

Session III

Strengthening International Cooperation

Caribbean Marine Turtles and International Law
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Open Forum
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Conclusions and Recommendations

Caribbean Marine Turtles and International Law

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Several international treaties and conventions are of relevance to Caribbean marine turtles (Table 1). At the global level, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) entered into force in 1975. The treaty was developed in response to concerns about the potential detrimental effects on species' survival of high levels of international trade in wild animals and plants. It established an international legal framework for the prevention of trade in endangered species and for an effective regulation of trade in certain other species. The treaty's fundamental principles govern the species to be listed in the various Appendices on the basis of different levels of threat posed by international trade, and detail appropriate levels of trade regulation. The three Appendices to the Convention form the basis for implementation of the treaty (see Rosser and Haywood, 1996). All species of marine turtles are included in CITES Appendix I which prohibits international trade, although specific exemptions are held by Suriname (for the green turtle, *Chelonia mydas* and leatherback turtle, *Dermochelys coriacea*), by Cuba (for the green turtle and hawksbill turtle, *Eretmochelys imbricata*), and by St. Vincent and the Grenadines (for the hawksbill turtle).

The Convention on the Conservation of Migratory Species of Wild Animals (CMS, or Bonn Convention) came into force in 1983. It was established to protect species of wild animals migrating across and outside national borders, including marine animals. Parties agree to restrict harvesting, conserve habitats, and control other adverse factors. Above all, Parties are obliged to prohibit the taking of animals listed in Appendix I, with few exceptions (Hykle, 1999). All six species of Caribbean-occurring marine turtles are included in Appendices I and II, but few Caribbean states are members (Table 1). The Convention on Biological Diversity (CBD) requires Parties to develop national plans, programs, and strategies for conservation and sustain-

able use of biodiversity, which directly benefits high priority resources such as marine turtles. The UN Convention on the Law of the Sea (UNCLOS, which came into force in 1994) includes environmental provisions for pollution control and management, and provides for an Annex for highly migratory species, which could include marine turtles. The 1973 International Convention for the Prevention of Pollution from Ships (MARPOL Treaty), has as its objective “to preserve the marine environment by achieving the complete elimination of international pollution by oil and other harmful substances and the minimization of accidental discharge of such substances” (UNEP, 1989). Under the provisions of Annex V, Caribbean states have proposed to the International Maritime Organization (IMO) that the Caribbean Sea be declared a “Special Area”, a designation which will be formalized when various pollution protection measures have been implemented by Caribbean states.

At the regional level, the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention) is the only legally binding environmental treaty for the Wider Caribbean Region. It is an umbrella treaty with far reaching provisions for regional cooperation including pollution control, habitat and ecosystems and species conservation. Its Protocol Concerning Specially Protected Areas and Wildlife (SPA), which will enter into force in 2000, provides a mechanism whereby species of wild fauna and flora can be protected on a regional scale. The SPAW Protocol is an innovative legal agreement to facilitate international cooperation and guide national actions to protect important ecosystems and threatened or endangered species of wildlife of national and regional concern. As such, it is one of a few comprehensive regional biodiversity conservation agreements throughout the world that provides guidance and assistance toward meeting the comprehensive

Table 1. Some Key Multilateral Environmental Agreements to the Wider Caribbean Region (updated October 1, 2000)

	Cartagena Convention	Oil Spills Protocol	SPAW Protocol	LBS	CMS	MARPOL	CBD	UMCLOS	W. Hemisphere	IAC	CITES
Wider Caribbean Region											
Antigua & Barbuda	CP	CP	S			AN 5	CP	CP			CP
Bahamas						AN 4	CP	CP			CP
Barbados	CP	CP				AN 4	CP	CP			CP
Belize	CP	CP				AN 5	CP	CP		S	CP
Colombia	CP	CP	CP			AN 5	CP	S	S		CP
Costa Rica	CP	CP		S			CP	CP	CP	S	CP
Cuba	CP	CP	CP			AN 2	CP	CP	S		CP
Dominica	CP	CP					CP	CP			CP
Dominican Republic	CP	CP	CP	S		AN 5	CP	S	CP		CP
France	CP	CP	S	S	CP	AN 5	CP	CP			CP
Grenada	CP	CP					CP	CP			CP
Guatemala	CP	CP	S			AN 5		CP	CP	S	CP
Guyana						AN 5	CP	CP			CP
Haiti							CP	CP	CP		
Honduras	S	S					CP	CP		S	CP
Jamaica	CP	CP	S			AN 5	CP	CP			CP
Mexico	CP	CP	S			AN 3	CP	CP	CP	S	CP
Netherlands	CP	CP	CP	S	CP	AN 4	CP	CP		S	CP
Nicaragua	S	S					CP	S	CP	S	CP
Panama	CP	CP	CP		CP	AN 5	CP	CP	CP		CP
St. Kitts & Nevis						AN 5	CP	CP			CP
Saint Lucia	CP	CP	CP				CP	CP			CP
St. Vincent & Grenadines	CP	CP	CP			AN 5	CP	CP			CP
Suriname						AN 5	CP	CP	CP		CP
Trinidad & Tobago	CP	CP	CP				CP	CP	CP		CP
U.K.	CP	CP	S		CP	AN 5	CP	CP			CP
USA	CP	CP	S	S		AN 4			CP	S	CP
Venezuela	CP	CP	CP	CP		AN 5	CP		CP	R	CP

CP = Contracting Party
 R = Ratification
 S = Signature
 A = Accession
 AN = Annex Number accepted by the State

The only implication which stems from signing an international agreement after the signature period has expired, but before the Protocol itself has entered into force, is related to the nature of the instrument required in order to become a Party to the Protocol: the issue becomes one of accession to the agreement and no longer one of ratification. Only those States which have signed the agreement during the signature period are able to deposit instrument of ratification. States which sign the agreement after the expiry of the signature period, becomes parties to the agreement through accession by submitting an instrument of accession or approval. In either these two hypotheses (i.e., if signature took place either during or after the signature period), signatory states are not legally bound by the provisions of the agreement until the agreement enters into force. The signature demonstrates a State's willingness to start its ratification process (by approval by its parliament, etc.). Nonetheless, according to Article 18 of the Vienna Convention on the Law of Treaties (1969), signatory States have an obligation not to defeat the object and purpose of the treaty after signature of the treaty but prior to its entry into force. When the agreement enters into force, it will be binding on all States having ratified or acceded to.

obligations of the Convention on Biological Diversity. The SPAW Protocol also integrates well with other global conventions; for example, it encourages the use of CITES administrative mechanisms in implementing SPAW's requirements for control of trade in threatened and endangered species (see UNEP, 1995).

All species of marine turtles in the Region are protected under Annex II of the SPAW Protocol, which relates to endangered and threatened fauna. Although the SPAW Protocol is not yet in force as we speak here today, numerous activities have been implemented to support Caribbean governments in their desire to safeguard our native biodiversity, including marine turtles. These activities include species conservation through national recovery plans, such as the “Sea Turtle Recovery Action Plans” published during the last decade in collaboration with the Wider Caribbean Sea Turtle Conservation Network (WIDECAST). Article 10 of the SPAW Protocol specifies that Parties “carry out recovery, management, planning and other measures to effect the survival of [endangered or threatened] species” and regulate or prohibit activities having “adverse effects on such species or their habitats”. UNEP also recognizes the need for a regional strategic plan to protect marine turtles, and for that reason we are very pleased to have the opportunity to participate in this meeting. In 1995, the Third Meeting of the Interim Scientific and Technical Advisory Committee to the SPAW Protocol adopted draft “General Guidelines and Criteria for Management of Threatened and Endangered Marine Turtles in the Wider Caribbean Region” (Eckert, 1995).

Other relevant instruments operating at the regional level include the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere (known as the Western Hemisphere Convention), which came into force in 1942. This treaty protects all native American species from extinction and preserves areas of wild and human value; five species of marine turtles are included in its annexes. The Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC) was concluded after four rounds of negotiations in the Region in 1996. It has yet to be ratified. It has at its objective, “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, socio-economic and cultural characteristics of the Parties.” It is the only international treaty dedicated exclusively to marine turtles, and demonstrates the progressive nature of conservation in our region.

There is much more that could be said, but suffice to say that in this region there are a great variety of international legal agreements to assist us in the process of shared management, and UNEP looks forward to working together with you to ensure that Caribbean marine turtles survive for many years to come.

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Open Forum: Strengthening International Cooperation

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J. Sybesma (UNA) began the Plenary discussion by expressing his strong support of International and Regional mechanisms. He offered the following explanatory and cautionary comments. First, Conventions work between parties and are not for the citizens of a party. Second, there are basically two different legal systems within nations, dualistic and monastic, when it comes to implementation. Either the international norm must be transformed into national law (dualistic) or it is directly applicable to citizens (monastic); the former is typical. Third, because international/ regional conventions are constructed on the basis of consensus, norms in international/regional conventions are mostly vague, “open”, and lack time constraints. Fourth, at the moment there are at least four international/ regional conventions with legal mechanisms to protect sea turtles. They overlap considerably, which begs the question, “Why do we need so many international/ regional tools?” Lastly, most conventions require regular reports to be submitted, sometimes every year. In doing so, governments spend more time writing reports and less time implementing conventions. That is a problem.¹

G. Allport (Dominica) asked for feedback on the progress of UNEP Action Plans for sea turtles.

K. Eckert (WIDECAST) explained that the Wider Caribbean Sea Turtle Conservation Network (WIDECAST) had been formed as a result of a recommendation coming from a regional IUCN/CCA meeting in Santo Domingo in 1981. A natural relationship soon emerged between the network of experts and the UNEP office, which was seeking partnerships to assist governments in the discharge of their responsibilities under the Cartagena Convention, and later the SPAW Protocol. National management and recovery planning are explicit in the Convention, and an early focus of the relationship between WIDECAST and UNEP was to assist

Governments and local stakeholders in development national “Sea Turtle Recovery Action Plans” (STRAPs) that followed a standard format. The first STRAP was published in 1992; there have been 10 published to date and a dozen more are in draft form. The documents are very comprehensive and represent a great effort by WIDECAST participants. Before WIDECAST, there was no mechanism for the broad exchange of information, but in the last ten years there has been incredible progress at the grassroots level in the areas of networking, data management, and training. Some of the Action Plans have been better implemented than others. She asked if perhaps some of WIDECAST’s national coordinators, present at the meeting, would like to comment on implementation.

J. Horrocks (UWI) emphasized that in Barbados there was input into the “Sea Turtle Recovery Action Plan [STRAP] for Barbados” by all levels of society. Through the process of developing the STRAP, stressors and priority conservation actions were identified. UWI, Bellairs Research Institute, and the Fisheries Department are currently implementing the Action Plan. Programs have also been initiated in collaboration with dive operators and fishermen that focus on in-water work with green turtles and hawksbills. Currently partnerships are emerging that capitalize on the ecotourism market; e.g., making arrangements for visitors and volunteers to participate directly in our beach surveys and in-water census work.

P. Hoetjes (N.A.) noted that the Netherlands Antilles was the first country to produce an Action Plan [“Sea Turtle Recovery Action Plan for the Netherlands Antilles”]. It was authored by Jeff Sybesma, then Manager of the Underwater Park in Curaçao. Although there are not many turtles in the N.A., the government put legislation in place to fully protect the sea turtles. Now there is specific

legislation on each island of the NA. There are no extractive commercial activities on sea turtles. There are plans to survey Saba Bank, part of the NA Economic Fisheries Zone (EFZ), where turtles and other important marine resources can be found. A good deal of work has been done on Bonaire (which adopted an extensive Marine Park in 1979), especially after the STRAP was published and a local sea turtle group (“Sea Turtle Conservation Bonaire”) was formed. Curaçao has low density nesting beaches and does not monitor them consistently. Turtles in the Windward Islands of the N.A. are protected in the marine parks but, again, there is no formal monitoring of key nesting beaches or foraging sites.

C. d’Auvergne (St Lucia ²) noted that the STRAP [“Sea Turtle Recovery Action Plan for St. Lucia”], published in 1993, was the first time that all relevant information about sea turtles in St. Lucia was gathered into one place. It represented a lot of work by NGOs and Government experts, as well. It had not been closely followed in recent years, but the Fisheries Department was now showing an increased interest in sea turtle activities, and in revisiting the STRAP.

K. Eckert (WIDECAST) stated that one of the big challenges to STRAP implementation was funding. Since 1995 WIDECAST contributed (through fund-raising) about US\$ 700,000 to local sea turtle research and conservation in the region, but that is only a fragment of what is needed. She noted that, until a few years ago, the network had been focused mainly on training and capacity building, activities that are not capital intensive, but now the real need is to finance priority actions identified by stakeholders. WIDECAST itself is only a technical network, a mechanism to facilitate action, but not a donor *per se*. Local groups must become more successful at obtaining funding from national corporate or philanthropic sources. Trinidad, Bonaire, Costa Rica, Jamaica, Barbados, Belize and others have already been quite successful at local fund-raising.

N. Andrade C. (UNEP/Moderator) encouraged stakeholders to consider submitting joint proposals to Global Environment Facilities (GEF), either through the Convention on Biological Diversity (CBD) or the UNEP Regional Coordinating Unit (RCU) in Kingston. Small grants are accessible in

the region through local UNDP offices; these grants have supported sea turtle projects in Anguilla, Trinidad, and perhaps elsewhere.

M. Donnelly (IUCN MTSG) commented that five countries had ratified the Inter-American Convention [for the Protection and Conservation of Sea Turtles, or IAC]: Venezuela, Mexico, Costa Rica, Peru and, most recently, Brazil, and that the treaty was expected to enter into force within the year. Following up on Nelson’s presentation of the various international instruments in the region, and noting that the Conventions often appear to overlap in specific details, she asked for input from participants on whether this situation was considered to be problematic or useful in fulfilling the objective of coordinated, international conservation action.

P. Hoetjes (N.A.) expressed his concern that when treaties cover the same ground, it just means that “double work” is required for the reporting process. This costs more money and resources.

D. Salabarría Fernández (Cuba) offered her view that what really matters is implementation. When a treaty costs resources (including money) that are not available within the country, then it is just paper on a desk, and this is a common problem for the countries of the Wider Caribbean. All treaties have progressive and useful provisions, and most have aspects that are not relevant. A government must choose what agreements to support. A government must set its priorities.

M. Jorge (WWF) agreed, and noted that treaties are negotiated because countries desire to reach agreements that benefit them and that support their national priorities. The basis of a successful treaty is that countries agree by consensus. The recovery, management and/ or conservation of a resource or resources is often the shared motivation. The motivation must be clear before governments enter into agreements.

R. O. Sanchez (Dominican Republic) further clarified the issue by characterizing it as an ongoing debate between those who believe that signing more treaties strengthens conservation by obligating a nation to specific responsibilities, and those who believe that these responsibilities might be achieved with less (or perhaps more selective) inter-

national participation. He agreed that what is important is not just signing but implementation, even despite limited resources. It has been the experience of the Dominican Republic that a minimum or sufficient number of agreements is needed in order to effectively conserve resources, but he recognized that there were differences of opinion on this topic.

M. E. Herrera (Costa Rica) said that Panama and Costa Rica have an agreement on sea turtles [“Agreement for the Conservation of Sea Turtles on the Caribbean Coast of Panama, Costa Rica and Nicaragua”, or Tripartite Agreement] and that they would like to include Nicaragua as a signatory, as well. In addition, Costa Rica has ratified the IAC and has introduced domestic legislation for the protection of sea turtles in order to improve implementation. The government is working on a management plan with NGOs and other entities with an aim to achieve sustained conservation results into the future. She emphasized the importance of range states working together.

M. Isaacs (Bahamas) expressed his view that the benefits of some Conventions are obvious, as evidenced by a global participation in CITES (“Convention on International Trade in Endangered Species of Wild Fauna and Flora”) and other broadly applicable instruments. Most agreements do have administrative and other costs, but it is all to the end of achieving and supporting conservation on the ground. He agreed with Dalia (Cuba) that there may be a need to focus more on needs within individual countries, however, and not create so much bureaucracy as to divert limited resources away from real progress on the issues.

D. Chacón (ANAI) agreed with Maria Elena (Costa Rica) in that Costa Rica is working on many issues, both national and regional, and that to some extent the number of treaties and conventions offers a positive aspect in that a nation can choose to participate in the treaties that best meet its needs as a nation. In the case of Costa Rica there was a feeling that the various international agreements did not, in fact, meet a priority national need to work collaboratively with Nicaragua and Panama to jointly manage shared sea turtle populations. For this reason the “Tripartite Agreement” was born. He

talked about an ongoing need for updated domestic legislation, and the “enormous gap” between legislation and work being done in the field. To overcome this gap, local legislation is required in some cases because national legislation is too broad. He agreed that with conventions there is often good intention but insufficient attention to the work in the field. Therefore, local laws are also very important.

N. Andrade C. (UNEP/Moderator) indicated his support for the comments made by Didiher (ANAI) and Maurice (Bahamas) and observed that while it is easy for a country to sign an agreement, a balance must be struck between good intentions and resources that must be made available to assist institutions in implementation. Necessarily, national financial resources must be available in order to fulfill treaty obligations. In many cases governments have asked UNEP to provide these resources. WTO and other global entities are also now speaking of the “economic values” of the environment. There is interest in the idea of coordination among global and regional conventions. Secondly, treaties are based on consensus among nations, so it is at the level of the individual governments that there must be a willingness to implement. At the national level, countries have a difficult but necessary task to evaluate what benefit a convention is likely to provide, and then also think carefully about the availability of resources before the convention is signed.

R. Márquez (Mexico) agreed that the effects and benefits of a treaty must be examined and then balanced with the available budgets. Treaties require a sufficient budget. He noted that budgets for research projects often remain the same year after year, but because of inflation (which increases each year), these budgets are really shrinking.

N. Andrade C. (UNEP/Moderator) read a statement from the delegate from France informing the meeting that France had not yet ratified the SPAW Protocol, but considers it a priority. France does not support ratification of the IAC.

S. Tejerino (Nicaragua) revisited the “Tripartite Agreement”, which also includes Costa Rica and Panama, and expressed interest in the agreement. She noted that Nicaragua has revised the text of the

agreement, which was originally developed and launched by two NGOs. Since international treaties are signed by governments and not NGOs, NGOs are not responsible. At the present time Nicaragua is emphasizing the need for local groups to participate, but such groups are not in full agreement. She asked whether the avenue to consensus would be best achieved by education or diplomacy? And she indicated that Nicaragua is ready to sign several of the agreements talked about during the Plenary session, but that Nicaragua is a country that uses a lot of natural resources, and that some annexes work against current practices. The country must take into account not only conservation, but also sustainable use. “Conservation” must have a more realistic approach in some cases, especially when economies are heavily resource-dependent.

N. Andrade C. (UNEP/Moderator) noted some contradictions among conventions, such as between WTO and CBD and between SPAW and CITES, but concluded that these conventions should not lose their importance. He suggested that we identify the contradictions and adjust the treaties when practicable, but that we not forget the essential meanings of these conventions. He agreed that governments need and should expect clarity in interpreting the various conventions, and that there must be a will to work together. As an example, as a result of the last SPAW meeting in Havana UNEP is working on making global conventions more complementary.

M. Isaacs (Bahamas) agreed that this topic had been discussed in Havana. He suggested that the problem is not a contradiction between conventions, but a problem within some countries regarding compliance with the SPAW Protocol. Once again, countries must take the time to examine the documents carefully before entering into a convention.

M. Donnelly (IUCN MTSG) asked whether or not it would be useful to draft model national legislation, or to harmonize national legislation in the region as the OECS nations have attempted to do?

P. Hoetjes (N.A.) responded that harmonization of legislation may work well when countries are close together and have the same background, as is the case for many countries in the Eastern

Caribbean. But it is probably very difficult, if not impossible, when this is not the case.

D. Salabarría Fernández (Cuba) noted that legislation is the responsibility of the governments, as is policy.

S. George (St. Lucia) agreed with Paul (N.A.) that harmonization in the Eastern Caribbean was relatively easy because of a common legal background. Management guidelines coming from this meeting would be more useful than specific legislative wording. All countries of the Wider Caribbean region have legislation, but it is incomplete in various ways. Guidelines that could be used to evaluate national legislation, especially to assist Government in filling existing gaps, would be useful.

M. Jorge (WWF) stated that the term “harmonizing legislation” is subject to differences of opinion. For example, Honduras, Guatemala and Belize are harmonizing policy for fishery resources. They are sharing natural resources and they do not want to “undercut” each other’s efforts. For this reason, they are designing a joint management scheme for these resources. As an another example, several countries in the Caribbean are working diligently to manage their conch fisheries, and they are harmonizing policies. We may want to go in this direction.

C. D’Auvergne (St. Lucia ²) agreed with Sarah (St. Lucia) in that whether or not countries decide to harmonize legislation or policy depends on their particular situation. The OECS, for example, has seen significant success in managing access by foreign fleets. When countries are managing geographically contiguous resources, then there is more likely to be a justification for harmonizing.

P. Hoetjes (N.A.) said that treaties are about harmonizing policy, and that this was an important point for the meeting to discuss because it can be a very difficult thing to achieve. He noted that even within the N.A. harmonization is difficult to achieve because of a complex layering of local (island), national, and kingdom legislative frameworks. He also noted that in some treaties (e.g., CITES, SPAW), sea turtles are classified as endangered species, ... yet in some countries sea turtles are used commercially. This is often because of poverty. Countries sign the treaties, but on a nation-

al level they let this consumption continue. He asked, "How do we deal with this?"

S. Tijerino (Nicaragua) responded that in the case where a country signs a treaty and lets national consumption continue in ways that contravene the intent of the treaty, it does not mean that the country lacks a willingness to regulate consumption. The situation is complicated. There is an effort to harmonize legislation within Latin America, for example, but procedures with commerce and internal management are very complex. Countries will have to focus on the similarities in this matter.

M. Isaacs (Bahamas) agreed that no country has 100% compliance. When a country decides to sign or ratify a treaty, it agrees to try its best to comply with the principles of that treaty.

J. Frazier (Smithsonian) observed that the world is complex, political processes are not transparent, and conventions are difficult to implement. Since the meeting had been called to discuss sea turtles, and it was the first such forum to convene in many years, he invited the participants to consider whether or not sea turtles could be managed on an individual country level and, if so, what was the role of the regional dialogue?

N. Andrade C. (UNEP / Moderator) asked the group to provide some concrete recommendations and suggestions on the subject of "Strengthening International Cooperation."

R.O. Sanchez (Dominican Republic) stated his view that when one considers the migratory nature of sea turtles, it is obvious that we must always think at regional and international levels. Therefore, a regional dialogue has great value. We cannot solve problems as individual nations — we must continue to work on a regional and international level.

M. Isaacs (Bahamas) recommended that copies of national legislation be made available in English and Spanish because "it would be useful for us to see the legislation of other countries when drafting our own legislation."

R. Kerr (Hope Zoo) asked whether or not "model" implementing legislation could be made available to governments of the region regarding IAC and SPAW, since there was hope for these

treaties coming into force soon.

K. Eckert (WIDECAST) recalled participating in a SPAW legislation meeting in Ocho Rios (Jamaica) in 1993, and asked whether UNEP had developed model legislation for the SPAW Protocol. [ref: "Workshop to Assist with the Formulation of National Legislation to Implement the SPAW Protocol in the Common Law Countries of the Wider Caribbean Region," 6-9 December 1993]

J. Sybesma (UNA) reminded the meeting that the Jamaica meeting was only for common law countries, and it was his recollection that nothing had become available as a result of the meeting.

N. Andrade C. (UNEP / Moderator) answered that he was unaware of any model SPAW legislation available from UNEP.

S. George (St. Lucia) agreed with previous speakers that the region is committed to moving to a new approach with regards to sea turtle management. She noted that countries recognize that they need to work with others, and that no country can accomplish its management goals in isolation.

K. Eckert (WIDECAST) inquired whether this would be a good opportunity to put forward a recommendation of the meeting in support of the SPAW Protocol, noting that no treaty lends clarity and focus to the issues facing sea turtles in the way that SPAW does. She asked whether there was a copy of the Protocol present for the purposes of a more detailed discussion.

N. Andrade C. (UNEP/Moderator) responded that the meeting could take a decision with regard to SPAW, but it would be non-binding since this is a technical meeting and not an intergovernmental meeting.

A. Abreu (IUCN MTSG) asked the meeting to consider the points of consensus. He suggested that if, for example, there was universal acceptance, based on the migratory characteristics of sea turtles, that sea turtles should be managed regionally, then the recommendations of the meeting should support that point. Perhaps more specific recommendations could come at a later time.

S. Tijerino (Nicaragua) expressed concern that

the meeting did not have the authority to support a recommendation on SPAW (or any other treaty). In her case, she works for Environmental Affairs and not Foreign Affairs. She came to discuss this matter with hopes of presenting an initiative, not to make commitments. She noted that Nicaragua had signed the SPAW Protocol years ago, but had not ratified it. This was a matter for Foreign Affairs.

N. Andrade C. (UNEP/Moderator) clarified the point that this is not an inter-governmental meeting; nothing that comes out of this meeting should be construed as mandatory or binding. This is a meeting of technical experts and an indication of the commitment of Caribbean governments to participate in this important discussion. The recommendations of the meeting should be of a technical nature.

E. Carillo (Cuba) agreed with Alberto (IUCN MTSG) that the management of marine turtles must be regional, but that implementation must logically occur at the national level. There might be a mosaic of national plans, each supporting the regional consensus but crafted to meet national priorities as well.

J. Aiken (Cayman Islands) stated his support for the meeting as a forum to discuss regional management of marine turtles in the Caribbean, and offered his view that the ecology of marine turtles should be viewed first from a regional perspective and then from a national perspective. A “mosaic of national plans” may neglect important aspects of marine turtle life history, especially when developing a “Regional Management Plan for the Conservation of Marine Turtles in the Caribbean.”

C. Parker (Barbados) suggested that recommendations must be based on biological realities, but also on the needs of the different countries. Sea turtle harvest is prohibited in Barbados, but to what level should turtles be harvested in other countries? He suggested that information be made available indicating the extent to which exploitation is important to various countries.

R. O. Sanchez (Dominican Republic) agreed that resource use within countries should be taken into account, including the traditional use of turtles. There is a wide range of current practices.

C. Parker (Barbados) described the purpose of

the meeting as a forum to share information, with the intent of trying to move from a national level of management to an international level where responsibilities are shared. He suggested that what governments really need to know is whether or not their efforts are useful or in vain; for example, are turtles protected in one country, but overexploited in other areas so that we may never see them again? What are our shared values in this regard? Can we agree that if we do not conserve them internationally, they will be lost? Countries will be less likely to increase their national conservation activities if they do not understand why others do not do the same.

M. Isaacs (Bahamas) agreed that we must move away from a parochial mentality. In talking of highly migratory species which are a shared resource, we are obligated to remember that turtles in the waters or on the beaches of any particular country are only there for a period of time, but during that time they are wholly dependent on that country for their survival. Feeling the importance of this view, the Bahamas does not have a problem with regard to compliance with either SPAW and CITES.

A. Abreu (IUCN MTSG) asked for volunteers to comprise a Drafting Committee to make recommendations to the meeting, based on the discussion.

M. Jorge (WWF) noted it would be prudent to ensure that a range of viewpoints be represented on the Drafting Committee. It was agreed that the Drafting Committee would include S. George, M. Isaacs, E. Carillo, S. Tijerino, N. Andrade C. and J. Sybesma. V. Sybesma and M. Donnelly agreed to type the minutes of the session.

¹ The interventions documented by the Minutes of this Plenary Session (Open Forum) were filtered through translators, rapporteurs, and editors before being finalized in these Proceedings. Every effort was made to ensure a fair representation of the views presented. Any misinterpretations or errors are the sole responsibility of the editors.

²Mr. C. d’Auvergne participated in the meeting as an Invited Expert, and not as a delegate from St. Lucia

Conclusions and Recommendations: Strengthening International Cooperation

NOTING the efforts of all countries of the Wider Caribbean in conserving marine turtles and their habitats on a national level;

RECOGNIZING the constraints that all countries continue to face in implementing the conservation of marine turtles and their habitats;

WE RECOMMEND:

- Supporting the establishment of a regional data center, including legislation, biological and technical information to be located, for example, at the SPAW Regional Activity Center to be established in Guadeloupe;
- Encouraging and supporting the countries of the Wider Caribbean in becoming more involved in international, regional and sub-regional agreements for the conservation of sea turtles;

- Encouraging countries of the Wider Caribbean that have a “Sea Turtle Recovery Action Plan” (STRAP) in place to implement it, and encouraging those who do not have such a plan in place to develop and implement one, with the final goal being to achieve regional consensus on the guidelines and criteria for cooperative conservation and management of Caribbean marine turtles;

- Continuing to use cooperative mechanisms to make the implementation and reporting requirements of the various international and regional conventions more effective and efficient; and

- Encouraging and supporting those countries with jurisdiction over outstanding critical marine turtle habitat in increasing their efforts to conserve those populations and habitats, with the support of the regional and international community.