

Section 4 of the MOU		DRAFT CONSERVATION PLAN (as at 20 June 2012) Annex III to the MoU			Priority (1: low - 5: high)	Time frame for implementation (short, medium, long term, ongoing)	Responsible entity [7] (SIG, SEC, MULTI)	
Paragraph 12	Paragraph 13							1.
		Overall principles						
		I	This Conservation Plan applies exclusively to those migratory species of sharks included in Annex 1 of this Memorandum of Understanding. [Depending on the occurrence of a species, Signatories may set species-specific priorities.]					
		II	This Conservation Plan aims to complement, develop and promote the objectives and actions described in this Memorandum of Understanding to conserve and manage migratory sharks and their habitat. In particular, it establishes a comprehensive list of actions to further the objectives and actions of Section 4 of this Memorandum of Understanding.					
12		III	These objectives and related activities below should be implemented by Signatories either individually or cooperatively or both, as appropriate including through: i. Participation in and cooperation with the Food and Agriculture Organization of the United Nations (FAO) and, as appropriate, RFMOs, RSCs, and other relevant fora; ii. Establishment of regional, sub-regional and any other cooperative arrangements considered by the Signatories to be necessary; and iii. in cooperation with the Secretariat.					
		IV	Signatories should, periodically review the effectiveness of efforts and strategies to implement this plan, with the technical and scientific support of the Secretariat and the Advisory Committee, as well as consider revisions or amendments to strengthen its effectiveness or applicability, consistent with Section 6 of this Memorandum of Understanding.					
		V	Signatories endeavour to create synergies amongst their respective national and regional administrations responsible for environmental and fisheries-related policies so as to guarantee the universal implementation of the contents of the Conservation Plan into their governmental programmes.					
		VI	Signatories may wish to prioritize implementation of these actions with highest scores for priority.					
		VII	[Signatories may wish to use this Conservation plan, as a whole or only parts of it, and translate into national or regional actions.]					
		VIII	The Conservation Plan combines short-term and long-term activities.					
12 a		Objective A: Improving understanding of migratory shark populations through research, monitoring and information exchange						
12 a	13 a, d, e, f, g	1	Ecological research, monitoring and data collection					SIG, MULTI
12 a	13 a, d	1.1	Identify priority research, monitoring and training needs.					SIG, MULTI
12 a	13 a, d, g	1.2	Endeavour to develop capacity in research, data collection, monitoring and facilitate training in data quality.					SIG, MULTI

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Paragraph 12	Paragraph 13							1.
12 a	13 a, d, e, f	1.3	Conduct baseline studies and compile relevant data on: - shark populations including studies on populations dynamics, structure and abundance - shark habitats - Shark distributional range - shark aggregations - shark behaviour - shark ecology - the seasonal and spatial migration patterns and routes of sharks					SIG, MULTI
12 a	13 a, d, e	1.4	Conduct long-term monitoring of shark populations in order to assess their conservation status and trends.					SIG, MULTI
12 a	13 a, d, e, f	1.5	Identify and prioritize (with a view to developing conservation measures): - critical shark habitats including critical migration routes; ^[1] - critical seasons; ^[2] - critical life stages; ^[3] and - shark populations.					SIG, MULTI
12 a	13 a, d, e	1.6	Assess and prioritize threats to sharks from human activities (especially fisheries) and identify the species most vulnerable to them.					SIG, MULTI
12 a	13 a, d, e	1.7	[Establish conservation targets and indicators to assess progress towards reaching these targets at the species population level, and develop species-specific reference points for enhanced conservation measures.]					SIG, MULTI, AC
12 a		2	Information exchange					SIG, SEC, MULTI
12 a	13 a, g	2.1	Facilitate the timely access to and exchange of information necessary to coordinate conservation and management measures.					SIG, MULTI
12 a	13 a, g	2.2	Standardize methods and [set minimum] levels of data collection [and adopt or develop an agreed set of protocols for research, monitoring, and information exchange.]					SIG, MULTI, AC
12 a	13 a, g	2.3	[Determine the most appropriate methods for information dissemination.] / [Develop a web-based information resource for shark conservation.] / [Develop and utilize existing multimedia tools and protocols to facilitate information sharing and networking for the conservation of sharks.]					SIG, SEC, MULTI, AC
12 a	13 a, g	2.4	[Facilitate regular]/[Regularly] exchange of scientific and technical information and expertise among: - national governments; - scientific institutions; - non-governmental organizations; and - international organizations; in order to develop and implement best practice approaches to the conservation of sharks and their habitats.					SIG, MULTI, AC
12 a	13 a, g	2.5	Create a directory of experts and organizations concerned with shark conservation [on a regional and global level].					SIG, SEC, MULTI, AC
12 a	13 a, g	2.6	Disseminate indigenous traditional knowledge on sharks and their habitats.					SIG, MULTI

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Paragraph 12	Paragraph 13							1.	2.
12 b				Objective B: Ensuring that directed and non-directed fisheries for sharks are sustainable [The following activities should be undertaken in cooperation with relevant fisheries and non-fisheries bodies and in line with existing shark conservation regulations] / [In pursuing activities described under this objective Signatories should cooperate through RFMOs, the FAO and RSCs as appropriate.]					
12 b	13 a, b, d, e, g, j, n	3		Fisheries-related research, monitoring and data collection					SIG, MULTI
12 b	13 a, b, d, e, g	3.1		Promote and coordinate stock assessments and related research.					SIG, MULTI
12 b	13 a, b, d, e, g, n	3.2		Develop programmes to establish baseline data and facilitate reporting at a species specific level on: - [shark] catch rates; - fishing gear [used in shark fisheries]; - [the amount of]incidental and directed taking; - [the amount of]waste and discards; and - size and sex of individuals caught.					SIG, MULTI
12 b	13 a, b, c, d, f, j	4		Sustainable management of shark populations					SIG, MULTI
12 b	13 a, b, d, f	4.1		Develop and adopt best practice guidance for the conservation and management of shark populations based on the best available scientific knowledge and following a precautionary and ecosystem approach.					SIG, MULTI
12 b	13 a, b, d, j	4.2		[Develop programmes to monitor directed shark fisheries and fisheries taking high quantities of sharks [, including programmes such as vessel monitoring systems, inspections and on-board observer or monitoring programmes.]					SIG, MULTI
12 b	13 i	4.3		Prohibit the taking of species listed in Appendix I of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) in accordance with Article III of the Convention.					SIG
12 b	13 a, b, c, j	4.4		[Ensure that mortality rates arising from fishing activities do not exceed levels resulting in a significant decline of populations.]					SIG, MULTI
12 b	13 j	4.5		Encourage relevant bodies to set targets for fish quotas, fishing effort and other restrictions to help achieve sustainable use.					SIG, MULTI
12 b	13 a, b, j	4.6		[Consider the development or application of certification systems for sustainable shark products.]					SIG, MULTI
12 b	13 a, b, j	4.7		[Encourage the consideration of including shark conservation criteria such as reduced shark bycatch in existing certification systems for sustainable fisheries.]					SIG, MULTI
12 b	13 j	4.8		[Encourage no increase in and minimize the use of plastics and non-degradable materials in fishing operations.]					SIG, MULTI
12 b	13 j	4.9		[Encourage the participation of indigenous and local communities (ILC) in the fishery management planning process.]					SIG, MULTI

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Paragraph 12	Paragraph 13							1.	2.
	13 a, b, c, j	5	Bycatch						
12 b	13 j	5.1	To the extent practicable, develop and/or use gear, devices, and operational strategies or techniques to minimize incidental capture of sharks in [non-directed] fisheries.						SIG, MULTI
12 b	13 a, b, c, j	5.2	Liaise and coordinate with fishing industries, fisheries management organizations, academic institutions and environmental non-governmental organizations (NGOs) to develop and implement incidental capture mitigation mechanisms in national waters and on the high seas.						SIG, MULTI
12 b	13 j	5.3	Develop and promote concrete measures to minimize waste and discards from shark catches in accordance with the FAO Code of Conduct for Responsible Fisheries.						SIG, MULTI
12 b	13 c, k	6	Cooperation through RFMOs, RSCs and FAO						SIG, MULTI
12 b	13 c	6.1	Encourage implementation of conservation and management measures adopted by RFMOs, RSCs and FAO.						SIG
12 b	13 k	6.2	Develop and implement National Plans of Action for Sharks - NPOA-Sharks - to manage sharks within a State's jurisdictional waters and for the regulation of the activities of States' fleets fishing on the High Seas in accordance with FAO's voluntary International Plan of Action for Sharks - IPOA-Sharks - also taking into account UN General Assembly Resolutions 59/25 ^[5] and 61/105 ^[6] .						SIG, MULTI
12 b	13 c	6.3	Promote practical and enforceable conservation recommendations based on the best available science within relevant RFMOs, RSCs and FAO.						SIG
12 b	13 m, h,	7	Policy, legislation and law enforcement						SIG
12 b	13 m	7.1	Review of domestic policy						SIG
12 b	13 m	7.1.1	Review domestic policies and laws to address gaps or impediments to the conservation and management of sharks and their habitats.						SIG
12 b	13 m	7.2	Illegal trade						SIG
12 b	13 m	7.2.1	Develop strategies that seek to ensure that shark products entering international trade are harvested and traded in accordance with existing conservation and management measures and regulations including those of CITES and RFMOs.						SIG
12 b	13 h	7.3	Finning^[4]						SIG
12 b	13 h	7.3.1	Where not already in place, consider enacting legislation or regulations requiring sharks to be landed with each fin naturally attached in line with UN General Assembly Resolution 62/177 ^[8] and with Recommendation 4.114 ^[9] of the International Union for the Conservation of Nature (IUCN).						SIG
12 b	13 m	7.4	Law enforcement						SIG
12 b	13 m	7.4.1	Implement and enforce existing regulations on shark fisheries as well as conservation and management measures through effective monitoring, control and surveillance [programmes].						SIG
12 b	13 d, m	7.4.2	Identify gaps and develop capacity in compliance and law enforcement.						SIG

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Paragraph 12	Paragraph 13							1.
12 b	13 m	7.4.3	Cooperate on law enforcement [to ensure compatible application of laws across and between jurisdictions (including through bilateral/multilateral agreements and intelligence and information sharing through [the relevant RFMOs] [and] [existing] channels such as the International Monitoring, Control and Surveillance Network [and the Interpol Wildlife Crime group]).]					SIG, MULTI
12 b	13 m	8	Economic incentives					SIG, MULTI
12 b	13 m	8.1	Review and modify shark-unfriendly [economic incentives]/[subsidies] in order to reduce threats to [and mortality of]shark populations, and develop programmes to implement these modifications.					SIG
12 b	13 m	8.2	Develop opportunities for alternative livelihoods for and together with local communities.					SIG, MULTI
12 c		Objective C: Ensuring to the extent practicable the protection of critical habitats and migratory corridors and critical life stages of sharks						
12 c	13 f	9	Conservation activities					SIG, MULTI
12 c	13 f	9.1	Designate and manage conservation areas, sanctuaries or temporary exclusion zones along migration corridors and in areas of critical habitat, including those on the high seas in cooperation with relevant RFMOs and RSCs where appropriate, or take other measures to remove threats to such areas.					SIG, MULTI
12 c	13 f	9.2	Integrate shark and shark habitat protection in environmental impact or risk assessments for marine and coastal development					SIG, MULTI
12 c	13 j	9.3	Develop, implement and assess spatial and/or seasonal closures of fishing areas to reduce incidental capture of sharks, particularly to protect nursery grounds as well as aggregation areas for mating and pupping.					SIG, MULTI
12 c	13 f	9.4	[Promote the protection of the marine environment from land-based and maritime pollution that may adversely affect shark populations.]					SIG, MULTI
12 c	13 f	9.5	Avoid the mortality of juvenile sharks and fecund females in order to maintain population levels and to ensure population viability.					SIG, MULTI
12 c	13 f	10	Policy and legislation					SIG, MULTI
12 c	13 f	10.1	Develop and implement regulations to protect critical habitats and species in critical habitats on national, regional and global scale.					SIG, MULTI
12 c	13 f	11	Economic incentives					SIG
12 c	13 f	11.1	Develop incentives for adequate protection of areas of critical habitats inside and outside protected areas.					SIG
12 d		Objective D: Increasing public awareness of threats to sharks and their habitats, and enhance public participation in conservation activities						
12 d	-	12	Awareness raising					SIG, MULTI
12 d	-	12.1	Raise public awareness of threats to sharks and their habitats.					SIG, MULTI
12 d	-	12.2	Raise public awareness of this Memorandum of Understanding and its objectives.					SIG, MULTI

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Paragraph 12	Paragraph 13							1.
12 d	13 a	13	Stakeholder participation				SIG, MULTI	
12 d	13 a	13.1	Encourage the participation of the following stakeholders: - government institutions; - non-governmental organizations; - indigenous and local communities; - the private sector; - scientists; - academia; and - the general public, particularly indigenous and local communities; in the implementation of this Conservation Plan.				SIG, MULTI	
12 e			Objective E: Enhancing national, regional and international cooperation					
12 e	13 a, b, e	14	Cooperation among governments				SIG, MULTI	
12 e	13 a	14.1	Identify specific management issues where cooperation among States is required for successful conservation and management.				SIG, MULTI	
12 e	13 a	14.2	Build and strengthen institutional capacities and competencies in shark identification, management and conservation techniques to generate technical support for the implementation of the Memorandum of Understanding.				SIG, MULTI	
12 e	13 b	14.3	Strengthen existing or develop new mechanisms for cooperation and effective consultations involving stakeholders in research, management among coastal and fishing states, as well as with relevant IGOs and RFMOs and regional seas conventions, at the sub-regional level.				SIG, MULTI	
12 e	13 a, b	14.4	Develop networks for cooperative management of shared populations, within or across sub-regions, and, where appropriate, formalize cooperative management arrangements.				SIG, MULTI	
12 e	13 a, b	14.5	Cooperate, where possible, in the establishment of transboundary marine protected areas using ecological rather than political boundaries.				SIG	
12 e	13 a, b, e	14.6	[Conduct collaborative studies and monitoring in pursuing activities described in objective A and B above where appropriate.]				SIG, MULTI	
12 e	13 b	15	Cooperation with existing instruments and organizations related to shark conservation				SIG, SEC, MULTI	

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Paragraph 12	Paragraph 13							1.
12 e	13 b	15.1	Engage with - the fisheries industry - FAO - RFMOs as appropriate - RSCs - UN entities such as UNCLOS, CITES, and UNEP - NGOs engaged with shark conservation, and other international organizations that deal with fisheries to develop a working relationship				SIG, SEC, MULTI	
12 e	13 l	16	Accession to international instruments relevant for the conservation and management of sharks				SIG	
12 e	13 l	16.1	Ratify or accede to those international instruments relevant to the conservation and management of migratory sharks and their habitats in order to enhance the legal protection of migratory shark species.				SIG	
12 e	13 l	16.2	Encourage Signatories that have not already done so to become Parties to: - the Convention on Migratory Species (CMS); - global fisheries agreements such as the UN Fish Stocks Agreement (1995), the FAO Compliance Agreement (1993) and other relevant international instruments; - RFMOs that can adopt conservation and management measures in relation to shark [catches], or comply with such conservation and management measures as cooperating non-members;]				SIG	
12 e	13 (l)	16.3	Encourage Signatories to implement the FAO Code of Conduct for Responsible Fisheries (1995).				SIG	
12 e	13 o	16.4	Encourage other States to sign this Memorandum of Understanding.				SIG	
			Footnotes:					
			^[1] Critical habitats are defined as those habitats which have a key role for the conservation status of a shark population. This includes feeding, hunting, mating, birthing, pupping and aggregation sites as well as corridors between these sites such as migration routes.					
			^[2] Critical seasons are defined as a specific time in a year which has a key role for the conservation status of shark populations. Depending on the species this includes [feeding, hunting,]mating, birthing, aggregation seasons.					
			^[3] Depending on species, critical life stages can include eggs, neonates, juveniles or adult females based on based best available science.					
			^[4] Finning: Practice of removing any of the fins of a shark (including the tail) while at sea and discarding the remainder of the shark at sea.					
			^[5] General Assembly Resolution A/RES/59/25 on Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.					

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Paragraph 12	Paragraph 13						
1.	2.	3.	4.	5.	6.	7.	
		^[6] General Assembly Resolution A/RES/61/105 on Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.					
		^[7] As guidance, the primary responsibilities or modes of cooperation for implementing the actions included in this Conservation Plan are identified using the following codes: SIG=Signatories, SEC=Secretariat, MULTI=multilateral fora, organizations or arrangements, AC=Sharks MOU Advisory Committee. Given the nature and range of the actions some responsibilities may be shared or undertaken by more than one entity so more than one identifying code may be displayed					
		^[8] General Assembly Resolution A/RES+G12/62/177 on Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.					
		^[9] Recommendation 4.114 of IUCN on a global policy against shark finning.					