



**MEMORANDUM OF UNDERSTANDING ON
THE CONSERVATION OF MIGRATORY
SHARKS**

CMS/Sharks/Outcome 2.9

20 February 2016

Original: English

Second Meeting of the Signatories
San José, Costa Rica, 15-19 February 2016

TERMS OF REFERENCE FOR COOPERATING PARTNERS

Overall Objective

1. To create additional synergies and coordinate actions by collaborating with cooperating partners to accomplish the shared goal of achieving and maintaining a favorable conservation status for migratory sharks.

Scope

2. Cooperating partners are defined in paragraph 30 of the Sharks MOU as: ‘*Non-Range States, inter-governmental and non-governmental organizations, or other relevant bodies and entities*’. Paragraph 23 of the Sharks MOU provides further insight to what other relevant bodies might be¹.

Tasks

3. Cooperating Partners are expected to support the Signatories, Range States, and the Secretariat in meeting the objectives of the Sharks MOU, in particular by helping to:

- a) implement the Conservation Plan as established by the Signatories;
- b) widely Promote the MOU and its objectives;
- c) create synergies and maximize the effectiveness of implementation of the MoU and its associated Conservation Plan;
- d) develop conservation programmes, projects, and joint activities;
- e) facilitate joint fundraising initiatives; and
- f) share information and technical expertise.

4. Determined by its respective mandate, function, and expertise, collaboration with a cooperating partner may comprise activities outlined in the Conservation Plan to the Sharks MOU such as:

- a) research;
- b) data and information exchange;
- c) conservation activities;
- d) capacity-building;
- e) awareness-raising;
- f) outreach; and
- g) fundraising and financial support.

¹ ‘*Any relevant scientific, environmental, cultural, fisheries or technical body concerned with the conservation and management of marine living resources or the conservation and management of sharks*’.

Modus operandi

5. A cooperating partner should coordinate its collaboration with the Sharks MOU directly through the Secretariat. Any joint activity/initiative should be endorsed beforehand by the Signatories.
6. A cooperating partner should nominate a Focal Point within its organization to facilitate communication and to regularly share relevant information with the Secretariat about new initiatives and activities related to the Sharks MOU.
7. The Secretariat should facilitate collaboration between cooperating partners and Signatories, Range States, non-Range States, and the Advisory Committee, as well as with Working Groups, when appropriate.

Attendance at Meetings

8. A cooperating partner may participate at sessions of the Meetings of the Signatories as an observer, but cannot participate in decision making. A cooperating partner should provide a written report to each MOS on activities undertaken in support of the Sharks MOU and the implementation of its Conservation Plan 30 days in advance of the meeting.

Procedure to admit Cooperating Partners

9. Non-Range States that are interested in signing the MOU are automatically authorized to do so at any time.
10. Inter-governmental organizations (IGOs), non-governmental organizations (NGOs) and other relevant bodies and entities wishing to become cooperating partners should submit to the Secretariat an expression of interest to sign the MOU.
11. Expressions of interest should be sent to the Secretariat at least 90 days before the Meeting of Signatories. It should contain information about the organization's mandate, current activities and the envisaged fields of cooperation.
12. The Secretariat will review each expression of interest and circulate a notification to Signatories within 30 days of receipt.
13. The Signatories may authorize a cooperating partner to sign the Sharks MOU at the Meeting of the Signatories or, if there is sufficient time before the next Meeting of Signatories, via a written procedure initiated by the Secretariat.
14. If no objections are communicated to the Secretariat within 30 days of the start of a written procedure, the organization will be invited by the Secretariat to sign the Sharks MOU as a cooperating partner.
15. If an objection is received from one or more Signatories, the Secretariat will include the matter on the agenda for the next MOS for a decision, and the candidate cooperating partner will be accepted unless one-third of the Signatories object.

Termination of Partnership

16. This section applies only to NGOs and other entities.
17. In the event of misconduct or conflict of interest, the association with a cooperating partner, may be terminated by the Signatories.
18. The decision to end an association with a cooperating partner will be taken at the Meeting of Signatories by two-thirds majority if consensus is not reached.
19. An official request by a Signatory to end an association with a cooperating partner should be sent to the Secretariat and include detailed reasons. The Secretariat will notify Signatories of the request within 30 days of receipt.
20. If no Signatory objects to ending the association with the cooperating partner within 30 days of the notification, the association with the cooperating party will be suspended until that time a decision on terminating the association can be taken by the Meeting of Signatories.
21. If an objection to terminating the association with the cooperating partner is received from a Signatory within 30 days of the notification, the association will remain in place until that time a decision on terminating the association can be taken by the Meeting of Signatories.
22. A cooperating partner may decide to end its commitment at any time through written communication to the Secretariat. The Secretariat shall inform the Signatories accordingly.

General Provisions

23. A cooperating partner's actions will be considered to be that partner's sole and separate action, for all purposes, and a cooperating partner shall not claim to be acting on behalf of the Sharks MOU.