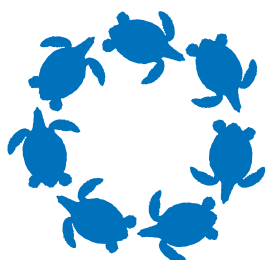
Memoranda of Understanding (MoU) for marine turtles: In addition, two MoUs have been drawn up under the auspices of CMS for marine turtles. In 2002 the UK ratified the Conservation and Management of Marine Turtles and their Habitats

of the Indian Ocean and South-East Asia, on behalf of the British Indian Ocean Territory. The MoU provides a framework through which States of the region, as well as other concerned States, can work together to conserve and replenish depleted marine turtle populations for which they share responsibility. It acknowledges a wide range of threats to marine turtles, including habitat destruction, direct harvesting and trade, fisheries by-catch, pollution and other human sources of turtle mortality. At the heart of the MoU is a comprehensive region-wide Conservation and Management Plan containing 24 programmes and 105 specific activities, which aim to reverse the decline of marine turtle populations throughout the region. The measures to be taken focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional cooperation and seeking resources for implementation.

The Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa came into existence in 1999, although the Conservation and Management Plan for this MoU is still in draft. Defra are currently considering whether or not to ratify this MoU with respect to the marine turtle populations found in St Helena and Ascension Island, and possible genetic links between foraging populations of green turtles in the Caribbean and West Africa.

WHERE CAN I FIND OUT MORE?

www.cms.int/



IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)

CITES is an international agreement that aims to regulate international trade in endangered species or those species that may become endangered if trade is not regulated and controlled.

States that have ratified CITES are known as Parties. Although CITES is legally binding on the Parties, it does not take the place of national laws. CITES provides a framework for the regulation of every aspect of the trade in endangered species of wildlife, which must be respected by each Party. Parties must adopt their own domestic legislation to make sure that CITES is implemented at the national level. As of October 2005 there were 169 countries that ratified the Convention and become Parties to CITES.

CITES is administered by a Secretariat, which has the following roles:

- Coordinates the Convention and provides an advisory service to Parties;
- Acts as a repository for documents and other information submitted by the Parties;
- Distributes relevant information to the Parties;
- Provides technical assistance to the Parties;
- Assists with communication and monitoring the implementation of the Convention;
- Administers the CITES Appendices;
- Undertakes scientific and technical studies into issues affecting the implementation of the Convention;
- Arranges meetings of the Conference of the

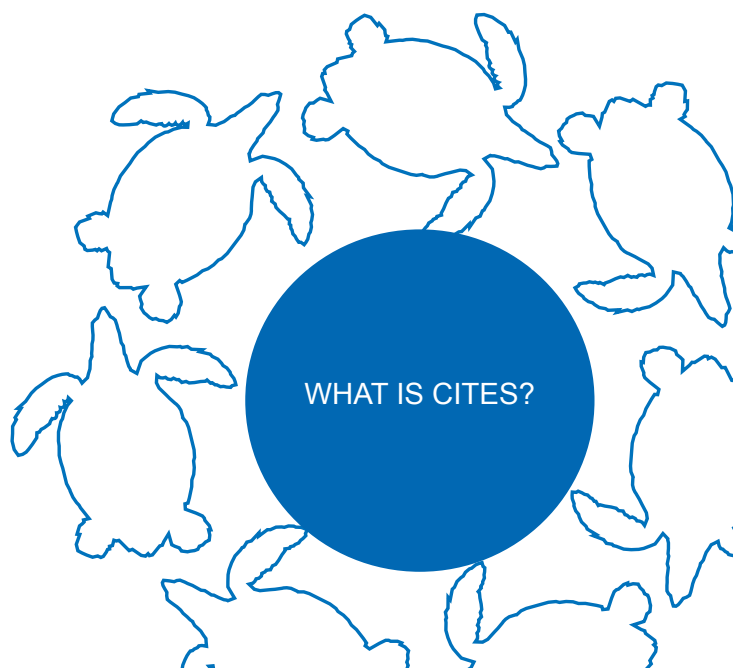
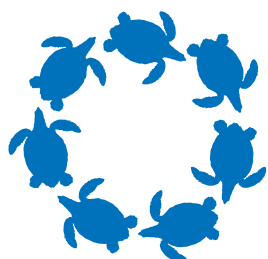
- Parties* and of the permanent Committees;
- Makes recommendations regarding the implementation of the Convention.

In addition the CITES Standing Committee,

** The Parties to CITES meet every two to three years to review the implementation of the Convention. At these Conference of the Parties – known as CoPs - the Parties vote on amendments to the Appendices, CITES Resolutions and Decisions to improve the effectiveness of the Convention.*

made up of various elected Parties, provides policy guidance to the Secretariat concerning the implementation of the Convention and oversees the management of the Secretariat's budget. Beyond these key roles, it coordinates and oversees the work of other CITES committees (e.g. Animals Committee and the Plants Committee) and working groups; and drafts resolutions for consideration by the Conference of the Parties.

CITES works by subjecting international trade in specimens of selected species to certain controls. These require that all import, export, re-export and introduction from the sea of species covered by the Convention has to be authorized through a licensing system. The species covered by CITES are listed in three appendices, according to the degree of protection they need, and which are structured as follows:



- **Appendix I** includes species threatened with extinction. Trade in specimens of these species is permitted only in exceptional circumstances.
- **Appendix II** includes species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival.
- **Appendix III** contains species that are protected in at least one country, which has asked other CITES Parties for assistance in controlling the trade.

Each Party to the Convention must designate a Management Authority to administer a CITES licensing system, and a Scientific Authority to advise the Management Authority on the effects of trade on the status of the species. A specimen of a CITES-listed species may be imported into or exported (or re-exported) from a Party to the Convention only if the appropriate document has been obtained and presented for clearance at the port of entry or exit. All species of marine turtle are listed in Appendix I and therefore international commercial trade in turtles and their products is banned by Parties to CITES.

WHEN DID CITES COME INTO FORCE?

CITES was adopted in Washington DC, USA in March 1973 and entered into force in July 1975. The UK ratified CITES in August 1976.

WHO IS RESPONSIBLE FOR CITES IN THE UK?

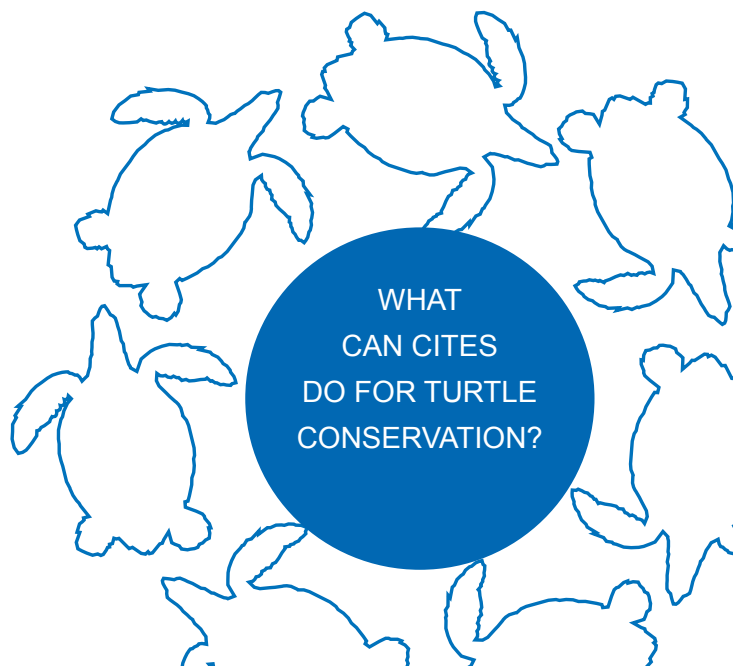
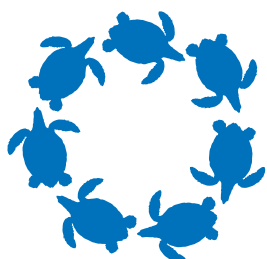
The Department for Environment, Food and Rural Affairs (Defra) is the CITES Management Authority for the UK. The Joint Nature Conservation Committee (JNCC), acting on behalf of the country nature conservation agencies, is the Scientific Authority for Animals. Enforcement in the UK is the responsibility of HM Revenue & Customs at the border and the British police inland. The Foreign and Commonwealth Office works closely with

Defra to represent the UK Overseas Territories within the context of CITES.

DOES CITES CURRENTLY EXTEND TO MY TERRITORY? Of the Overseas Territory marine turtle range states, this Convention currently extends to: Ascension Island, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Gibraltar, Montserrat, Pitcairn Islands, St Helena & Dependencies. Anguilla and the Turks and Caicos Islands are in the process of preparing appropriate domestic legislation to enforce CITES in preparation for planned extensions.

WHAT DOES A UK OT HAVE TO DO FOR CITES TO BE EXTENDED? Your Government must make an official request to the Foreign and Commonwealth Office to have the Convention extended to your country. However, the UK will not extend CITES to an Overseas Territory until that Territory has appropriate domestic legislation in place to facilitate enforcement as required by the Convention.

WHAT CAN CITES DO FOR MARINE TURTLE CONSERVATION? All species of marine turtle are listed in Appendix I and therefore international commercial trade in turtles and their products is banned by Parties to CITES. Therefore, commercial export and import of marine turtles and their products is banned from the UK Overseas Territories listed above. However, applications for licenses may be considered to export and import marine turtle species and their products into and out of the above UK Overseas Territories if:



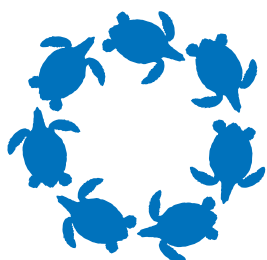
- the import and export are not detrimental to the survival of the species;
- the specimen is not to be used for primarily commercial purposes;
- the specimen was not obtained in contravention of the laws of the State of origin;
- the specimen is captive bred (a CITES Resolution implemented by many Parties requires that these be from a facility registered with the Secretariat).

and if the specimen is live:

- the proposed recipient of a living specimen is suitably equipped to house and care for it;
- the specimen is prepared and shipped so as to minimize the risk of injury, damage to health, or cruel treatment.

Therefore, generally speaking, dead specimens, samples or turtle products can be imported and exported from CITES Parties with appropriate permits if they are for scientific research or if they are personal belongings (strict conditions must be met for the import and export of Appendix I personal belongings). Again generally speaking, live marine turtles can only be exported and imported with appropriate permits if this is being done for scientific, breeding, propagation or educational purposes and not for primarily commercial purposes. Live turtles and turtle products could be imported and exported from CITES Parties with appropriate permits if they if they are captive bred and, for those Parties that implement the appropriate Resolution, they originate from a facility registered under CITES.

The UK applied for such registration on behalf of the Cayman Islands and the Cayman Turtle Farm at CoP12 in Santiago, Chile



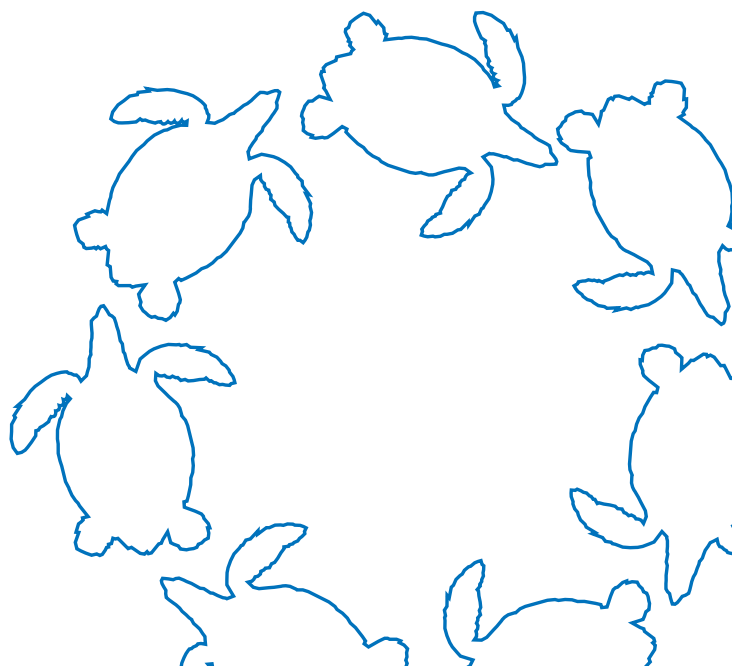
in 2002. However, the application failed to achieve the necessary two-thirds majority vote of the Parties and was therefore rejected.

Cuba and the CITES Caribbean Hawksbill Turtle Range State Dialogue Process:

Cuba has submitted various proposals to CITES CoP10 (1997) and CoP11 (2000) to down list Cuba's hawksbill turtle population to Appendix II, and thereby reopen international trade with Japan in hawksbill scutes generated by the current and historical traditional turtle fishery. However, none of Cuba's proposals achieved a two-thirds majority vote in favour at the CoPs and so were rejected, and a similar proposal tabled by Cuba before CoP12 (2002) was withdrawn.

Debate at CoP11 about Cuba's proposals led to Costa Rica calling for the establishment of a CITES Caribbean Hawksbill Turtle Range State Dialogue Process, to be facilitated by the Secretariat, this was established in 2001. The CITES Secretariat facilitated two regional meetings of Caribbean hawksbill turtle range states, one in Mexico in 2001 and one in the Cayman Islands in 2002, to determine a regional conservation strategy for the hawksbill turtle. Parties involved in the process agreed that the strategy should:

- promote the recovery of depleted populations and maintain stable, recovered populations of hawksbill turtles in the region;



- promote and strengthen existing measures, such as national programmes and those under the Caribbean Environment Programme;
- monitor and reduce illegal harvest and trade;
- ensure sufficient resources for implementation of the strategy, including capacity building;
- improve communication and information sharing in the region, including public awareness;
- improve research and monitoring; and
- ensure active participation of all countries in the region.

The process is ongoing but has generated standardised guidelines for future hawksbill research and population monitoring in the region, and has identified many index nesting beaches and foraging sites where population monitoring is recommended to be undertaken by the range States.

This process catalysed the Turtles in the Caribbean Overseas Territories (TCOT) project which set out to assess the status and exploitation of marine turtles in the UK Overseas Territories in the Caribbean. The Turtles in the UK Overseas Territories project

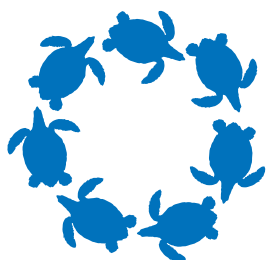
(TUKOT) developed from the TCOT process.

WHERE CAN I FIND OUT MORE?

www.cites.org

www.ukcites.gov.uk

www.seaturtle.org/mtrg/projects/tcot



HAS
CITES MADE
A DIFFERENCE
TO THE TRADE IN
TURTLES IN YOUR
COUNTRY?

CARTAGENA CONVENTION

CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF THE MARINE ENVIRONMENT OF THE WIDER CARIBBEAN REGION (CARTAGENA CONVENTION)

The Cartagena Convention is the only legally binding environmental treaty for the Caribbean region and includes the Gulf of Mexico, the Caribbean Sea and adjacent areas of the Atlantic Ocean. The Convention urges Parties to 'individually or jointly, take all appropriate measures to protect and preserve rare or fragile ecosystems, as well as the habitat of depleted, threatened or endangered species, in the Convention area'.

The Convention is designed to facilitate national and joint management of coastal and marine resources within the region. It identifies sources of pollution that require control (i.e. pollution from ships, dumping, land-based sources and sea bed activities, as well as airborne pollution) and identifies environmental management issues that require co-operation between Parties including, specially protected areas and wildlife, co-operation in cases of emergency, environmental impact assessment and scientific and technical co-operation.

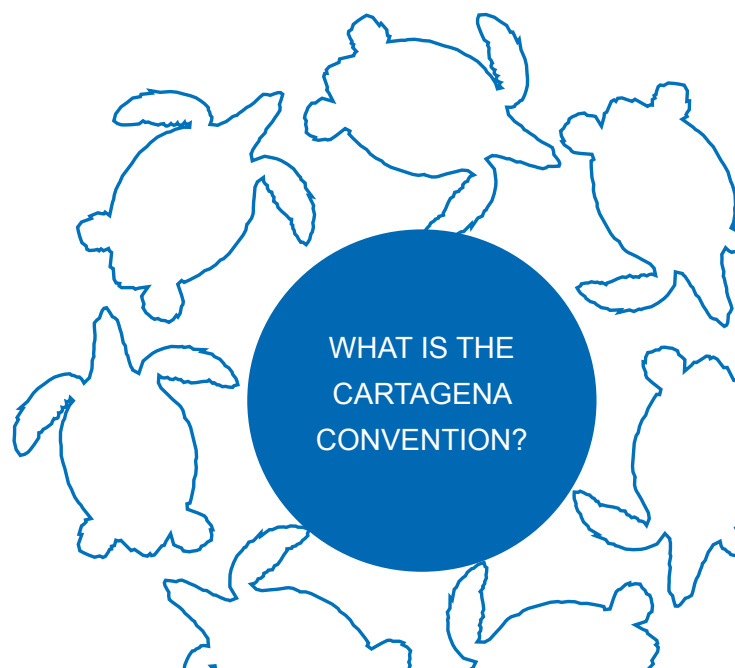
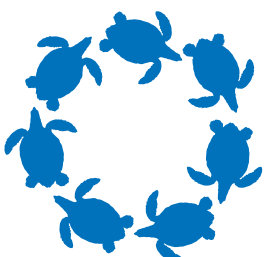
The following Protocols are defined under this Convention:

- Protocol to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Concerning Co-operation in Combating Oil Spills (Oil Spills Protocol, entered into force in 1986)

- Protocol to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Concerning Specially Protected Areas and Wildlife (SPAW Protocol, adopted by the Convention in 1990)
- Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Concerning Pollution from Land-based Sources and Activities (LBS Protocol, adopted in 1999).

WHEN DID THE CARATAGENA CONVENTION COME INTO FORCE? The Convention was adopted in 1983, when the Protocol to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region (Oil Spills Protocol) was also adopted. Both the Cartagena Convention and the Oils Spills Protocol entered into force in 1986 after having been ratified by 9 governments.

The UK ratified the Cartagena Convention and the Oil Spills Protocol on behalf of the Cayman Islands and Turks and Caicos Islands



on 28 February 1986, and reserved the right to extend it at a future date to include other territories. On 21 November 1987, the Convention and the Oils Spills Protocol were extended to the British Virgin Islands.

The Protocol to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Concerning Specially Protected Areas and Wildlife (SPAW Protocol) was adopted by the Convention in 1990. The UK signed the SPAW Protocol in 1990, but is yet to ratify it and therefore none of the provisions of the SPAW Protocol currently apply to any of the UK Overseas Territories in the Caribbean.

In 1999, the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region Concerning Pollution from Land-based Sources and Activities (LBS Protocol) was also adopted under the Cartagena Convention. The UK has not signed the LBS Protocol.

WHO IS RESPONSIBLE FOR THE CARTAGENA CONVENTION IN THE UK?

The Foreign and Commonwealth Office and Defra have joint responsibility to implement this Convention in the UK Overseas Territories in the Caribbean.

DOES THE CARTAGENA CONVENTION CURRENTLY EXTEND TO MY TERRITORY?

This Convention only applies to UK Overseas Territories in the Caribbean. Bermuda is beyond the Convention's geographic scope. Of the Overseas Territory marine turtle range states, this Convention currently extends to the British Virgin Islands, the Cayman Islands and the Turks and Caicos Islands.

WHAT DOES A UK OT HAVE TO DO FOR THE CARTAGENA CONVENTION TO BE EXTENDED?

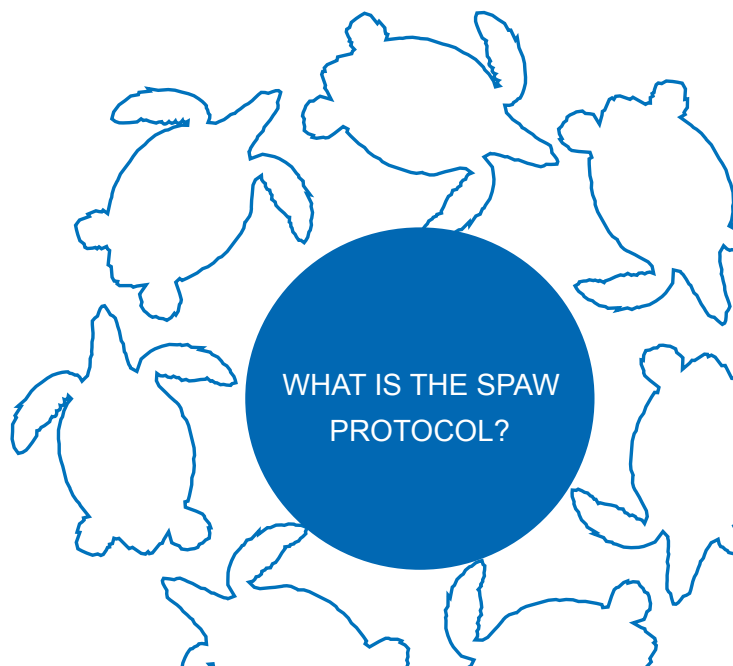
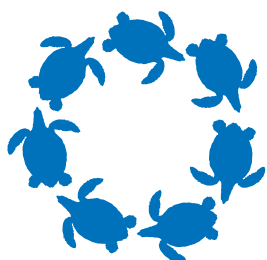
Your Government must make an official request to the Foreign and Commonwealth Office to have the Convention extended to your country. Furthermore, your Government must have domestic legislation in place to meet the obligations of the Convention. Although the UK remains committed to working towards ratification of the SPAW Protocol, this is entirely dependent upon the relevant Overseas Territories having the necessary domestic legislation in place (Denise Dudgeon FCO, pers comm 2004).

WHAT CAN THE CARTAGENA CONVENTION DO FOR MARINE TURTLE CONSERVATION?

While the Cartagena Convention, Oils Spills Protocol and LBS Protocol include provisions to mitigate against damage to turtle habitat through pollution, it is the SPAW protocol that provides direct benefits to the conservation and management of marine turtle populations in the region. The Protocol requires ratifying Parties to identify threatened and endangered species within their national territories, and:

‘protect, preserve and manage in a sustainable way:

- a) areas that require protection to safeguard their special value; and
- b) threatened or endangered species of flora and fauna.’



The SPAW Protocol provides a set of protective measures, including the establishment of protected areas, regulations prohibiting deleterious activities, management regimes and international cooperation. Cooperative measures include the compilation of a list of protected areas in the region that also determines priority-protected areas in need of further scientific research and monitoring, and cooperative measures to protect species.

Annex II of the SPAW Protocol includes all 6 marine turtle species recorded in the Caribbean (green, hawksbill, Kemp's ridley, leatherback, loggerhead and olive ridley turtles). The Protocol provides for strict protection measures for species listed in Annex II. Paragraph 1(b) of Article 11 reads;

'Each Party shall ensure total protection and recovery to the species of fauna listed in Annex II by prohibiting:

- (i) the taking, possession or killing (including, to the extent possible, the incidental taking, possession or killing) or commercial trade in such species, their eggs, parts or products;
- (ii) to the extent possible, the disturbance of such species, particularly during periods of breeding, incubation, aestivation or migration, as well as other periods of biological stress.'

However, Article 14 reads,

'Each Party shall, in formulating management and protective measures, take into account and provide exemptions, as necessary, to meet traditional subsistence and cultural needs of its local populations. To the fullest extent possible, no exemption, which is allowed for this reason, shall:

- (a) endanger the maintenance or areas protected under the terms of this Protocol, including the ecological processes contributing to the maintenance of those protected areas; or

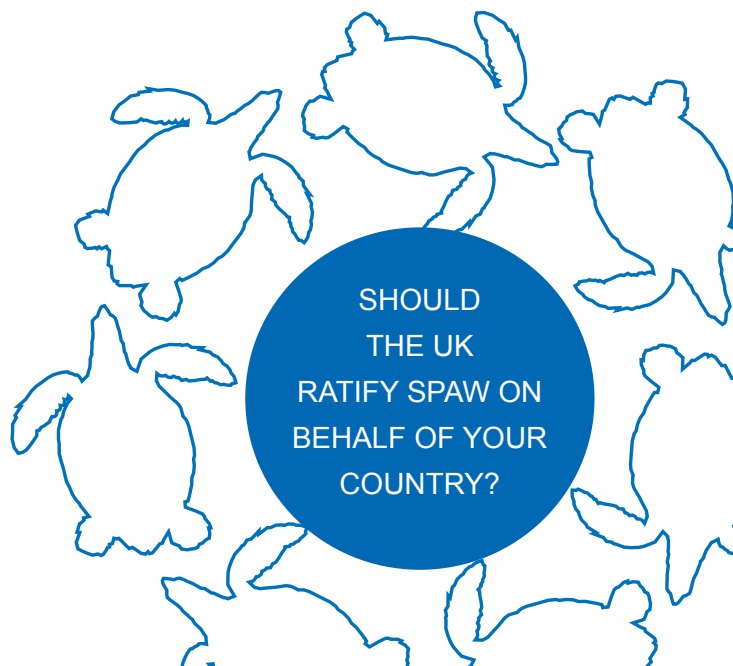
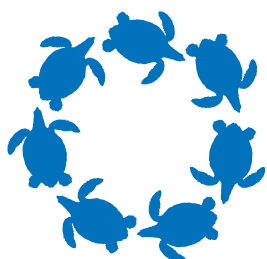
(b) cause either the extinction of, or a substantial risk to, or substantial reduction in the number of, individuals making up the populations of species of fauna and flora within the protected areas, or any ecologically inter-connected species or population, particularly migratory species and threatened, endangered or endemic species.

Parties which allow exemptions with regard to protective measures shall inform the Organization accordingly.'

As with the CMS, it is presently unclear whether or not the legal turtle harvests in the UK Overseas Territories in the Caribbean are compliant with this Protocol, were it to be extended to a Territory, as there is little or no monitoring of these harvests or their impacts on local marine turtle populations.

WHERE CAN I FIND OUT MORE?

<http://www.cep.unep.org/law/cartnut.php>



SHOULD
THE UK
RATIFY SPAW ON
BEHALF OF YOUR
COUNTRY?

RAMSAR

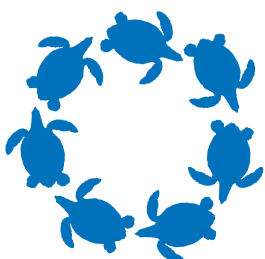
CONVENTION ON WETLANDS OF INTERNATIONAL IMPORTANCE ESPECIALLY AS WATERFOWL HABITAT (Ramsar)

Ramsar is the Convention on Wetlands of International Importance especially as Waterfowl Habitat. The Convention covers all aspects of wetland conservation and wise use, where wetlands are defined as 'areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres'. These may 'incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands'. While this Convention was designed to promote the protection of sites important to waterfowl, this definition also provides for the conservation of critical turtle foraging and nesting habitats.

The Convention has three main areas of activity:

- The designation of wetlands of international importance as Ramsar sites.
- The promotion of the wise-use of all wetlands in the territory of each country.
- International co-operation to further the wise-use of wetlands and their resources.

Parties are required to designate important wetlands within their national boundaries on to the List of Wetlands of International Importance (the List). Throughout the UK's Overseas Territories and Crown Dependencies, Ramsar provides the only international mechanism for protecting wetland sites of international importance and is thus of key conservation significance.

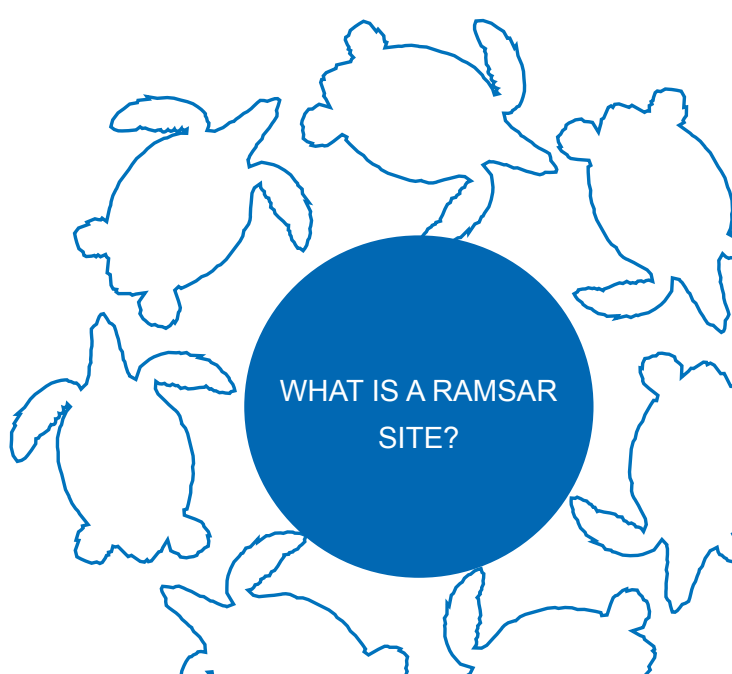


Contracting Parties assume a wide range of related obligations, including the following:

- Formulation and implementation of planning to promote the conservation of wetlands included in the List, and as far as possible the wise use of wetlands in their territory.
- Promotion of the conservation of wetlands and waterfowl by establishing nature reserves on wetlands, whether they are included in the List or not, and provide adequately for their wardening.
- Research and the exchange of data and publications regarding wetlands and their flora and fauna.
- Increasing waterfowl populations on appropriate wetlands.
- Promotion of the training of personnel competent in the fields of wetland research, management and wardening.

WHEN DID RAMSAR COME INTO FORCE?

The Ramsar Convention on Wetlands Convention was adopted in Ramsar, Iran in February 1971 and entered into force in December 1975. The UK ratified the Convention in 1976 and as of October 2005 there were 146 Contracting Parties to the Convention, with 1,462 Ramsar sites covering over 125 million hectares, having been designated worldwide.



WHAT IS A RAMSAR SITE?

WHO IS RESPONSIBLE FOR RAMSAR IN THE UK?

The Department for Environment Food and Rural Affairs (Defra) is the UK administrative authority for Ramsar and works closely with the Foreign and Commonwealth Office (FCO) on Ramsar matters in the Overseas Territories. A National Ramsar Committee acts in an advisory capacity to assist government in the implementation of the Convention.

WHAT DOES A UK OT HAVE TO DO FOR RAMSAR SITE TO BE DESIGNATED?

A UK OT government wishing to designate a Ramsar site should make a formal request to the UK Government after having carried out consultations within the Territory and with the UK Government as appropriate. This request should include a Ramsar Information Sheet and map, as well as confirmation that the site is suitable for designation under the Ramsar Criteria (e.g. 'Wetlands should be selected for the List on account of their international significance in terms of ecology, botany, zoology, limnology or hydrology'). The criteria for identifying wetlands of international importance are available on the Ramsar website. The UK's Joint Nature Conservation Committee can advise on the map and Ramsar Information Sheet before they are finalised. Defra will then arrange for the site to be formally designated and request that the Ramsar Secretariat adds the site to the List of Wetlands of International Importance.

In addition, UK OT authorities wishing to designate a Ramsar site are strongly encouraged to draw up a management plan for the site, taking into account the Convention's guidelines.

DOES RAMSAR CURRENTLY EXTEND TO MY TERRITORY? Of the Overseas Territory marine turtle range states, this Convention

currently extends to: Anguilla, Ascension Island, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Gibraltar, Montserrat, Pitcairn Islands and St Helena & Dependencies.

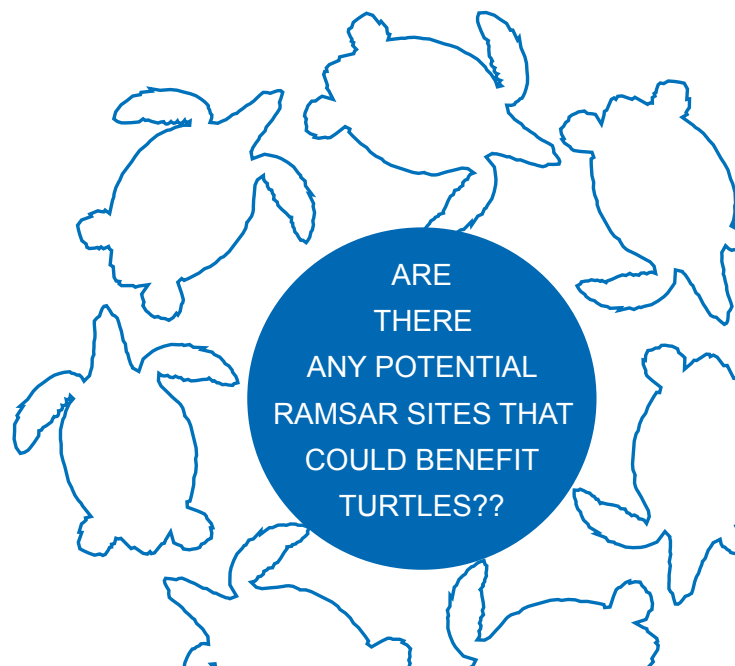
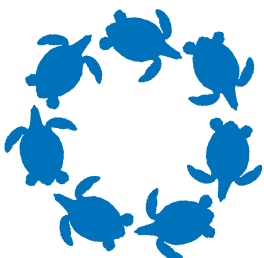
WHAT CAN THE RAMSAR CONVENTION DO FOR MARINE TURTLE CONSERVATION?

This Convention encourages the protection and management of important turtle habitats, such as tidal creeks, lagoons, shallow water, inshore sea grass beds and coral reefs, as well as turtle nesting beaches adjacent to Ramsar sites. Current Ramsar sites of particular interest to marine turtle conservation include Diego Garcia (BIOT), Akrotiri (Cyprus) and the North, Middle and East Caicos Islands of the Turks and Caicos Islands, in addition the UK Overseas Territories Conservation Forum has recently published 'A Review of Existing and Potential Ramsar Sites in the UK Overseas Territories and Crown Dependencies' (Pienkowski, 2005. URL below).

WHERE CAN I FIND OUT MORE?

www.ramsar.org

www.ukotcf.org/pdf/RAMSAR_review052.pdf



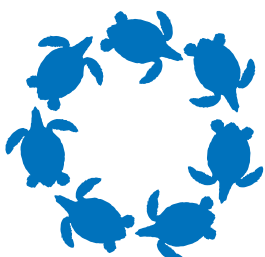
INTER-AMERICAN CONVENTION FOR THE PROTECTION AND CONSERVATION OF SEA TURTLES (IAC).

IAC is the only international treaty dedicated exclusively to sea turtles and covers the 'land territory in the Americas of each of the Parties, as well as the maritime areas of the Atlantic Ocean, the Caribbean Sea and the Pacific Ocean'. Its objective is to 'promote the protection, conservation and recovery of sea turtle populations and of the habitats on which they depend, based on the best available scientific evidence, taking into account the environmental, socioeconomic and cultural characteristics of the Parties.'

The IAC is administered by a Secretariat in consultation with a Consultative Committee of Experts. It requires Parties to protect and conserve marine turtle populations and habitats; to reduce the incidental capture, injury and mortality of marine turtles due to commercial fisheries; to prohibit the intentional harvest, international and domestic trade in turtles and turtle products; and encourage international cooperation in research and management programmes. The Convention also requires Parties to take 'appropriate and necessary measures' to regulate Party registered vessels on the high seas.

WHEN DID THE IAC COME INTO FORCE?

The IAC entered into force in 2001 and has been ratified by Brazil, Costa Rica, Ecuador, Honduras, Mexico, the Netherlands, Peru, USA and Venezuela. The UK has not signed or ratified the IAC.



WHO IS RESPONSIBLE FOR THE IAC IN THE UK?

The UK has not signed or ratified the IAC, but the lead responsibility for considering this convention lies with Defra, in consultation with the Foreign and Commonwealth Office.

DOES THE IAC CURRENTLY EXTEND TO MY TERRITORY?

The UK has neither signed nor ratified this treaty nor shows any intention of doing so, and accordingly, the provisions of the convention do not currently apply to any of the UK Overseas Territories.

WHAT DOES AN OVERSEAS TERRITORY HAVE TO DO FOR THE IAC TO BE EXTENDED?

Your Government must make an official request to the Foreign and Commonwealth Office to sign and ratify the Convention on behalf of your country. Furthermore, your Government must have domestic legislation in place to meet the obligations of the Convention.

WHAT COULD THE IAC DO FOR MARINE TURTLE CONSERVATION?

Parties to the IAC are required to ensure the following:

- prohibition of the intentional capture, retention or killing of, and domestic trade in, sea turtles, their eggs, parts or products;
- compliance with the obligations established under CITES relating to turtles;
- restriction of human activities that could seriously affect sea turtles (to the extent

WHAT IS THE IAC?

- practicable);
- protection, conservation and, if necessary, the restoration of sea turtle habitats and nesting areas, as well as the establishment of necessary restrictions on the use of such zones, including the designation of protected areas;
 - promotion of scientific research relating to sea turtles and their habitats;
 - promotion of efforts to enhance sea turtle populations, including research into the experimental reproduction, raising and reintroduction of sea turtles into their habitats in order to determine the feasibility of these practices to increase populations;
 - promotion of environmental education and dissemination of information in an effort to encourage the participation of government institutions, nongovernmental organizations and the general public of each State, especially those communities that are involved in the protection, conservation and recovery of sea turtle populations and their habitats;
 - reduction of the incidental capture, retention, harm or mortality of sea turtles in the course of fishing activities (to the greatest extent practicable), through the appropriate regulation of such activities, as well as the development, improvement and use of appropriate gear, devices or techniques, including the use of turtle excluder devices (TEDs), and the corresponding training, in keeping with the principle of the sustainable use of fisheries resources.

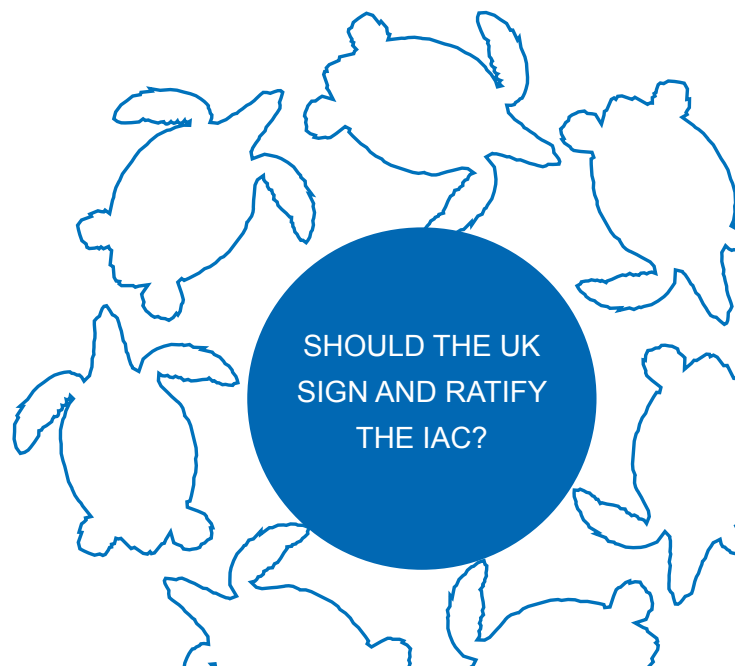
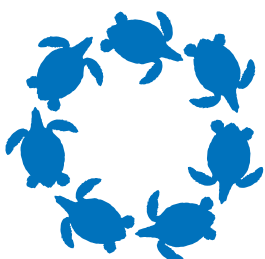
Article IV requires that Parties prohibit ‘the intentional capture, retention or killing of, and domestic trade in, sea turtles, their eggs, parts or products’. Exceptions are allowed

to ‘satisfy economic subsistence needs of traditional communities’, but Parties allowing such exceptions must ‘establish a management program that includes limits on levels of intentional taking.’

Again, the largely unmonitored but legal harvests of marine turtles in the UK Overseas Territories in the Caribbean probably would not satisfy the requirements of the IAC, if the UK were to sign this treaty on behalf of any of those territories. This issue would need some resolution if the UK were to sign this treaty on behalf of those Territories.

WHERE CAN I FIND OUT MORE?

www.seaturtle.org/iac



SHOULD THE UK
SIGN AND RATIFY
THE IAC?

UN FRAMEWORK CONVENTION ON CLIMATE CHANGE

THE KYOTO PROTOCOL

The United Nations Framework Convention On Climate Change (UNFCCC) came into force on 1994 and set a non-binding goal for Contracting Parties to stabilise their greenhouse emissions to 1990 levels by the year 2000. To this end, Parties were required to undertake necessary measures, including the submission of national inventories of greenhouse-gas emissions and removals; adoption of national programmes for mitigating climate change; development of strategies for adapting to climate change impacts; promotion of technology transfer; and the sustainable management, conservation, and enhancement of greenhouse gas sinks and 'reservoirs' (such as forests and oceans).

In addition, Parties were required to take climate change into account in their relevant social, economic, and environmental policies; cooperate in scientific, technical, and educational matters; and promote education, public awareness, and the exchange of information related to climate change.

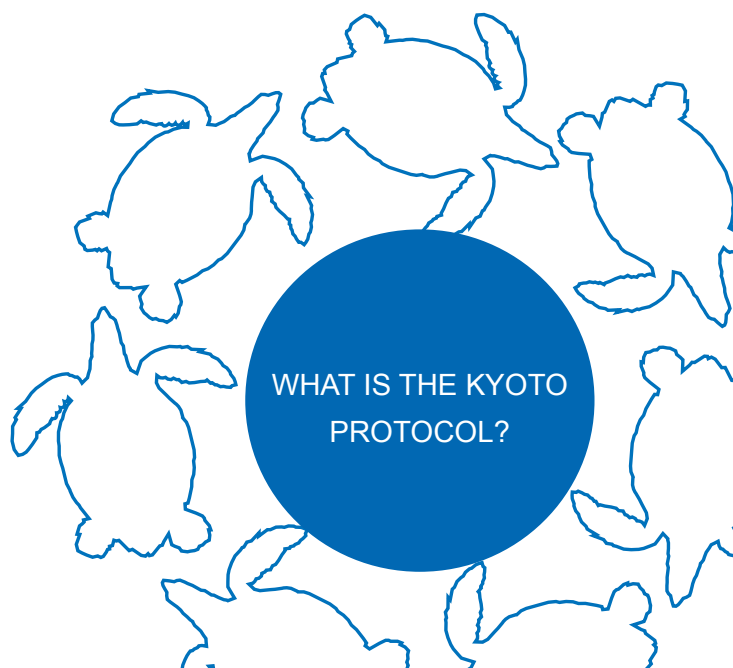
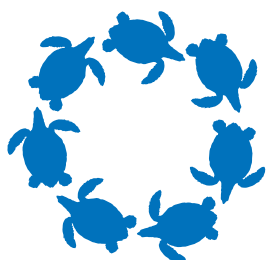
However, in 1995 it was acknowledged that the commitment of Parties to take these measures was not adequate to achieve the aims of the Convention. As a result the Kyoto Protocol was adopted in 1997 to strengthen the obligations of the Convention. Under the Protocol, industrialized countries have a legally binding commitment to reduce their collective greenhouse gas emissions by at least 5.2% below 1990 levels by the period 2008-2012.

In November 2000, the UK Government published a national strategy for addressing climate change issues, providing details of

how the UK plans to deliver its targets under the Kyoto Protocol. The UK programme aims to cut the UK's emissions of carbon dioxide by 20% below 1990 levels by 2010.

WHEN DID THE KYOTO PROTOCOL COME INTO FORCE? The United Nations Framework Convention on Climate Change was adopted at the Earth Summit in Rio de Janeiro, Brazil in 1992 and came into force in 1994. The Kyoto Protocol was adopted unanimously by Parties to the United Nations Framework Convention on Climate Change in 1997 and finally entered into force on 16 February 2005, after seven years of negotiation. The UK ratified the Framework Convention on Climate Change in 1993 and the Kyoto Protocol in 2002.

WHO IS RESPONSIBLE FOR THE KYOTO PROTOCOL IN THE UK? The Department for Environment, Food and Rural Affairs (Defra) is the lead UK Government Department. Currently the UNFCCC, and subsequently Kyoto Protocol, do not extend to the UK Overseas Territories, but Defra are in consultation with the FCO regarding possible future extension to any Overseas Territory that requests it.



DOES THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE AND THE KYOTO PROTOCOL EXTEND TO YOUR COUNTRY? This Convention does not currently extend to any of the UK Overseas Territories.

WHAT DOES A UK OT HAVE TO DO FOR the UNFCCC TO BE EXTENDED? Your Government would have to make an official request to the UK Government for extension of this Convention. No specific domestic legislation needs to be in place for extension to an Overseas Territory, but your Government would have to commit to cutting greenhouse emissions by at least 5.2% below 1990 levels by the period 2008-2012.

WHAT DOES THE KYOTO PROTOCOL DO FOR MARINE TURTLE CONSERVATION?

Marine turtles may potentially face the following catastrophic threats as a result of climate change:

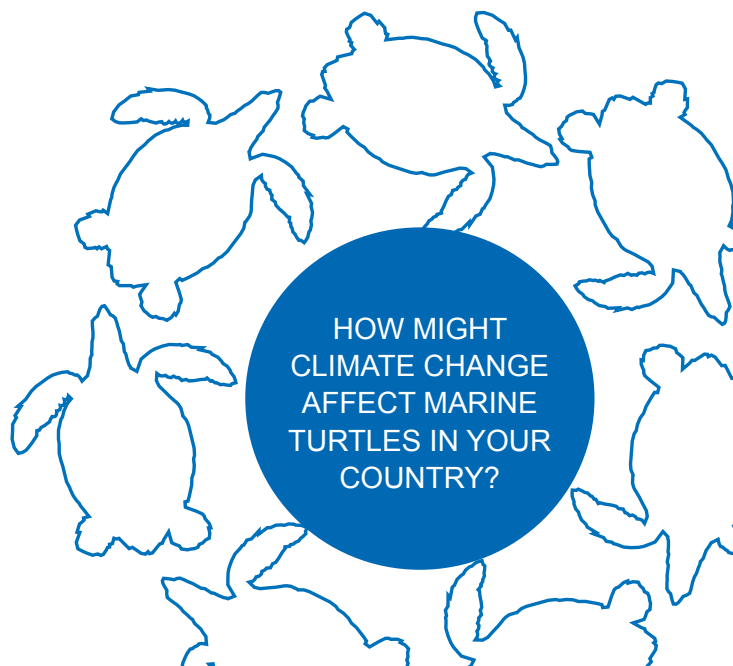
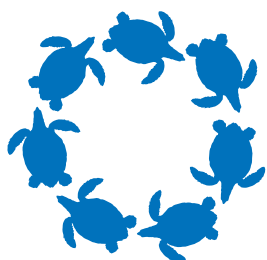
- increased nest incubation temperatures may impact the sex ratio of turtle populations and hatching success;
- sea level rise may lead to complete inundation and erosion of nesting beaches;
- increased storminess may lead to increased inundation of turtle nests leading to lower hatchling productivity;
- increased sea surface temperature and storminess may lead to extensive damage to critical foraging habitat such as coral reefs and sea grass beds;
- increased sea surface temperatures may impact feeding ecology and the timing of reproductive behaviour.

By reducing the global emissions of greenhouse gases as soon as possible, we may reduce the possible negative impacts of climate change on marine turtles, as well as ourselves.

WHERE CAN I FIND OUT MORE?

www.unfccc.int

www.defra.gov.uk/



HOW MIGHT
CLIMATE CHANGE
AFFECT MARINE
TURTLES IN YOUR
COUNTRY?

ACRONYMS

CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
DCMS	Department for Culture, Media and Sport
Defra	Department for Environment, Food and Rural Affairs
FCO	Foreign and Commonwealth Office
IAC	Inter-American Convention for the Protection and Conservation of Sea Turtles
IUCN	World Conservation Union
MEA	Multilateral Environmental Agreement
MoU	Memorandum of Understanding
OT	Overseas Territory
SPAW	The Protocol to the Cartagena Convention relating to Specially Protected Areas and Wildlife
TCOT	Turtles in the UK Overseas territories in the Caribbean
TUKOT	Turtles in the UK Overseas Territories
UK	United Kingdom
UKBAP	United Kingdom Biodiversity Action Plan
UKOTCF	United Kingdom Overseas Territories Conservation Forum
UN	United Nations
UNECE	United Nations Economic Commission for Europe
UNESCO	United Nations Educational, Scientific and Cultural Organisation
WHC	World Heritage Convention

