



# Review of Marine Turtles Legislation in Solomon Islands



Photo: P Ramohia

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## PREFACE

The SPREP regional Marine Turtle Action Plan 2008-2012 places high priority to legislation as shown by the selection of the area "Policy and Legislation" as one of the nine themes of the Action Plan. The priority actions identified under this theme by member countries and territories as well as partners are:

- Action 5.1: Review and identify gaps and conflicts in current policies and legislation (in member countries and territories) that support / limit the RMTCP, including conventions, treaties, MOUs, agreements etc. [Priority: High].
- Action 5.2: Encourage the need to address gaps and conflicts found in the review of policies and legislation as described in action 5.1 where required. [Priority: High].
- Action 5.3: Encourage and support compliance mechanisms that are more effective at the community level, drawing upon and supporting existing laws and controls and conflict resolution systems, and using local community members. [Priority: High].
- Action: 5.4: Amend relevant policies and legislation regarding turtle size limits to better reflect the impact of removing mature females from populations and, where possible, to ensure that preference is given to using smaller-sized animals. [Priority: High].
- Action: 5.5: Incorporate relevant traditional knowledge, customary marine tenure and practices into policy, legislation management plans where appropriate. [Priority: Medium]
- Action 5.6: Ensure adequate protection is provided for nesting beaches and other known critical habitats for turtles through policy and legislation. [Priority: High].

This review then documents existing legislation and policies as well as the country's participation in international/regional agreements and conventions relevant to marine turtles. It attempts to identify gaps and then make recommendations for relevant legislation to improve and/or clarify existing ones and improve protection/management of marine turtles.

To help with the identification of legislation gaps, a team at SPREP constructed a matrix of legislation from existing legislation in the region dealing with turtles as well as creating new ones based on available information.

The involvement of national experts from relevant agencies is a vital component of this work.

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## CONTENTS

	PAGES
<b>PREFACE .....</b>	<b>i</b>
<b>CONTENTS .....</b>	<b>ii</b>
<b>1. INTRODUCTION.....</b>	<b>1</b>
<b>2. CURRENT MANAGEMENT/PROTECTION OF MARINE TURTLES IN SOLOMON ISLANDS .....</b>	<b>2</b>
2.1 EXISTING LEGISLATION.....	2
<i>(i) Fisheries Act ( No 6 of 1998).....</i>	<i>2</i>
• Fisheries Regulation LN43/1993 : Turtles, turtle nests and eggs .....	3
• Protection of certain turtles LN 112/1977 .....	3
<i>(ii) The Environment Act, (No 8 of 1998) .....</i>	<i>4</i>
• Environment Regulations 2008 .....	4
<i>(iii) The Wildlife Protection and Management Act, (Cap 10 of 1998).....</i>	<i>5</i>
<i>(iv) Protected Area Act, (No. 4 of 2010) .....</i>	<i>5</i>
<i>(v). Provincial Ordinances.....</i>	<i>6</i>
2.2 OTHER MARINE TURTLE PROTECTION/MANAGEMENT MECHANISMS.....	7
<i>(i) Local customary/traditional practices that protect/manage turtles .....</i>	<i>7</i>
<i>(ii) National sanctuary and local marine protected areas .....</i>	<i>7</i>
<i>(iii) Regional arrangements.....</i>	<i>7</i>
<i>(iv) International conventions/agreements .....</i>	<i>7</i>
<b>3. GAPS/CONFLICTS IN LEGISLATION .....</b>	<b>8</b>
<b>4. KEY RECOMMENDATIONS .....</b>	<b>9</b>
<b>REFERENCE .....</b>	<b>11</b>
<b>CHECK-LIST OF RELEVANT LEGISLATION.....</b>	<b>12</b>

## 1. INTRODUCTION

**Marine Turtle Species:** Five species of marine turtle occur in Solomon Islands waters. These are Hawksbill Turtle [*Eretmochelys imbricate*], Leatherback Turtle [*Dermochelys coriacea*], Green Turtle [*Chelonia mydas*], Olive or Pacific Ridley [*Lepidochelys olivacea*], and loggerhead [*Caretta caretta*]. Of these five species, the green, hawksbill and leatherback turtles are the most common. These three species have known nesting beaches in the country.

**Marine Turtle Nesting:** Past government surveys reported that nesting grounds for the three species Hawksbill, Green and Leatherback turtles are scattered throughout the country (Figure 1). These surveys identified the Arnavon Community Marine Conservation Area (ACMCA) or Arnavon Islands, Shortland Islands and Ramos Islands (Malaita) as the main Hawksbill and Green nesting grounds; the Russell Islands, Helebar Islands (Marovo) and Santa Cruz as important Hawksbill nesting sites; and Sasakolo and Litogahira (Isabel), Rendova and Tetepare (Western) and Vacho and Sasamunga (Choiseul) as the most important nesting beaches for Leatherback.

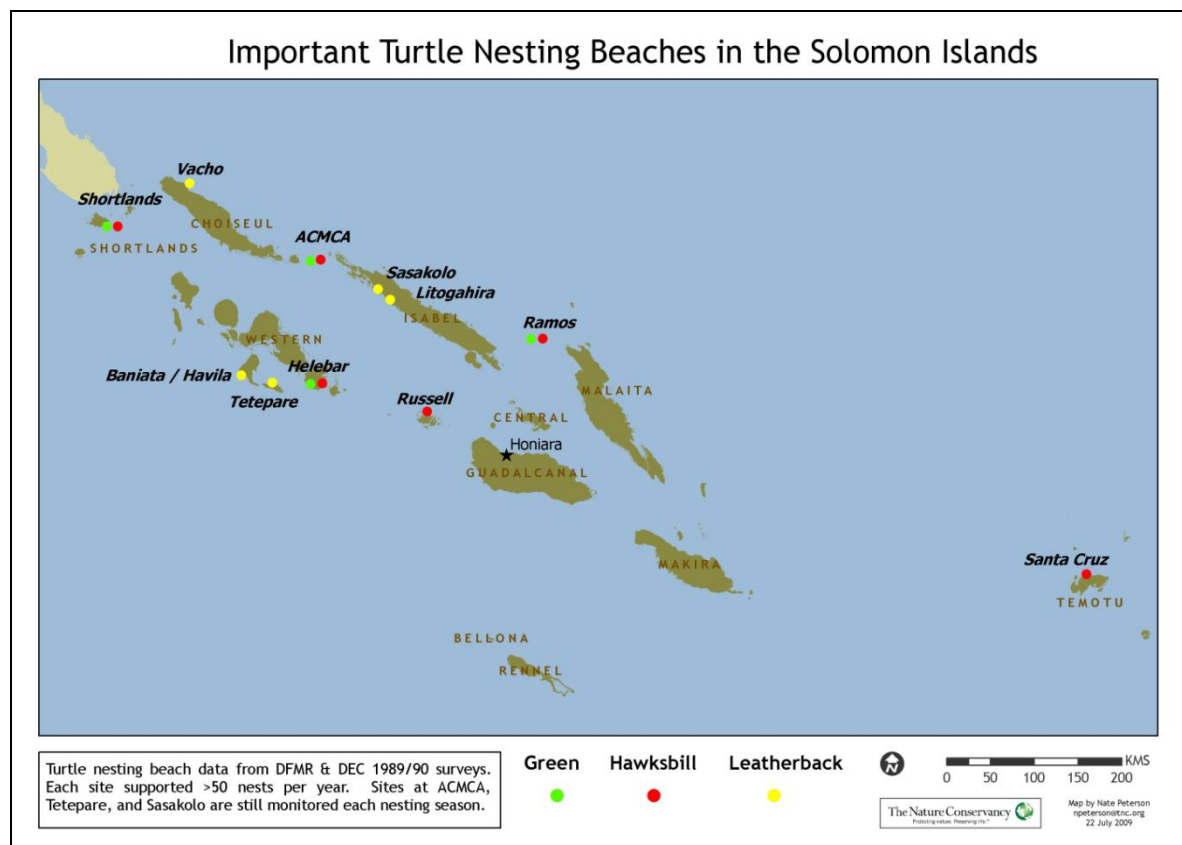


Figure 1: Map showing the important turtle nesting sites in the Solomon Islands.

Two distinct peak nesting seasons are reported in the country for all three species. A mid-year peak nesting occurs from May to August and an end of the year season from October to February. The mid-year season applies mainly for Hawksbill turtles nesting in the Arnavon Islands while the end of the year season applies to all three species (Hawksbill, Green and Leatherback) nesting at other nesting beaches in the country. This end of year season also applies to Green turtles nesting in the Arnavon Islands.

Apart from nesting sites, the country is also reported to support foraging habitats for Green and Hawksbill turtles. Foraging sites for both Hawksbill and Green turtles are found in Temotu province, the Arnavon region (Northern Isabel, Arnavon Islands and Southern Choiseul), Russell Islands, Tetepare and Helebar (Marovo) and the Shortland Islands.

With the exception of the ACMCA, Sasakolo, Rendova and Tetepare, there is little information available on the status of the nesting population and activities on other nesting beaches reported in the country. The ACMCA is the only nesting site in the country with consistent monitoring of nesting activities of hawksbill and green turtles since the early 1990s. Monitoring data collected so far during the last 15 years has indicated that nesting activities has increased greatly due to protection. For example, Vaughan (1981) estimated that the ACMCA was supporting about 600 nests (550 hawksbill and 50 green) per year whereas according to Siota and Ramohia (2006), the ACMCA is now supporting up to 1800 nests (both species).

***Importance of Marine Turtles Locally:*** Marine turtles have for centuries played important roles in the lives of Solomon Islanders, and this can be seen from ancient to most recent artworks, turtle figures in museums, contemporary carvings and many different local legends and beliefs. While myths and legends of these graceful creatures have painted colorful stories in the history of Solomon Islands, marine turtles still remain an integral part of socio-cultural life of the coastal communities. Turtle meat and eggs are used as delicacy during special occasions, while the shells and oil are used for cultural and traditional purposes. For example, in Are' Are, South Malaita, the turtle shell is used in shell money making. Local craftsman and women make traditional ornaments such as rings, bangles and earrings from turtle shells and are sold in local markets for cash income.

Nowadays, marine turtles are becoming important too because their populations worldwide are declining rapidly as a result of a combination of factors such as over-exploitation, destruction of nesting beaches, use of non-selective fishing gear, marine pollution and climate change. Local, regional and global action is needed now to ensure marine turtles and all the benefits the resource brings are not lost due to extinction. The success of sea turtle protection and conservation locally, regionally and globally therefore will depend greatly on working in strong partnership with all stakeholders including local communities, the provincial and national governments, community-based Organization (CBOs), non-governmental organizations (NGOs), regional organizations and donors.

## **2. CURRENT MANAGEMENT/PROTECTION OF MARINE TURTLES IN SOLOMON ISLANDS**

### **2.1 EXISTING LEGISLATION**

#### **(i) Fisheries Act ( No 6 of 1998)**

The purpose of this Act is to ensure the long-term conservation and sustainable utilization of the fisheries resources of Solomon Islands for the benefit of the people of Solomon Islands. It provides for the Minister to exercise his/her power and functions in relation to fisheries management and conservation and in exercising those powers have regard to:

- (a) the principle that Solomon Islands fisheries resources shall be managed, developed and conserved so as to ensure through proper conservation and management

measures that the maintenance of those resources are not endangered by overexploitation and are utilized at a level that ensure their optimum sustainable yield;

- (b) the principle that the marine biodiversity, coastal and aquatic environments of Solomon Islands shall be protected and managed in a sustainable manner;
- (c) the application of the precautionary approach to the conservation, management and exploitation of fisheries resources in order to protect the fisheries resources and preserve the marine environment;
- (d) the sustainable utilization of Solomon Islands fisheries resources so as to achieve economic growth, human resource development, employment creation and a sound ecological balance, consistent with its national development objectives;
- (e) principle of sustainable yield, and allowable catch which may be supported or adopted nationally or internationally from time to time;
- (f) any relevant international obligations or bilateral or multilateral agreements which Solomon Islands is a party to, or applicable rules of international law, relating to the exercise of jurisdiction by Solomon Islands within its waters;
- (g) any customary rights holders over or in relation to any area within Solomon Islands waters; and
- (h) Any fisheries management and development plans made in accordance with this Act.

A number of Regulations have been developed under the Fisheries Act, 1998 but the one very specific to the function of management and conservation of the marine turtles is described as follows.

- **Fisheries Regulation LN43/1993 : Turtles, turtle nests and eggs**

(1) Any person who sells or exposes for sale or buys or exports any turtle or part of any turtle or the product thereof, shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and such imprisonment.

(2) Any person who takes nesting turtles or eggs or destroys turtle nests or eggs during breeding seasons which are from June to August and November to January shall be guilty of an offence and on conviction liable to a fine of one hundred dollars or three months imprisonment or to both such fine and imprisonment.

- **Protection of certain turtles LN 112/1977**

Any person who, except under a written permit granted by the Principal Fisheries Officer:

- (a) fishes for any turtle of the species known as the leathery backed turtle or luth (*Dermochelys coriacea*); or
- (b) takes, destroys, possesses, sells or exposes for sale, buys or exports any eggs of any leathery backed turtle or luth, shall be guilty of an offence and liable to a fine of one hundred dollars or to imprisonment for three months, or to both such fine and imprisonment.

**(ii) The Environment Act, (No 8 of 1998)**

The purpose of the Act is for the protection and conservation of the environment, the establishment of the Environment and Conservation Division and the Environment Advisory Committee. Specific objectives of the Act are stipulated as;

- (a) to provide for and establish integrated systems of development control, environmental impact assessment and pollution control;
- (b) to prevent, control and monitor pollution;
- (c) to reduce risks to human health and prevent degradation of the environment by all practical means, including the following means:
  - (i). regulating the discharge of pollution to the air, water and land;
  - (ii). regulating the transport, collection, treatment, storage and disposal of wastes;
  - (iii). promoting recycling, re-use and recovery of materials in an economically viable manner; and
- (d) To comply with and give effect to regional and international conventions and obligations relating to the environment. Where there is an inconsistency between this Act and the provisions of any other Act, the provisions of this Act shall prevail

Among the key functions of the Act are to (i) promote coordination among Ministries and government divisions; (ii) revise and amend the national environmental strategies and programme as necessary; (iii) develop, coordinate and facilitate implementation of national policy concerning environmental planning, environmental impact assessment and pollution control; and (iv) monitor and advise on international developments in environmental matters and to ensure the fulfillment of obligations of Solomon Islands under the relevant international and required treaties and conventions.

- **Environment Regulations 2008**

Although there are no specific turtles Regulation as in the case of Fisheries Regulation but Part 2 provides for the preparation of Public Environmental Report (PER) or Environmental Impact Assessment (EIA). All prescribed developments in the country should be accompanied by a PER or EIA. The PER or EIA should take into accounts factors such as;

- Any transformation of a locality (Sect 10 (1) b(ii)); any impact on habitat, both marine and terrestrial (Sect 10(1) b(vi)); any endangering of any species of animal or plants (Sect 10(1) b(vii)); any long term impacts on the environment (S10(1) b(viii)); any degradation of the quality of the Environment (S10(1) b(ix)) and any pollution of the environment (S10(1) b(xi)).
- The Director may establish the guidelines for the factors to be taken into account when consideration is given to the likely impact of the proposed prescribed development on the environment in relation to that development generally or in relation to any particular development or location.

These provisions can be used to safeguard important turtle nesting beaches, coastal feeding and mating grounds and migratory corridors.

### **(iii) The Wildlife Protection and Management Act, (Cap 10 of 1998)**

The objectives of the Act are to provide for the protection, conservation and management of wildlife in Solomon Islands by regulating the export and import of certain animals and plants. Under this Act Solomon Islands is obliged to comply with the provisions of the Convention on International Trade in Endangered Species and wild fauna and flora, (CITES).

The Act allows for the Minister to declare by order a management program that is being or is proposed to be, or has been carried out, as an approved management programs for the purposes of the Act. The Act spell out what should be contained in the management program, for instance it should contain the manner of taking and collecting of animal or plant specimens for breeding, propagation, growing or exporting for scientific or commercial purposes. It also gives the Minister power to make regulations relating to the manner in which the registers of approved management program are to be kept, fees and other charges that persons or organizations whose names are entered on the register are required to pay, etc. The Act prohibits any export or import of plant or animal specimen without the relevant permit. The Act also requires that any person exporting or importing a plant or animal specimen is required to produce the relevant permit to the Customs or Quarantine authorities. Possession of illegally obtained specimen is an offence and a penalty is prescribed.

The Act contains two schedules. Schedule 1 contains the lists of animals and plants that are prohibited from exports, whilst Schedule 11 contains the lists of animals and plants that are regulated.

The five species of turtles found in Solomon Islands *Dermochelys coriacea* (Leatherback turtle), *Eretmochelys imbricate* (Hawksbill turtle), *Chelonia mydas* (Green turtle), *Lepidochelys olivacea* (Olive Ridley turtle) and *Caretta carreta* (Loggerhead turtle) are listed in Schedule 1.

The Act therefore prohibits the export of all the species of turtles found in the country except for scientific purposes (Section 11 (1)). Anyone who contravenes subsection (1) is liable to a fine not exceeding five thousand dollar or imprisonment for a term not exceeding six months.

Section 11, subsections (1), (2) and (3) of the accompanying Wildlife Protection and Management Regulation 2008, are the specific provisions for application for permit to export animal and plant species.

### **(iv) Protected Area Act, (No. 4 of 2010)**

- (a) to establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity;
- (b) to develop, where necessary, guidelines for the selection, establishment and management of protected areas or areas where special measures need to be taken to conserve biological diversity;



- (c) to regulate or manage biological resources important for the conservation of biological diversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use;
- (d) to promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings;
- (e) to promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of the protected areas; and
- (f) to rehabilitate and restore degraded ecosystems and promote the recovery of threatened species, such as, through the development and implementation of plans or other management strategies.

Part 3 of the Act allow for the declaration, registration and management of protected areas. An area can be declared a protected Area if that area -

- (a) possesses significant genetic, cultural, geological or biological resources;
- (b) constitutes the habitat of species of wild fauna and flora of unique national or international importance;
- (c) merits protection under the Convention Concerning the Protection of World Cultural and Natural Heritage; or
- (d) requires special measures to be taken to conserve biological diversity.

Accompanying Regulations are currently being developed for this Act.

#### **(v). Provincial Ordinances**

At least five of the nine provinces of the Solomon Islands have developed some form of Ordinances. The following are the current provincial ordinances

- *The Western Province Resource Management Ordinance 1994*
- *The Western Province Coastal and Lagoon Shipping Ordinance 1991*
- *The Western Province Public Nuisance Ordinance 1991*
- *The Guadalcanal Wildlife Management Area Ordinance 1990*
- *The Isabel Province Wildlife Sanctuary (Amendment) Ordinance 1991*
- *Temotu Environment Protection Ordinance 1989*
- *The Makira Preservation of Culture and Wildlife Ordinance*

All provincial ordinances were developed under relevant Acts of Parliament (e.g. Local Government Act, 1980) basically for the protection, conservation and management of all resources in the respective province. Under an Ordinance, the Provincial Executive is empowered to declare an area in the Province that is used by a “protected species” to be a protected place. However, where an area in a customary land, the consent of the relevant landowners must be obtained before any such declaration. For example, the Arnavon Wildlife Sanctuary was established under the Isabel Wildlife Sanctuary (Amendment) Ordinance, 1991 or the Western Province Coastal and Lagoon Shipping Ordinance, 1991 controls marine pollution and is designed to protect the coastal waters and lagoons.

The Ordinances also give a customary land owning group the power to make its own policy statements and plans regarding the resources within its customary land and therefore it ensures landowners participation in the management of the area.

The ordinances also specify the procedures and matters that need to be taken into consideration when making a declaration and appropriate fines for breaches relating to the ordinances. The ordinances may also control visitors to declared areas through use of permits.

## **2.2 OTHER MARINE TURTLE PROTECTION/MANAGEMENT MECHANISMS**

### **(i) Local customary/traditional practices that protect/manage turtles**

Under customary marine tenure system, land owners can declare any areas (reef, mangroves or land) under their control protected or tambu. This is normally based on a short term closed and open closure. Certain coastal tribes/individuals also have specific traditions that prohibit them from killing and eating marine turtles (example in Are'Are lagoon). These animals are revered and treated as sacred or seen as ancestors.

### **(ii) National sanctuary and local marine protected areas**

No national marine sanctuary(ies) has been declared in the Solomon Islands Exclusive Economic Zone (EEZ) for marine animals such as whales and dolphins, marine turtles and sharks. However, under the Solomon Islands Locally Managed Marine Areas, community based MPAs are being established throughout the country. Many of these community-based MPAs encompass nesting and foraging sites. Some of them (e.g. ACMCA and Tetepare Descendant Association) have management plans for the MPAs which also covers turtle protection and conservation.

### **(iii) Regional arrangements**

There is currently no specific regional MoU or agreement that deals specifically with the protection and conservation of marine turtles in the Pacific Islands region. However, Solomon Islands is a member of SPREP that has a regional marine turtle action plan 2008-2012 and has developed a national marine turtle strategic plan 2008 – 2010 (based on the SPREP regional one). Solomon Islands is also a member of Forum Fisheries Agency that has an action for turtle by-catch mitigation and is part of the Tri-National agreement with Indonesia and PNG on the protection of Leatherback turtles signed in 2006.

### **(iv) International conventions/agreements**

International species-specific conventions and agreements that involve protection or management of marine turtles to which Solomon Islands is a party are:

- The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and
- The Convention on the Conservation of Migratory Species of Wild Animals (also known as CMS or Bonn Convention)-even though Solomon Islands is not yet a party to this convention but is now in the process of working towards being a member in the future.

### 3. GAPS/CONFLICTS IN LEGISLATION

Existing legislation does not adequately cover the protection and management of marine turtles in Solomon Islands. There are many areas for improvement and these can be seen in Table 1.

In addition to this, enforcement of current government marine turtle Legislation in Solomon Islands is made difficult by a number of factors which include limited resources (manpower and funding), the geography of the country and the fact that it is not always easy to conduct enforcement in rural communities. Some gaps and conflicts in current turtle Legislation are highlighted as follows:

- ***Protection of all important turtle nesting beaches in Solomon Islands:*** The present government Regulation only protects the turtles that crawl up nesting beaches to nest, prohibit taking of their eggs and destroying their nests but it is difficult to “legally” protect nesting beaches because most (if not all) are on customary tribal land. A community-based MPA like the Arnavon Community Marine Conservation Area (ACMCA) is a good example of how turtle nesting beaches can be protected.
- ***Export of turtles:*** The wildlife Protection and Management Act 1998 provides for a permit for the export of any marine wildlife, or product of marine wildlife, as provided for by the Convention on International Trade in Endangered Species of Wild Animals and Plants (CITES) 1973. However, there can be some confusion on commercial trade as opposed to export for “home use”.
- ***Protection of turtles in migratory corridors through use of “turtle-friendly” fishing methods:*** Post-nesting satellite tracking of Hawksbill and Leatherback turtles nesting in the ACMCA and Isabel (Sasakolo and Litogahira nesting beaches) showed they migrate south through similar corridors and fishing zones within the Solomon Islands EEZ and those of neighbouring countries like Australia, Papua New Guinea, New Caledonia and New Zealand. Turtles migrating through these corridors and fishing grounds should be protected through mandatory use of turtle friendly methods such as circle hooks for long-line, and TEDS for nets. De-hooking gear should be mandatory on long-line fishing vessels as well. Although there are no records available on any turtle by-catch in the commercial long line fishing operation, it has now become a common practise everywhere in the world to use “turtle friendly” fishing equipment and gear and to have available on board equipment for the safe release of any hooked turtle.
- ***Protection of turtle foraging (and mating) grounds:*** Although there is already some information available on turtle foraging grounds, more work is required to identify all turtle foraging and mating grounds in the country. These important areas are currently not protected.
- ***Prohibition of the use of certain fishing gear and method to catch turtles:*** Some countries have introduced prohibition of the use of certain gear such as spear and nets to catch turtles. The use of such fishing gears and methods to harvest turtles should also be prohibited in the country. One fishing method particularly i.e. night spear diving should be banned totally for harvesting turtles. Such Regulation would also allow for the

protection of all other types and sizes (immature and juveniles) of non-breeding turtles such foraging/resident turtles

- **Keeping turtle hatchlings in captivity:** One common practise in some coastal villages involve people keeping hatchlings as domestic pets. This practise interferes with the turtles natural ability to navigate and find food in the wild and therefore must be prohibited by law.
- **Research methodologies and euthanizing marine turtles:** The current government Legislation and Regulations does not deal with these areas.
- **Translocation of eggs:** With the increasing impact of climate change (sea level rise and elevation of sand temperature) and other factors such as egg predation there is need for specific legislation to address egg relocation to safer areas.
- **Tagged turtles (including those fitted with satellite tracking devices):** The current legislation should be amended to be more specific about protecting tagged turtles whether tagged locally, in other countries through the SPREP coordinated regional turtle tagging programme or other similar programmes and internationally through the NOAA leatherback satellite tracking programme.
- **Incorporation of relevant traditional knowledge, customary marine tenure and practises:** Traditional practises that recognise and treat turtles as sacred animals by some tribes in the country should be incorporated into the turtle legislation. For example, killing, eating and trading in turtles and turtle products should be prohibited from any areas (including lagoon and reefs) under the customary ownership of the tribes.

#### 4. KEY RECOMMENDATIONS

This review made the following important recommendations for consideration:

- While the Fisheries Regulation LN43/1993 protects the nesting turtles, their eggs and nests during nesting seasons, turtle nesting beaches are not protected. However, this is now possible under the Protected Area Act 2010. Under this new Act, **nesting beaches can be declared a protected area**. Also, under relevant provincial ordinances nesting beaches on customary owned lands can be protected as well. All known turtle nesting beaches in the country should be identified and protected using provisions under the Protected Area Act 2010 and relevant provincial ordinances. Such protected areas can be part of the Solomon Islands Locally Managed Marine Areas Network (SILMMA).
- The Fisheries Regulation LN43/1993 only prohibits sales, exposure for sales, buying and export of turtles and all products thereof. This Regulation should be amended to also prohibit exporting of turtle meat for **“home consumption”**.
- The Ministry of Fisheries and Marine Resources should make it a mandatory condition of their License for fishing vessels (long liners and purse seiners) operating in the country’s EEZ to use **“turtle friendly” devises such as circle hooks and TEDS**. It should be mandatory for long-line fishing vessels to carry on board all the time turtle de-hooking gear.

- The current government legislation does not protect **turtle foraging (and mating) grounds**. These important areas should be identified and protected using appropriate provisions under relevant laws e.g. Protected Area Act 2010, relevant Provincial Ordinances and the Fisheries Act 1998.
- The current government legislation does not **prohibit use of nets, SCUBA and night spear diving gears for harvesting turtles**. These fishing gears and methods should be prohibited using appropriate provisions under relevant laws e.g. the Fisheries Act 1998 and relevant Provincial Ordinances.
- Under the appropriate provisions of the appropriate law e.g. Fisheries Act 1998, a new Regulation should be made to **prohibit people keeping turtle hatchlings as pets**. Such a Regulation (under the relevant Act) would apply to hatchlings and turtles of all sizes as well. Turtle head starting programs should also be addressed by this Regulation.
- Specific Regulations should be developed under the Fisheries Act 1998 or the Wildlife Protection and Management Act 1998 to address the area of **research methodologies** to be applied on turtles of all sizes in the natural environment, including stranded, hatchlings from nests or controlled incubation or those trapped in nests. This is to ensure the use of such methodologies does not result in injury or death of turtle. This legislation should also allow for **euthanizing marine turtles** especially those that are very sick and injured.
- Specific Regulations should be developed under the Fisheries Act 1998 or the Wildlife Protection and Management Act 1998 to address **Translocation of eggs**. This is to avoid turtle egg loss due to factors such as impact of climate change (sea level rise and elevation of sand temperature) and predation.
- Specific Regulations should be developed under the Fisheries Act 1998 or the Wildlife Protection and Management 1998 to protect **Tagged turtles (including those fitted with a satellite tracking devices)** whether tagged locally, in other countries through the SPREP coordinated regional turtle tagging programme or other similar programmes and internationally through the NOAA leatherback satellite tracking programme. Turtles are migratory in nature and therefore, animals tagged through local, regional or international projects should be accommodated.
- Specific Regulations should be developed under the Fisheries Act 1998 or the Protected Area Act 2010 to **incorporate relevant traditional knowledge, customary marine tenure and custom practises**. For example, killing, eating and trading in turtles and turtle products should be prohibited from any areas (including lagoon and reefs) under the customary ownership of tribes that observe traditional practises that recognise and treat turtles as sacred animals.
- Fisheries Regulation LN43/1993 – fine of \$100 is too small and need to increase to be well respected.

## REFERENCE

SPREP (2003): Review of Legislation and Regulation: *National Assessment of Environment, Natural Resources and Relevant Related Legislation and Regulation in Solomon Islands*, Apia, Samoa.

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SIG (1998): The Wildlife Protection and Management Act. Ministry of Environment and Conservation and Meteorology. Honiara, Solomon Islands.

SIG (1998): The Fisheries Act. Ministry of Fisheries and Marine Resources. Honiara, Solomon Islands.

SIG (2010): The Protected Area Act. Ministry of Environment and Conservation and Meteorology. Honiara, Solomon Islands.

## CHECK-LIST OF RELEVANT LEGISLATION

**Table 1:** Matrix of areas covered (and not covered) concerning marine turtle protection in current legislation of Solomon Islands.

LEGISLATION		Reference/Comment
<b>HARVEST / DIRECT TAKE</b>		
• Minimum size limit		No specific minimum size limit Regulation
• Maximum size limit		No specific maximum size limit Regulation
• No egg taking/disturbing	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• No taking of Nesting Turtle	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• No taking from within management area	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977; Protected Areas Act, (No. 4 of 2101), ACMCA
• Taking for traditional purposes only (permit required?)		No specific Regulation
• No taking for commercial purposes	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977; Protected Areas Act, (No. 4 of 2101); The Wildlife Protection and Management Act and Regulations
• Permit to taking for research/educational purposes	√	Protected Areas Act, (No. 4 of 2101)
• No taking at all		No specific Regulation
• Quota/limited number		No specific Regulation
• No taking during nesting (closed) season	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• No taking when a period or periods are declared when fishing is prohibited		No specific Regulation
• Moratorium		No specific Regulation
• Taking not allowed in certain zones e.g. territorial seas, EEZs? MPAs	√	ACMCA under The Isabel Province Wildlife Sanctuary (Amendment) Ordinance 1991
<b>FISHING GEAR (specifically for catching turtles)</b>		
• Spearing not allowed		No specific Regulation
• Net not allowed		No specific Regulation
<b>TAGGED TURTLE</b>		
• Right to remove tags	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977; under The Isabel Province Wildlife Sanctuary (Amendment) Ordinance 1991

• Prohibit the sale of any tagged marine wildlife	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• Release when caught		No specific Regulation
• Report with particulars to authorities when caught/seen		No specific Regulation
<b>INDIRECT TAKE (BY-CATCH)</b>		
• Release when accidentally caught and is alive		No specific Regulation
• Reporting to relevant authorities		No specific Regulation
• Use of turtle friendly gear (TEDs, circle hooks etc)		No specific Regulation
• De-hooking gear mandatory on long-line fishing vessels		No specific Regulation
<b>KEEPING TURTLES IN CAPTIVITY</b>		
• Not allowed at all		No specific Regulation
• Not allowed except through a permit (for research, educational, income generating, hobby, rehabilitation), with guidelines		No specific Regulation
• Minimum/maximum size of a turtle allowed to be kept		No specific Regulation
• Maximum size of a turtle allowed to be kept		No specific Regulation
<b>TOURISM-RELATED ACTIVITIES</b>		
• In the wild-Permit required (nesting and foraging)		
• Guidelines for best practice available		
• Turtle kept in captivity requiring permit		No specific Regulation
• Guidelines available and enforced		
• Head-start requiring permit with conditions		No specific Legislation
<b>TRADE</b>		
• Local sale of turtles prohibited	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• Export of turtles prohibited unless through a permit, e.g. CITES	√	The Wildlife Protection and Management Act, 1998
• Local sale of any products derived from turtles prohibited	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• Export of any products derived from turtles prohibited	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
<b>HABITAT PROTECTION</b>		
• Nesting beaches protected		ACMCA under The Isabel Province Wildlife Sanctuary (Amendment) Ordinance 1991
• Foraging grounds protected		ACMCA under The Isabel Province Wildlife Sanctuary (Amendment) Ordinance 1991
• Sanctuary for turtles	√	under The Isabel Province Wildlife Sanctuary (Amendment) Ordinance 1991
• Nesting beaches considered in coastal development plans and EIAs	√	Protected Area Act 2010, Environment Act 1998



<b>RESEARCH METHODOLOGIES</b>		
• Only non-lethal research methodologies allowed	√	No specific Regulation
Exceptions:		
• Parts and samples from turtles legally harvested or dead stranded can be used for research		No specific Regulation
• Hatchlings resulting from incubation under controlled conditions can be sacrificed for gonad histology etc under an approved project or research		No specific Regulation
• Hatchlings trapped in nests that would otherwise die may also be sacrificed for research into sex ratio etc		No specific Regulation
<b>EUTHANIZING MARINE TURTLES</b>		
• Veterinarians or other suitably qualified biologists shall determine if a sick or an injured stranded turtle should be euthanized and necropsied to determine the cause of the illness/disease or whatever is impact in the turtle internally		No specific Regulation
<b>TRANSLOCATION OF TURTLE EGGS</b>		
• Turtle eggs can be translocated to suitable areas by suitably qualified biologist or trained personnel, upon approval, if the nest is on a high risk area		No specific Regulation
• Moving of eggs for incubation under controlled conditions requires permit/approval		No specific Regulation
<b>TAGGED TURTLES</b>		
• Limit the right to remove tags	√	No specific Regulation
• Prohibit the sale of any tagged turtle	√	Fisheries Regulation LN 43/1993; Protection of certain turtles LN 112/1977
• Require the reporting of any matter upon the taking or finding a tagged turtle	√	No specific Regulation
• Require the release and reporting of any tagged turtle	√	No specific Regulation
• Application of all above to tagging activities done elsewhere and by other agencies etc		No specific Regulation
<b>COMMUNITY/CUSTOMARY</b>		
• Incorporates relevant traditional knowledge, customary marine tenure and practices		
• Effective at the community level, using local community members	p	Protected Areas Act 2010; Relevant Provincial Ordinances
<b>ENFORCEMENT</b>		
• Enforcement provisions		Fisheries Act, 1998; Protected Area Act, 2010, The Wildlife Protection and Management Act, 1998
• Fine provisions	√	Fisheries Act, 1998; Protected Area Act, 2010, The Wildlife Protection and Management Act, 1998
<b>AGREEMENT AFFILIATIONS</b>		
• Party to CITES	√	
• Party to CMS	√	
• Signatory to MoU for the conservation of marine turtles in the Pacific Islands region (hopefully in the near future!)		