

LEGAL NOTICE NO. 179

REPUBLIC OF TRINIDAD AND TOBAGO

THE ENVIRONMENTAL MANAGEMENT ACT, CHAP. 35:05

NOTICE

MADE BY THE ENVIRONMENTAL MANAGEMENT AUTHORITY UNDER  
SECTION 41 OF THE ENVIRONMENTAL MANAGEMENT ACT

THE ENVIRONMENTALLY SENSITIVE SPECIES  
(TRINIDAD HOWLER MONKEY) NOTICE, 2022

1. This Notice may be cited as the Environmentally Sensitive Citation  
Species (Trinidad Howler Monkey) Notice, 2022.

2. In this Notice—

Interpretation  
Chap 35:05

“Act” means the Environmental Management Act;

“Authority” means the Environmental Management Authority  
established under section 6 of the Act;

“captive breeding” means the process of breeding animals in  
human controlled environments with restricted settings  
such as wildlife reserves, zoos and other conservation  
facilities, especially animals which have become rare in the  
wild;

“disturbance” means any activity or event that disrupts the  
natural functioning or processes, life or habitat of the  
animal including hunting, poaching, prodding, restraining  
or obstructing the animal;

“ecosystem” means a dynamic complex of plant, animal and  
micro-organism communities and their non-living  
environment interacting as a functional unit;

“endemic species” means a species or sub-species of fauna and  
flora, or their populations, whose distribution is restricted  
to a limited geographical area;

“Environmental Officer” means any person authorised under  
section 33 of the Act;

“environmentally sensitive species” or “ESS” means any species  
of living plant or animal so designated under section 41 of  
the Act;

“extinction” means the dying out or extermination of a species as a result of environmental forces such as habitat fragmentation, global change, natural disaster, overexploitation of species for human use or evolutionary changes in their members caused by genetic inbreeding, poor reproduction or decline in population numbers;

“habitat” means the natural home or environment of an animal, plant, or other organism;

“hunt” has the meaning assigned to it in accordance with rule 3(5) of the Rules;

“poach” means to illegally hunt or catch in contravention of protection under existing law;

“Relevant Authority” means the Authority and any other governmental entity with jurisdiction under existing law;

“Rules” means the Environmentally Sensitive Species Rules, 2001;

“taking” means to capture physically or to obtain by using force;

“trade” means any export, re-export, import and introduction from the sea;

“transport” means to move, take or carry from one place, person, or group to another place, person or group by any means whatsoever; and

“wise use” means the permitted activities listed in Part IV.

Designation  
Part I

3. The Authority hereby designates as an ESS, the animal described in Part I.

Reason for  
designation  
Part II

4. The reason for the designation of the ESS is to meet the objectives set out in Part II.

Limitations  
on use and  
activities  
Part III

5. The limitations on the use of and activities with regard to the ESS with which compliance is required, are as specified in Part III.

Permitted use  
and mitigating  
measures  
Part IV

6. Subject to clause 5, the wise use of the ESS is permitted and the mitigating measures to be undertaken are as specified in Part IV.

PART I

DESIGNATION—DESCRIPTION OF THE ESS

<i>ANIMAL</i>	<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>
	TRINIDAD HOWLER MONKEY	<i>ALOUATTA SENICULUS INSULANUS</i>
	RED HOWLER MONKEY	

The Trinidad Howler Monkey is one (1) of two (2) species of non-human primates which is endemic to the Republic of Trinidad and Tobago, specifically the island of Trinidad. It is a medium-sized non-human primate with an almost uniform red/maroon coloured coat throughout and with limbs only slightly darker than its body (see Photograph 1).

The most characteristic feature of howler monkeys is their loud, resonating vocalisations (howls), which make them the loudest terrestrial vertebrate in the Western Hemisphere. These vocalisations are produced by their highly modified larynx and enlarged hyoid bone (cup/balloon-shaped bone containing an air sac), which function as a resonating chamber. In keeping with their name, howler monkeys engage in howling sessions, especially in the early mornings, which can be heard from considerable distances away (approximately 1–2 km) (see Photograph 2).

The average weight of an adult is 4.5–8.7 kg (10–19 lbs), with males weighing more than females. The adult length, from the nose to the tail tip, is 108–124 cm (42–48 inches). The length of the tail itself is 49–75 cm (19–29 inches). Howler monkeys have prehensile tails, the tips of which are hairless on the underneath, which are capable of grasping branches for balance when feeding and moving around.

Howler monkeys tend to gather in relatively large groups, ranging between 2–13 individuals, although solitary individuals have been observed on occasion. Groups usually have a hierarchy consisting of one (1) dominant male, sometimes with 1–2 sub-adult males, and the remaining individuals being females and infants. Howler monkeys are not known to be aggressive among themselves, but when aggression does occur, it can result in injury. Howler monkeys are polygynous,

meaning that one (1) or two (2) males mate with several females in the group. They appear to breed year-round, with an average gestation period of six (6) months, and each female gives birth to a single newborn at a time (see Photograph 3). In the first month of their lives, infant howler monkeys are usually carried around on their mothers' bellies. After this period, they cling to their mother's back using their limbs and prehensile tail for stability. They move around this way for about a year, after which they travel on their own.

Howler monkeys are commonly found in areas such as montane forests, moist forests, swamp forests, lowlands and secondary forests, rainforests, scrub woodland and savanna woodland. Howler monkeys have been observed to have a home range of between 6–10 hectares, depending on the habitat type, and may traverse their entire home range within 3–4 days. They are diurnal (active at daytime) and arboreal (tree-dwelling), tending to inhabit the upper and middle canopy levels. They may also use all canopy levels and traverse short distances on the ground to move from tree to tree. The Trinidad Howler Monkey can be found in areas such as, the Northern Range, the Matura National Park and Nariva Swamp Managed Resource Protected Area Environmentally Sensitive Areas, the Trinity Hills Wild Life Sanctuary, and the Southern Watershed Wild Life Sanctuary. It should be noted that the locations of Trinidad Howler Monkeys are subject to change since animals are dynamic in nature.

Howler monkeys are primarily folivorous (feeding on leaves), preferring young leaves, but also consume mature leaves, fruits and flowers. To a lesser extent, they consume immature fruits, bark, moss and termitarium soil. Trinidad Howler Monkeys are also known to eat the fruit of local balata trees, *Manilkara bidentata*, or its synonym, *Mimusops balata*. Research suggests that non-human primates play a vital role as an indicator for diseases (such as Yellow Fever) and in maintaining ecosystems as plant pollinators and seed dispersers.

Threats to the species include hunting, poaching, capture for the pet wildlife trade and habitat destruction and fragmentation (e.g. agricultural, industrial and infrastructural development, etc.).



Photograph 1: Close-up of Trinidad Howler Monkey  
Photo courtesy: Stephen Broadbridge  
Accessed May 28, 2020



Photograph 2: Howler monkeys engaged in howling  
Photo courtesy: Piotr Naskrecki, Minden Pictures via  
National Geographic Collection  
Accessed June 03, 2020



Photograph 3: An infant Trinidad Howler Monkey  
Photo courtesy: LoopTT  
Accessed June 03, 2020

## PART II

### OBJECTIVES OF THE DESIGNATION

- I. Preservation of the ESS, which is endemic to Trinidad and Tobago, specifically the island of Trinidad.
- II. Preservation of the ESS, which throughout all or a part of its range is, or is likely to become, in danger of extinction and whose survival is unlikely if the factors jeopardising it continue to operate.
- III. In furtherance of Schedule I of the Rules, compliance with the Government's international obligations under the following Conventions:
  - (a) The Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"), which entered into force for Trinidad and Tobago on 18th April, 1984, under which the ESS is listed in Appendix II; and

- (b) The United Nations Convention on Biological Diversity (“the Biodiversity Convention”), which entered into force for Trinidad and Tobago on 30th October 1996.

IV. In furtherance of Schedule II of the Rules, the objectives of the designation are—

1. Conservation of biological diversity and protection of the environment, including—

- (a) maintenance of the species’ abundance and diversity;
- (b) preservation of the integrity of the species’ populations to ensure reproductive and genetic viability;
- (c) ensuring the conservation of the species;
- (d) preservation of an indicator or sentinel species for diseases, such as Yellow Fever;
- (e) preservation of a species of significant taxonomic importance as a subspecies; and
- (f) preservation of a species that is high in aesthetic value.

2. Logistic support e.g. environmental education, information sharing, etc., including—

- (a) the conduct of research and the monitoring population of the species;
- (b) the involvement of stakeholders in the management and protection of the species;
- (c) the development of awareness and educational programmes about the species for the public of Trinidad and Tobago; and
- (d) the development of a management and recovery plan for the species.

V. In furtherance of Schedule III of the Rules, protection of an animal referred to in the following written law:

The Conservation of Wild Life Act, Chapter 67:01, in which section 2 defines a “protected animal” as one that is not specifically mentioned in the Second or Third Schedule of the Act. This would include the Trinidad Howler Monkey.

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PART III

LIMITATIONS ON USE AND ACTIVITIES

Under Section 70(2) of the Act, “any person who knowingly or recklessly undertakes or conspires to allow any activity in an “environmentally sensitive area” or with respect to an “environmentally sensitive species” designated under section 41, which may have an adverse impact on the environment within such area or on such species, commits an offence and is liable, on conviction on indictment, to a fine of one hundred thousand dollars and imprisonment for two years.”

For the protection of the ESS, the following activities are prohibited unless otherwise approved by the Relevant Authority in accordance with existing law:

- (a) the taking, harming, poaching or hunting of the ESS;
- (b) the possession, transport, sale, exposure for sale, or trade of any specimen of the ESS, its parts and products;
- (c) the disturbance of the ESS at any time, particularly during breeding and gestation, as well as other periods of biological stress;
- (d) any action or development (including agricultural, industrial, commercial development) that results or is likely to result in habitat alteration, disturbance, destruction or would upset the integrity of the habitat or ecosystems upon which the ESS depends at any time;
- (e) dumping, littering or polluting, including the discharging or depositing of any substances in any area that results in or is likely to result in injury or death or would upset the integrity of the habitat or ecosystems upon which the ESS depends at any time; and
- (f) any other activity which, based on technical or scientific evidence, is determined to cause or is likely to cause harm to or death of the ESS.

PART IV

PERMITTED USE AND MITIGATION MEASURES

I. The following activities are permitted with regard to the ESS, subject to existing law:

- (a) educational activities related to the conservation, protection, characteristics and features of the ESS;

- (b) non-destructive scientific research and captive breeding activities related to, *inter alia*, the conservation, protection, characteristics and features of the ESS, subject to the possession of a permit, issued by the Relevant Authority, which specifies limitations on the number, sex and life stage of specimens that are to be removed or translocated for such activities; and
  - (c) conservation-oriented management activities.
- II. The Relevant Authority shall implement mitigation measures to protect the ESS, including the following:
  - (a) protection, restoration, conservation and management of critical habitats, habitat corridors and ecosystems utilised by the ESS in any phase of its life cycle;
  - (b) regulation or management of adverse or harmful activities that threaten the existence or survival of the ESS, through the development and implementation of a species management and recovery plan for the ESS;
  - (c) development of further education, public awareness campaigns and local community conservation programmes to ensure the survival of the ESS and the protection of its habitat;
  - (d) synergising of existing legislation and regulations pertaining to the protection of the ESS;
  - (e) development and implementation of research programmes and activities, to determine the status of the local population, distribution, habits, health monitoring, ecological requirements, breeding biology and carrying capacity of habitats and level of exploitation associated with the pet wildlife trade of the ESS, in collaboration with other relevant stakeholders;
  - (f) development, implementation and subsequent review of monitoring programmes in relation to the population status and reproduction of the ESS;
  - (g) sharing of information and research in relation to the ESS with the public, as determined necessary;
  - (h) enforcement of the protection of current forest reserves, game and wild life sanctuaries and environmentally sensitive areas, including more stringent enforcement of existing laws;



- (i) evaluation of the actual or potential impacts on the ESS by activities, including agricultural, industrial and infrastructural development, illegal occupation of land, aquaculture and oil and gas exploration and production;
- (j) training of Environmental Officers and other persons involved in the management and protection of the ESS;
- (k) evaluation of the effectiveness of current and future regulation and enforcement efforts;
- (l) evaluation of the national and resource-user intrinsic and economic value of the ESS; and
- (m) development of bilateral and multilateral agreements for conservation and research of the ESS.

Dated this 26th day of August, 2022.

N. NATHAI-GYAN  
*Chairman  
Environmental Management  
Authority*