

STATEMENT OF SCIENTISTS

We, the undersigned scientists, are making this statement to express our concern over the possible ramifications of a dispute presently before the World Trade Organization that may allow trade considerations to overrule sound scientifically-based measures on matters related to the international protection of endangered species.

We are aware that a WTO dispute resolution panel is considering how existing measures to protect endangered sea turtles from the effects of shrimp trawling may interact with newly formed trade agreements. We believe it is imperative that the panel's decision not interfere in any way with the right of countries to use scientifically developed facts -- not trade or economic concerns -- to identify and implement appropriate measures necessary to protect endangered species. Through the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the international community has already expressly recognized the need to protect endangered species from potential damage caused by trade. The listing of species in CITES is determined through scientific methods and measures to protect the species should be implemented in response to the scientific results.

Scientific evidence demonstrates that the five species of sea turtles at issue in this WTO dispute - Kemp's ridley (*Lepidochelys kempfi*), loggerhead (*Caretta caretta*), green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricata*), and leatherback (*Dermochelys coriacea*) -- are in danger of extinction. This danger has been recognized under both national and international endangered species laws.

These five sea turtle species are listed under CITES as "threatened with extinction [and] . . . affected by trade." In addition, the World Conservation Union (IUCN) has determined that each of these species faces a "very high risk of extinction in the wild in the near future." A study by the United States National Academy of Sciences also supports this conclusion. More seriously, the IUCN has determined that the Kemp's ridley and hawksbill turtles face an "extremely high risk of extinction in the wild in the immediate future."

When species, such as sea turtles, are endangered, it is crucial that the cause of the problem and the solutions be identified through the use of scientific methods. Numerous scientific studies have indicated that shrimp trawling, which incidentally captures and drowns sea turtles in nets, is a major threat to sea turtles. Many studies have also indicated that the proper design, installation and use of Turtle Excluder Devices (TEDs) on shrimp nets can reduce the number of turtles killed by shrimping by 97% or more. Furthermore, TEDs reduce the by-catch of other marine organisms by up to 60%, mitigating some of the negative impact of shrimp fishing on marine biodiversity.

In sum, the survival of all endangered species, including sea turtles, depends on the ability of countries to assess the problem, identify the underlying causes and take steps to remove those causes on the basis of scientific study. That is what the United States has done in requiring the use of TEDs to protect sea turtles. The World Trade Organization should respect the value of the scientific method and should not interfere with the ability of countries to take measures that are necessary to protect sea turtles, as well as all other endangered species.

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