



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

CMS/Sharks/MOS3/Doc.18.1/
Add.1
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3rd Meeting of the Signatories (Sharks MOS3)
Monaco, 10 – 14 December 2018
Agenda Item 18

**COMMENTS BY THE ADVISORY COMMITTEE
ON THE PROPOSAL BY THE EU TO**

**“STRENGTHEN THE MODALITIES AND CRITERIA FOR AMENDING ANNEX 1
OF THE MOU**

AND

THE ROLE OF THE ADVISORY COMMITTEE IN THIS PROCESS”

(Prepared by the Advisory Committee)

Background

1. Upon request of the Secretariat, the Advisory Committee (AC) reviewed the proposal to “Strengthen the modalities and criteria for amending Annex 1 of the MOU and the role of the Advisory Committee in this process” which was submitted by the EU and which is included in CMS/Sharks/MOS3/Doc.18.1.
2. The meeting is invited to take note of the AC comments below, and to take these into consideration in the discussions under agenda item 18.

Comments by the AC

Periodic review of Annex 1

3. A periodic review of the status of Annex 1 species seems appropriate. Such a review should ideally include a synthesis of the most recent scientific studies and an assessment of the current population status in order to determine whether the species is still considered to be of ‘unfavourable’ status or has become of ‘favourable’ conservation status. Furthermore, the review should address developments in management measures, regional cooperation and data gaps. Through this process it should also be identified where the Sharks MOU could usefully help focus efforts.
4. It needs to be discussed what timeframe for a periodic review would be realistic. The timeframe needs to be biologically relevant. It would not be reasonable to expect that the conservation status of many of the species currently listed will improve within the timeframe of a few years. Nevertheless, if new information came to light, that might alter a species status (i.e. improved age/growth/reproductive information), there

should be scope for reconsideration. The AC considers a review period between 5 and 10 years appropriate.

5. The periodicity of reviews could be influenced by the quantity and quality of data available, and the vulnerability of the stock (i.e. for a species that is both less threatened and data-limited, the periodicity of review may be less frequent than for species that are either data-rich and/or more threatened).
6. For some species listed in Annex 1 (e.g. Shortfin Mako, Porbeagle, Silky Shark), the relevant Regional Fisheries Organizations (RFMOs) would be the competent authority for assessing the relevant biological stocks or, when biological stock units are undefined, appropriate management units.
7. For some other species listed in Annex 1 (e.g. Whale Shark), the biological stock units or 'management units' are undefined. In such cases, it may be more pragmatic for Range States that have regionally important populations to undertake periodic assessments at the species-level. The AC could review and comment on the outcomes of the assessments.
8. Ensuring appropriate assessments (whether quantitative stock assessments or more qualitative descriptions based on available data) would usefully be undertaken in conjunction with relevant Regional Fisheries Bodies (RFBs), RFMOs and other competent authorities. As such, it would be beneficial to further develop linkages between the Sharks MOU AC and Conservation Working Group (CWG) and such bodies.
9. For some species, data collation exercises may be required prior to evaluating current status, in which the AC could also usefully be involved.

Strengthening the composition of the AC and the robustness of its outputs

10. As it is within the competency of the Signatories to determine the composition of the AC and to provide its Terms of Reference (TOR), MOS3 would have to discuss and decide the right approach to strengthen the composition of the AC and the robustness of outputs by the AC.
11. While there is a benefit to keeping committees small, our view is that the Sharks MOU AC needs both scientific and management expertise. That might mean the Signatories consider whether they increase the membership slightly to make sure there is adequate representation and capacity to increase robustness. Alternatively, a more formal link with the AC and CWG could be forged.