



CONVENTION ON MIGRATORY SPECIES

MEMORANDUM OF UNDERSTANDING ON THE CONSERVATION OF MIGRATORY SHARKS

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FIRST MEETING OF THE SIGNATORIES TO THE
MEMORANDUM OF UNDERSTANDING ON THE
CONSERVATION OF MIGRATORY SHARKS

Bonn, Germany, 24-27 September 2012

Agenda Item 9

DRAFT CONSERVATION PLAN

(Note prepared by the Interim Secretariat)

Note: Paragraph 9 corrected

1. As set out in paragraph 11 of the MoU, the Meeting of the Signatories should adopt a Conservation Plan at its first session, to be incorporated as an Annex to this Memorandum of Understanding.
2. A first draft of the Plan was developed in 2010, and has been through five iterations, resulting in the version contained in the Annex to this document. As the process has been somewhat complex, it is explained in detail below.

Second Preparatory Meeting Rome, Italy 2008:

3. At the Second Preparatory Meeting in Rome (Italy) in 2008, it had been decided that conservation measures should be laid down in a Conservation Plan to be annexed to the MoU.
4. Therefore, an open-ended Inter-Sessional Drafting Group, chaired by the United States of America, was established to prepare a draft Conservation Plan. The Group was open to all Range States and representatives from interested organizations.

Third Preparatory Meeting in Manila, Philippines 2010:

5. A 1st Draft of the Conservation Plan (Manila version) was presented to the Technical Meeting for the Elaboration of a Conservation and Management Plan for Migratory Sharks, which was held immediately before the Meeting on International Cooperation on Migratory Sharks under the Convention on Migratory Species (Third Preparatory Meeting) in Manila, February 2010. (CMS/Sharks/MOS1/Inf.10).
6. A 2nd Draft of the Conservation Plan, which was prepared by the Chair on the basis of the additional comments and discussions at the Technical Meeting, was tabled later the same week at the Third Preparatory Meeting of the MoU.
7. As participants agreed that many changes were still needed, the Conservation Plan was not adopted in Manila. However, the main objectives and activities from the Draft Conservation Plan were inserted into Section 4 of the MoU.

8. The Chair of the Inter-Session Drafting Group was requested to redraft the Plan in accordance with discussions at the Meeting. It was agreed, and elaborated in paragraph 11 of the MoU, that the First Meeting of the Signatories should adopt the Plan.

Developments since the Manila Meeting

9. After the Manila Meeting a 3rd Draft of the Conservation Plan was prepared. It was circulated by the Secretariat in May 2011 to all Range States and relevant organizations who **had participated in** any of the three preparatory meetings, asking for comments.

10. By the extended deadline of October 2011, the Secretariat had received comments from the following countries and organizations:

- a. **Signatories:** Australia, Chile, Côte d'Ivoire, EU (via Poland), Germany, Kenya, Philippines, Senegal, South Africa, United Kingdom, USA
- b. **Non- Signatory Range States:** Ecuador, Mauritius, New Zealand
- c. **RFMOs:** North Atlantic Fisheries Organization (NAFO)
- d. **NGOs:** Humane Society International (HSI)

11. In March 2012 a smaller "Friends of the Chair" Drafting Committee was established in order to work on the final draft to be presented to the First Meeting of the Signatories. All Range States and relevant organizations were invited by the Secretariat in February 2012, to take part. The following countries and organizations had participated in the "Friends of the Chair" Drafting Committee:

- a. **Signatories:** Australia, Chile, Germany, Italy, Norway, Philippines, South Africa, UK, USA
- b. **Non-Signatory Range States:** Croatia, France, Malta, New Zealand
- c. **NGOs:** Community Centered Conservation (C3), D.E.G. Deutsche Elasmobranchier-Gesellschaft, Humane Society International (HSI), Migratory Wildlife Network

12. To facilitate the process for the Drafting Committee, a revised version of the Conservation Plan (4th Draft) was prepared on the basis of all comments received above.

13. The Drafting Committee worked on the final draft by correspondence.

14. After two rounds of comments, the current 5th Draft (Bonn version) was finalized by the Drafting Committee and is presented in Annex I to this document.

Major changes to the scope and content of the Plan:

15. The following changes have been made since the Manila (3rd) draft:

- 15.1 It has been clarified, that the Plan only focuses on those species listed in Annex I of the MoU (Principle I).
- 15.2 The scope and detail of the Plan has been reduced in order to give more flexibility for implementation.
- 15.3 Redundancies have been removed.

- 15.4 The following activities were deleted:
- (a) Activities falling under parts other than Section 4 of the MoU (e.g., "reporting" issues);
 - (b) Activities that were not specifically targeted in Section 4, e.g., "education"; and
 - (c) Activities that were not primarily a shark conservation issue and already negotiated in different, more appropriate fora (e.g., microplastics / climate change).
- 15.5 All fishery management issues were placed under Objective B, even when they relate to other objectives as well. To the principles in the Plan, was added Principle III i to the effect that any fisheries related activities should be undertaken in close cooperation with FAO and RFMOs.

Structure:

16. The structure of the Plan has been modified to follow the five objectives laid down in paragraph 12 of the MoU.
17. This more logical approach was requested in a number of comments and repeated by members of the Drafting Committee.
18. It was requested that activities outlined in paragraph 13 of the MoU should be grouped under the five objectives mentioned above. However, as many activities cut across two or more objectives, it was not possible to adopt paragraph 13 as organizing principle of the Plan.
19. Therefore, new subheadings were developed.
20. A tabular format was adopted, allowing for an easy and clear presentation of the Plan including additional information on each activity.
21. A scoring system to prioritize activities in the Plan was suggested by South Africa, with the support of other respondents. It was suggested that the Signatories could set the priority for each activity at MOS1.

Guide to the Draft Conservation Plan:

Column 1	Indicates the relevant Objectives under paragraph 12 of the MoU and provides the overall organizing principle of the Plan
Column 2	Indicates which of the sub-paragraphs of paragraph 13 of the MoU the activity addresses. An action can refer to more than one subparagraph
<i>NB: Signatories may wish to delete either one or both of these columns in the final Plan. Their inclusion here is to demonstrate the relationship between the Plan and Section 4 of the MoU</i>	
Column 3	Numbering system for the activity
Column 4	Description of the activity
Column 5	Priority ranking: Signatories may wish to include a priority ranking from 1 (lowest) to 5 (highest)

Column 6	Time frame for implementation: Signatories may wish to indicate a timeframe for the implementation of activities. E.g., short-term=1-2 years, medium-term=3-5 years, long-term=6-10 years, ongoing
Column 7	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 indicated

Action requested:

The Meeting is invited to:

- a) Acknowledge the work of the Intersessional-Drafting Group and the Friends of the Chair Drafting Committee in preparing this draft.
- b) Finalize and adopt the Draft Conservation Plan, attached as an annex to this document.