

A close-up photograph of a leatherback sea turtle's head, showing its eye and the texture of its dark, leathery skin. The text is overlaid on the image.

# Conserving Leatherback Sea Turtles in Trinidad and Tobago: Harmonizing Trinidad and Tobago's Conservation of Wildlife Act and Regulations under the Fisheries Act

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# Fisheries Act of 1916: Definitions

- Defines “fish” to include “turtle, turtle eggs”
- Defines “prohibited area” as “an area declared by the Regulations made under section 4 to be a prohibited area.”

# Fisheries Act of 1916:

## The Minister's Regulatory Authority

- Section 4 permits the Minister of Agriculture to enact the following regulations:
  - Prescribing the size of mesh, form, and dimensions of nets or appliances for fishing, and for the manner of using the same. Section 4(a).
  - Declaring any area to be a prohibited area. Section 4(c).
  - Prohibiting the killing, harpooning, taking, removing, catching, or any other means of taking possession of fish or any variety thereof either absolutely or at such times and within such areas as may be prescribed. Section 4(d).

# Current Regulations Under Section 4: Prohibited Areas

- A Prohibited Area has been promulgated around the Ortoire River, prohibiting oyster harvesting from 1<sup>st</sup> July to 31<sup>st</sup> December each year.
- A Prohibited Area has been promulgated around the Caroni River to the Diego Martin River for all fish, shellfish, crabs, and shrimps year-round.
- A Prohibited Area has been promulgated between Claxton Bay and the Ciperó River for fish and shellfish, including crabs and shrimps, year-round.

# Current Regulations Under Section 4: Gear Restrictions

- 13 different restrictions on nets in Trinidad and Tobago have been promulgated through regulations.

# Problems with Gear Restrictions and Protected Areas

- Leatherback sea turtle bycatch along Trinidad's North and East Coast is killing approximately 1,000 adults each year, an unsustainable rate, threatening the 2<sup>nd</sup> largest nesting colony in the world with extinction.

Proposed Solutions:  
Create Prohibited Area to Protect Turtles from Incidental  
Bycatch

- Promulgate regulations under Section 4 to implement the following closure area:

**Leatherback Sea Turtle Conservation Area.**

*Made under Section 4*

1. These regulations may be cited as the Leatherback Sea Turtle Conservation Area Regulations.
2. *Prohibition.* No person may fish with, set, haul back, or be in possession of any fishing net, including any net specified in Section 2 of the Fisheries Regulations, between 15 January and 30 July, in the area bounded by the high water mark of coastal Trinidad and straight lines connecting the following coordinates in the order listed:

Grand Matelot Point (10°49' N 61° 8' W) to 10°57' N 61° 8' W;

10°57' N 61° 8' W to 10°57' N 60°46' W;

10°57' N 60°46' W to 10°31' N 60°46' W;

10°31' N 60°46' W to Manzanilla Point (10°31' N 61°0' W)

# Current Regulations Under Section 4: Protection of Turtle and Turtle Eggs (1975)

- Prohibits the killing of female turtles between the land and any reef; and in areas where there is no reef, within 1,000 yards of the high water mark. Section 2(a).
- Prohibits taking turtle eggs once they are laid and buried. Section 2(b).
- Prohibits the sale, purchase, and possession of turtle eggs. Section 2(c).
- Prohibits killing turtles of any sex between 1<sup>st</sup> March and 30<sup>th</sup> September.



# Problems with Protection of Turtle and Turtle Egg Regulations

- Permits the killing of male sea turtles 1 October through 28 February.
- Permits the killing of female sea turtles during the same period if they are outside of a reef or 1000 yards from shore.
- Inconsistent protection of turtle eggs.
- Conflicts with Conservation of Wildlife Act, which classifies all turtles as protected species.

# Conservation of Wildlife Act of 1958 (1963, 1980 amendments)

- Defines “animal” to include “any mammal, bird, or reptile and includes the eggs, carcass, meat, nest or young thereof”
- Defines “protected animal” as “any animal not specified or mentioned in the Second or Third Schedule”

# Conservation of Wildlife Act: Second and Third Schedules

- The Second Schedule specifies game species in Trinidad and Tobago. Hunting is permitted for these species under license.
- The Third Schedule specifies vermin species in Trinidad and Tobago. Hunting and eradication is permitted for these species without restriction.
- Turtles are not listed in the Second or Third Schedules, thus they are “protected animals” under the Conservation of Wildlife Act.

# Conservation of Wildlife Act: Protected Animals

- Hunting of protected animals is prohibited, and violators are subject to a \$1,000 TT fine or imprisonment of up to 3 months. Section 5.
  - Exception: Hunting of protected animals may be permitted by special license for scientific research or collection for zoological gardens, museums, or similar institutions. Section 10.

# Proposed Solutions: Modify Turtle Regulations

- These Regulations may be cited as the Protection of Turtle and Turtle Eggs Regulations.
- No person shall—
  - ~~Kill, harpoon, catch, otherwise take possession, destroy, harm, harass, or pursue, or attempt to kill, harpoon, catch, take possession, destroy, harm, harass, or pursue~~ of any female sea turtle which is in the sea within any reef or within one thousand yards from the high water mark of the foreshore where there is no reef on land or within the Exclusive Economic Zone of Trinidad and Tobago;
  - Take or remove or cause to be taken or removed any sea turtle eggs from any sea turtle or any sea turtle nesting area on land or within the Exclusive Economic Zone of Trinidad and Tobago; ~~after they have been laid and buried by a female turtle or after they have been buried by any person;~~
  - Purchase, sell, or offer or expose for sale or cause to be sold or offered ~~or exposed~~ for sale or be in possession of any sea turtle, sea turtle egg, or parts of or products made from any sea turtle.
- ~~No person shall, between 1<sup>st</sup> March and 30<sup>th</sup> September, kill harpoon, catch or otherwise take possession of or purchase sell, offer or expose for sale or cause to be sold or offered or exposed for sale any turtle or turtle meat.~~



**WIDECAST**

*Wider Caribbean Sea Turtle Conservation Network*



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