

**MEMORANDUM OF UNDERSTANDING
ON THE CONSERVATION AND MANAGEMENT OF DUGONGS (*Dugong dugon*)
AND THEIR HABITATS THROUGHOUT THEIR RANGE**

The Signatory States,

Aware that the populations of dugongs are seriously threatened throughout the range of the species and that effective conservation and management requires an integrated ecosystem approach;

Recognising that dugongs migrate and disperse over vast distances, which makes their survival dependent on their conservation and management over a wide area and in a wide range of marine and coastal habitats;

Acknowledging that human activities that may threaten dugong populations directly or indirectly include destruction or modification of habitat, coastal development, pollution, fishing activities, vessel strikes, unsustainable hunting or poaching, uncontrolled mariculture and tourism;

Concerned about the harm caused to dugongs by the gear used in some forms of fishing, such as coastal trawling and driftnet fishing, including activities by vessels of Distant-Water Fishing Nations, while recognizing that some fishing activities are conducted responsibly;

Acknowledging their shared responsibility for the conservation and management of dugong populations and their habitats highlighting the importance of seagrass beds;

Recognising the desirability of involving other States whose nationals or vessels conduct activities that may affect dugongs of the region, as well as States that may be in a position to contribute resources or expertise that may promote the implementation of this Memorandum of Understanding;

Noting that dugongs have a priority for conservation action through their listing in the respective appendices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);

Noting that CMS calls for international cooperative action to conserve migratory species, and that CMS Article IV encourages CMS Contracting Parties to conclude Agreements, including non-legally binding agreements, in respect of any population of migratory species;

Recalling also Resolution 2.6 of the Second Meeting of the CMS Conference of the Parties which recommended that Parties implement where appropriate CMS Article IV, paragraph 4, within the spirit of the Convention through the use of instruments such as memoranda of understanding; and

Further noting recommendation 7.5 and resolution 8.5 of the Seventh and Eighth Meetings of the CMS Conference of the Parties called on Range States of dugongs to cooperate among themselves, as appropriate, and participate actively to develop and conclude a Memorandum of Understanding and a Conservation and Management Plan to conserve and manage dugongs throughout the species' range;

Express their desire to work closely together to improve the conservation status of dugongs and the habitats on which they depend. To this end, the Signatory States to this Memorandum of Understanding, in the spirit of co-operation, have reached the following understandings. They will:

1. Endeavour to co-operate closely in order to restore, or where appropriate maintain, a favourable conservation status for dugongs and the habitats on which they depend, taking into account, where appropriate, subsistence and customary use of dugongs in those States where it is permitted.
2. Consider joining those international instruments most relevant to the conservation and management of dugongs and their habitat, in order to enhance the legal protection of the species in the region.
3. Make every effort to review, formulate, revise and harmonise national legislation or regulations, as necessary, relevant to the conservation and management of dugongs and their habitats.
4. Implement, subject to the availability of necessary resources, the Conservation and Management Plan annexed to this Memorandum of Understanding. The Conservation and Management Plan will address:
 - (a) Direct and indirect causes of dugong mortality;
 - (b) Research and monitoring of dugong populations;
 - (c) Protection, conservation and management of habitats;
 - (d) Research into and monitoring of important dugong habitats;
 - (e) Awareness of dugong conservation;
 - (f) National, regional and international cooperation;
 - (g) Implementation of the MoU;
 - (h) Legal protection of dugong and their habitats; and
 - (i) Capacity building at all levels.
5. Establish a Secretariat, based in an appropriate organisation or institution, to be decided by consensus of the Signatory States, to assist in the administration and implementation of this Memorandum of Understanding by communicating with, reporting on and facilitating activities between and among Signatory States and performing such other functions as may be assigned by the Signatory States, such as convening meetings.
6. Assess the implementation of this Memorandum of Understanding, including the Conservation and Management Plan, at regular meetings to be attended by representatives of each of the Signatory States concerned, and persons or organisations technically qualified in dugong conservation and management.

7. Facilitate the timely exchange of relevant information necessary to coordinate conservation and management measures and to cooperate with relevant organizations and recognized experts and so as to facilitate the work conducted in relation to the Conservation and Management Plan.
8. Designate a competent national authority to serve as a focal point for communication among Signatory States and for implementing activities under this Memorandum of Understanding, and communicate the complete contact details of this authority (and any changes thereto) to the Secretariat.
9. Provide to the Secretariat a regular report on their implementation of this Memorandum of Understanding, the frequency of which will be determined at the first meeting of the Signatory States. The Secretariat will make available to the Signatory States the national reports received and will prepare a periodic review of progress made to implement the Memorandum of Understanding and the Conservation and Management Plan.
10. Assess at the first meeting of Signatory States, and review periodically, the need for and possibilities of obtaining financial resources, as well as the establishment of a special fund for purposes such as:
 - a) Contributing towards any expenses required to operate the Secretariat and activities carried out under this Memorandum of Understanding; and
 - b) Assisting the Signatory States to carry out their responsibilities under this Memorandum of Understanding.

Basic Principles

11. This Memorandum of Understanding is an agreement under Article IV, paragraph 4, of CMS and is not legally binding.
12. The Conservation and Management Plan is an integral part of this Memorandum of Understanding.
13. This Memorandum of Understanding is open for signature by the Range States of the dugong. It will take effect with two signatures. It will become effective for each subsequent signatory on the date of signature.
14. This Memorandum of Understanding will remain open for signature indefinitely, and will remain in effect indefinitely subject to the right of any Signatory State to terminate its participation by providing one year's written notice to all other signatories.
15. The Memorandum of Understanding, including the Conservation and Management Plan, may be amended by a consensus of the Signatory States.
16. Signatory States acknowledge that they may implement more stringent measures domestically than those specified in the Conservation and Management Plan.

17. Signatory States may establish, by mutual agreement, bilateral, sub-regional or regional management plans that are consistent with this Memorandum of Understanding.
18. Actions under this Memorandum of Understanding will be coordinated with Signatory States, as well as with sub-regional institutions in the Region.
19. The original text of this Memorandum of Understanding, in the Arabic, English, French and Chinese languages, each language version being equally authentic, shall be deposited with the CMS Secretariat, which will act as the depositary. The working language for all matters related to this Memorandum of Understanding will be English.

Signed at Abu Dhabi on this 31st day of October 2007

