



CONVENTION ON MIGRATORY SPECIES

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Concluding Statement 1

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MEETING TO IDENTIFY AND ELABORATE AN OPTION FOR
INTERNATIONAL COOPERATION ON MIGRATORY SHARKS
UNDER THE CONVENTION ON MIGRATORY SPECIES
Mahe, Seychelles, 11-13 December 2007

GENERAL STATEMENT ON THE PURPOSE AND PROCESS OF THE MEETING

1. The meeting was an official intergovernmental meeting hosted by the Government of the Seychelles and convened by the UNEP Secretariat of the Convention on Migratory Species (CMS). The Minister of Education of the Seychelles Government, Mr. Bernard Shamlaye, formally opened the meeting on 11 December at the Plantation Club Resort, Victoria, Mahe, Seychelles.

2. Representatives of all shark range and consumer states were formally invited to attend, together with relevant Intergovernmental Bodies, including FAO, CITES and RFMOs, IUCN Species Survival Commission, NGOs and advisers such as the Chairman of the CMS Scientific Council (ScC) and the ScC specialist member for Large Fish. A total of 70 representatives attended the meeting. This included representatives of 34 Governments and 11 other bodies. Credentials for 32 Governmental delegates were confirmed by a Credentials Committee established by the meeting. The meeting agreed informal rules of procedure and to operate by consensus.

3. The main purpose of the meeting - reflected in its title - was to identify and elaborate an option for international co-operation on migratory sharks under CMS. The meeting was a direct response to Recommendation 8.16 and Resolution 8.5 adopted by the CMS Conference of Parties (COP) in November 2005. *Inter alia* these two decisions called for range states of the three shark species listed in Appendices I and II of the Convention to develop a global instrument on migratory sharks under CMS auspices, and identified a number of states already willing to co-operate in supporting such an instrument.

4. A total of 4 substantive and 13 information papers were made available to the delegates before and during the meeting. These included a major background paper on the conservation status of sharks and options for international co-operation prepared by IUCN with support from the CMS Secretariat. Papers were also provided by CITES, FAO, the European Commission, ICCAT and a number of range states and NGOs. A new paper in the CMS Technical Series (No. 15) entitled *Review of Migratory Chondrichthyan Fishes* also prepared by IUCN for the CMS Secretariat with support from the U.K., Department for Environment, Food and Rural Affairs (DEFRA) was also made available shortly before the meeting began.

5. The meeting elected Seychelles as Chair and Australia as Vice Chair; supported by a Bureau comprising representatives of Belgium, Costa Rica, Nigeria, the Philippines, IUCN and the CMS Secretariat. The meeting conducted its work through a series of plenary discussions, working groups, and complementary activities, including presentations, regional meetings and an individual questionnaire.



6. The Meeting decided that its main outputs would take the form of 2 Concluding Statements as follows:

- Concluding Statement 1: General Statement on the Purpose and Process of the Meeting
- Concluding Statement 2: Statement on the Outcome of the Meeting agreed by Participants

IUCN

7. Forty-eight percent of the 145 migratory and potentially migratory species of sharks and rays are Threatened according to IUCN Red List criteria, compared with 19% of the non-migratory species assessed to date. The primary threat to CMS-listed species (whale, basking and white sharks) is excessive mortality in fisheries, both as a target and as a utilised bycatch. Other threats include persecution, habitat deterioration (including prey depletion), boat strikes and disturbance (sometimes associated with ecotourism). These threats need to be addressed by an Instrument for International Cooperation on Migratory Sharks. Species not listed on CMS that are in most urgent need of conservation management are exposed to the same threats, including 14 Critically Endangered or Endangered migratory species and other large oceanic sharks exploited by unregulated high seas fisheries. The CMS Scientific Council has agreed that Threatened species are of unfavourable status under CMS criteria and qualify for consideration for listing on the Appendices.

FAO

8. The meeting regretted that a representative from the FAO was unable to attend the meeting. It is recognised that fishing has a major impact on the sustainability of migratory shark species. The FAO, in its role as a peak body on global fisheries issues, is well-placed to provide input on the impact of fishing on migratory sharks species. Furthermore, the International Plan of Action on Sharks, promulgated through the FAO, is a key document of relevance to this forum. FAO expertise on this issue and possible links between any initiative proposed by this meeting and other regional initiatives on sharks would have been valuable. The meeting strongly encouraged FAO representation at future meetings of the CMS dealing with the development of mechanisms to ensure sustainable management of migratory shark species.

NATIONAL AND REGIONAL PLANS OF ACTION

Developing countries and National Plans of Action

9. The meeting took note of the work that some developing countries are doing in order to elaborate and implement their national Plans of Action on Sharks under FAO IPOA-Sharks.

10. The meeting noted the publication of the consultation paper on an EC Action Plan for Sharks. The meeting decided to bring the outcome of this meeting to the attention of the EC in the context of the public consultation procedure. The meeting trusts it provides a valuable contribution to the future development of the EU Action Plan for Sharks.

RFMOs

11. The Executive Secretary will inform RFMOs of the process engaged by the CMS, inquire how the RFMOs might contribute towards the objectives of the process and invite them to collaborate by providing clarity on their respective mandates, on the priority given to shark conservation and management activities by adopting appropriate management measures, accompanied by measures for control and enforcement.

12. The RFMOs should be engaged in time for their respective decision-making bodies to

respond within the end of 2008.

CITES

13. The objective of CITES – protection of endangered species through regulation of international trade – has strong complementarities and synergies with actions taken to protect migratory shark species listed on the CMS Appendices and thus should be recognised as adding value to CMS initiatives. A representative of CITES should again be invited to attend the next meeting.

UN GENERAL ASSEMBLY

14. The meeting welcomed the fact that the United Nations General Assembly was poised to adopt a resolution on sustainable fisheries calling for urgent action by the international community to promote the conservation and management of sharks.

NEXT STEPS

15. The meeting noted that good progress had been made, and that a series of elements have been agreed upon for the instrument. The meeting agreed to set the ambitious target of having a final version of the instrument available by the 9th Conference of Parties to CMS in early December 2008. The meeting welcomed the offer of the CMS Secretariat to have a second meeting in Bonn in the first half of 2008, with simultaneous translation, prior to COP 9 to move the process forward. The meeting urges stakeholders to make available financial resources available for this meeting. It was agreed to establish an interim mechanism to assist in preparing the first draft of the instrument before the Bonn meeting, with the CMS Secretariat taking the lead.

16. The Government of Seychelles requested the Executive Secretary to inform other relevant conventions, agencies and organisations of the work undertaken in this forum and invite the CMS Secretariat to encourage their members and observers to participate actively in the future development and implementation of the instrument.

REPORT AND ENB

17. The full report of the meeting will be prepared and published on the CMS website www.cms.int in early 2008. A report by the Earth Negotiations Bulletin (Vol.18 No.28) was published on Saturday, 15 December 2007 on <http://www.iisd.ca/cms/sdsey/>.

18. Delegations from the U.S., ICCAT, Costa Rica and Seychelles, as well as the Chairman of the Meeting and the Executive Secretary of CMS made closing statements of thanks and encouragement to move the process forward.