



Memorandum of Understanding on the  
Conservation and Management of Marine Turtles and  
their Habitats of the Indian Ocean and South-East Asia

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FOURTH MEETING OF THE SIGNATORY STATES  
Muscat, Oman, 11-14 March 2006

## ADVISORY COMMITTEE

### Background

1. An Advisory Committee was established to provide scientific, technical and legal advice to the Signatory States. Signatories may nominate for membership on the Committee individuals with expertise in the fields of marine turtle biology, marine resource management, coastal development, socio-economics, law, fisheries technology, and other relevant disciplines. The individuals appointed to the Committee serve voluntarily in their personal capacity, and need not be affiliated with a government agency of a Signatory State.
2. The Second Meeting of Signatory States agreed to extend the Advisory Committee's membership to eight individuals (out of a possible maximum of ten), of which seven members have already been appointed. A procedure was agreed at the Second Meeting whereby the Advisory Committee could make recommendations, intersessionally, with regard to the appointment of additional individuals in order to fill existing vacancies and to bring in additional specialised expertise as necessary. The Committee's terms of reference and current membership list are attached at Annexes 1 and 2, respectively.
3. The Chairman of the Advisory Committee, Dr. George Hughes, is expected to deliver a report on its activities since the Third Meeting of Signatory States. The Committee last met in person on 31 March 2005 and has since conducted its business largely by e-mail correspondence. Several members were involved in the production of the leatherback-tsunami assessment (Document MT-IOSEA/SS.4/Doc. 9). All current members expected to be present in Muscat, except two (Dr. Sejal Worah and Dr. Jeanne Mortimer) who were unable to attend because of other commitments.

### Membership

4. In its invitation letter of 17 November 2005, the Secretariat drew attention to the fact that three of the current Advisory Committee members (Dr. George Hughes, Dr. Sejal Worah, and Mr. Bundit Chokesanguan) will have served through two meetings of the Signatory States as of March 2006. As such, they would normally stand down at the conclusion of the present meeting. Subject to the agreement of the Meeting, however, they would be eligible to continue for another two-year term if re-nominated by one of the Signatory States. As of the time of writing, the Secretariat had received re-nomination papers for Dr. Hughes and Mr. Chokesanguan.
5. To summarise, the Meeting of the Signatory States has the following slate of nominated candidates to consider for appointment/re-appointment to the Advisory Committee. Areas of specialisation (non-exhaustive) are noted in parentheses:

*Current members who are expected to continue without need for re-nomination/re-appointment*

- Dr. Colin Limpus (marine turtle biology/resource management, fisheries technology)
- Dr. Jeanne Mortimer (marine turtle biology/resource management)
- Dr. Jack Frazier (marine turtle biology/resource management, community-based conservation)
- Dr. Nyawira Muthiga (marine turtle conservation and protected areas)

*Current members whose term is due to expire in March 2006, proposed for renomination:*

Dr. George Hughes (marine turtle research, management, capacity-building)  
Mr. Bundit Chokesanguan (fishing gear technology specialist)

They have been re-nominated by: Australia and Thailand, respectively. Nomination papers are available upon request.

*Current member, whose term is due to expire in March 2006:*

Dr. Sejal Worah (community-based conservation specialist)

6. The Meeting of Signatory States is invited to consider what additional expertise might be needed on the Committee, and whether or not it may accept, exceptionally, any further nominations that might be tabled at or before the meeting, provided they are accompanied by all necessary supporting documentation, if this were in the interest of broadening the field of candidates from which to choose.

7. In the past, the nomination procedure for experts to serve on the Advisory Committee appears to have been occasionally misunderstood. Individuals have sometimes nominated themselves -- bypassing the requirement for the nomination to come from an official Government body -- or government officers have been duly nominated, but without the necessary expert qualifications that would bring added value to the Committee. To avoid this problem in future, it has been suggested that Signatory States be invited to nominate candidates only from countries other than their own and/or that any nominations be endorsed by a second Signatory State prior to submission. The Meeting is invited to consider these proposals aimed at fielding the best possible candidates to serve on the Committee. If accepted, a minor adjustment would be needed to the Advisory Committee's terms of reference to accommodate this new approach.

#### Regional observer representation

8. The Secretariat introduced a proposal at the Third Meeting of the Signatory States to allow for regional representatives to serve on the Advisory Committee, to try to achieve more balanced geographical representation and to provide additional feedback inter-sessionally, at no additional cost to the MoU.

9. After careful consideration of the proposal, the Meeting agreed to adopt the following approach on an experimental basis. In addition to the core members of the Advisory Committee, each of the four sub-regions of the MoU would be invited to participate as observers in the Committee's work, on a voluntary basis, through a single representative. These individuals could be Focal Points from a Signatory State of the sub-region, or other competent persons working on sea turtle conservation who would be in a position to attend meetings of the Advisory Committee and Signatory States.

10. It was proposed that each regional representative be chosen by consensus from among the Signatory States of that sub-region, and that the decision be communicated to the Secretariat before the end of the Third Meeting, or as soon as possible thereafter. It was agreed that the main criterion for selection of a regional representative would be an ability to effectively communicate to the Advisory Committee and the Secretariat the views and the issues of concern of the countries of the sub-region they represented.

11. It was further agreed that regional representative appointments should be effective for two regular Meetings of the Signatory States, and normally the individuals would not be eligible for immediate reappointment (i.e. it was expected that the Focal Point appointments would rotate on a biennial basis). Should an individual regional representative not be in a position to serve his/her full term, the Signatory States of the sub-region would agree among themselves on a replacement.

12. Subsequent discussions within working groups aimed at selecting sub-regional observers to the Advisory Committee were largely inclusive with the exception of the Northwest Indian Ocean group, which confirmed that the Islamic Republic of Iran had been selected to fulfil the representational role for that sub-region for the following two years. Signatory State representatives from each sub-region were encouraged to continue their dialogue inter-sessionally and to communicate any agreed arrangements, even if only interim, to the Secretariat.

13. The Secretariat is unaware of any progress having been made in this regard since the last meeting, but remains convinced that this would be a practical way to bring a fresh, regional perspective to the Advisory Committee. Signatory States are invited to discuss and reach consensus on their sub-regional representatives before the end of the Fourth Meeting.

*Action requested / Expected outcome:*

(1) Identification of any additional expertise required for the Advisory Committee; (2) re-appointment/appointment of Committee members and identification of regional observer representatives; (3) agreement on any necessary amendments to the Committee's terms of reference; (4) identification of major tasks to be undertaken by the Committee intersessionally; and (5) agreement the timing, venue and financing of the Committee's next meeting.

## **Terms of Reference of the Advisory Committee**

*Revised and adopted on 19 March 2004*

### *Nomination and Appointment*

1. Each Signatory State may nominate one or more individuals to serve as members of the Advisory Committee. The Secretariat should inform the Signatory States of any vacancies arising from the end of a term or other reasons, such as voluntary resignation. Nominations for any vacancies should be provided in writing to the Secretariat at least 60 days in advance of the Meeting of Signatory States, and should include a detailed and complete curriculum vitae. The Secretariat should circulate such nominations to all Signatory States. At their meetings, the Signatory States should appoint the members of the Advisory Committee from among the individuals nominated.
2. If there are more nominees than necessary to constitute the Advisory Committee, the Signatory States shall make every effort to appoint members by consensus following close consultation. If every effort to appoint members of the Advisory Committee by consensus fails, the Signatory States shall appoint members of the Advisory Committee by election (voting).
3. Advisory Committee members should serve for two years (i.e. through two regular Meetings of the Signatory States), and should be eligible for re-nomination and reappointment at subsequent Meetings of Signatory States.
4. Should a vacancy arise intersessionally, the Advisory Committee may propose a replacement for consideration by the Signatory States. The proposal shall be communicated to Signatory States via the Secretariat, and shall be accompanied by the same supporting documents as would be required for a regular nomination. In the absence of an objection of any Signatory State, received within 30 days of the communication from the Secretariat, the interim appointment will be considered as having been accepted, and will become effective immediately. If an objection is raised by a Signatory State, the procedure may be repeated, as appropriate, until an acceptable nominee is identified. The term of appointment of the provisional nominee shall expire at the end of the next meeting of Signatory States. The provisional nominee should be eligible for nomination and appointment to the Advisory Committee, as a full member, at that meeting.

### *Size and Composition*

5. The Advisory Committee should have up to 10 members. In appointing the Advisory Committee, Signatory States should strive to achieve a balance among the areas of expertise set forth in the Memorandum of Understanding (marine turtle biology, marine resource management, coastal development, socio-economics, law, fisheries technology, and other relevant disciplines), as well as an equitable representation of sub-regions and gender, to the extent possible.
6. The Advisory Committee should select a chair, who should be the principal point of contact between the Advisory Committee and the Secretariat.

### *Meetings*

7. To minimize costs, the Advisory Committee should conduct as much of its activity as possible through electronic communication. Regular meetings of the Advisory Committee should occur immediately prior to the regular meetings of the Signatory States, also to minimize travel and meeting costs. At the direction or approval of the Signatory States, the Advisory Committee may hold additional meetings.
8. The Advisory Committee Chair should participate in the meetings of the Signatory States, and may also participate in the meetings of related and associated agreements and organisations that the Signatory States deem relevant to the work of the MoU. The other members of the Advisory Committee are encouraged to participate as observers in the meetings of the Signatory States.

### *Mandate and Tasks*

9. The purpose of the Advisory Committee is to serve and assist the signatory States in the implementation of the Memorandum of Understanding. Members of the Advisory Committee serve in their individual capacities, rather than as representatives of Governments or organisations with which they also may be affiliated.

10. The Secretariat should serve as a clearinghouse of requests from the signatory States for advice from the Advisory Committee.

11. As set forth in the Memorandum of Understanding, the mandate of the Advisory Committee is to "provide scientific, technical and legal advice to the signatory States, individually and collectively, on the conservation and management of marine turtles and their habitats in the Region." The signatory States may request the Advisory Committee to give priority to certain activities and tasks, which may include, but are not limited to, actions to:

- Evaluate and provide advice, at the request of any signatory State, on any conservation and management programme proposed or implemented within the State;
- Provide advice to the meetings of signatory States on the adoption of additional conservation and management actions and on revisions to the Conservation and Management Plan;
- Evaluate, at the request of any signatory State, the efficiency of different measures proposed or implemented to reduce the capture and incidental mortality of marine turtles in fishing operations;
- Promote the use of standardised marine turtle research techniques, monitoring programme data collection, and data storage and reporting;
- Review scientific reports, annual reports of the signatory States, and other appropriate documents to assist the Secretariat in assessing progress in the implementation of the Conservation and Management Plan;
- Bring to the attention of the signatory States significant new information relating to the conservation and management of marine turtles;
- Respond to requests for advice from signatory States in the fields of socio-economics and law related to the implementation of the Memorandum of Understanding;
- Seek input from other individuals and bodies, as appropriate, in responding to requests for advice, e.g., from the Marine Turtle Specialist Group of the World Conservation Union (IUCN), the Southeast Asian Fisheries Development Centre (SEAFDC), etc;
- Assist signatory States in the development of projects and initiatives so that regional, sub-regional and local concerns and interests are taken into account;
- Provide such other scientific, technical and legal advice relating to the implementation of the Memorandum of Understanding as the signatory States may request, individually or collectively;
- Make recommendations regarding other fields of expertise needed within the Advisory Committee to assist with its work; and
- Provide a report on its activities, prior to scheduled Meetings of the signatory States.

**Membership of the Advisory Committee  
(as at 1 March 2006)**

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