



MEMORANDUM OF UNDERSTANDING CMS/Sharks/AC2/Rec.2.2
ON THE CONSERVATION OF
MIGRATORY SHARKS

22 February 2017

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2nd Workshop of the Conservation Working Group (CWG2)
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**RECOMMENDATIONS OF THE ADVISORY COMMITTEE TO THE 3RD MEETING OF THE
SIGNATORIES OF THE SHARKS MOU
ON
COOPERATION WITH REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS**

Background

1. The Advisory Committee (AC) with support from the Conservation Working Group (CWG) has prepared recommendations for possible activities by the Sharks MOU Signatories in their engagement with relevant Regional Fisheries Management Organizations (RFMOs) in Part 1 and elements for an RFMO engagement procedure in Part 2 to this document.
2. There was agreement amongst participants that the MOU should be represented at meetings of the decision-making bodies. In addition, it was recommended that the MOU should engage with RFMOs also on a technical level, e.g. by attending technical meetings and contributing to the work of RFMO technical working groups.
3. As reflected in their reformations, the AC concluded that the MOU representative should ideally be independent and should exclusively focus on representing the MOU.
4. The AC suggested that the Signatories should be provided with briefing notes for upcoming RFMO meetings, the content of which should be to inform MOU focal points about relevant agenda items and to draw connections with respective decisions under the MOU.
5. Recommendations for Activities to be Undertaken by the Sharks MOU Signatories in their engagement with Relevant Tuna RFMOs are found below in Part 1.
6. Recommended elements for an RFMO Engagement Procedure are found below in Part 2.

PART 1: RECOMMENDATIONS FOR ACTIVITIES TO BE UNDERTAKEN BY THE SHARKS MOU SIGNATORIES IN THEIR ENGAGEMENT WITH RELEVANT TUNA RFMOS

1.1. International Commission for the Conservation of Atlantic Tuna (ICCAT)

Signatories of the Sharks MOU should:

- encourage ICCAT to amend its Recommendation on shark finning such that sharks are required to be landed with fins naturally attached;
- encourage ICCAT to develop recommendations for the safe release of all Mobulid rays incidentally caught;
- encourage ICCAT to adopt a precautionary management approach for species included in Annex 1 of the MOU;
- encourage ICCAT to develop a recommendation on the use of FADs, which would include recommendations for the entanglement of whale sharks;
- encourage ICCAT to improve collection of the data needs highlighted by their scientific committee and relevant expert working group. Such data can include catch and effort, biological, and discard and release information.

To facilitate improved cooperation with ICCAT, Signatories should:

- encourage and enable scientists with a background in the CMS-Sharks MOU (e.g. potentially including members of the AC or CWG) to participate in relevant Expert Working Groups to promote 'bottom up' involvement. Such involvement could usefully provide relevant scientific input for Annex 1 listed species that are not currently being considered in detail by ICCAT.

1.2. Western and Central Pacific Fisheries Commission (WCPFC)

Signatories of the Sharks MOU may:

- encourage the WCPFC to adopt new Conservation and Management Measures (CMM) for sharks caught in association with fisheries managed by WCPFC, with updated recommendations that would close the gaps between WCPFC and the Shark MOU;
- encourage WCPFC to develop CMM for the safe release of all Mobulid rays accidentally caught;
- encourage WCPFC to improve research on gear mitigation and size limits;
- encourage WCPFC to amend its Recommendation on shark finning such that sharks are required to be landed with fins naturally attached;
- encourage WCPFC to adopt a precautionary management approach for species included in Annex 1 of the MOU;
- encourage WCPFC to improve data collection for the data needs highlighted by their relevant expert working group. Such data can include catch and effort, biological, and discard and release information.

To facilitate improved cooperation with WCPFC, Signatories should:

- encourage and enable scientists with a background in the CMS-Sharks MOU (e.g. potentially including members of the AC or CWG) to participate in relevant Expert Working Groups to promote 'bottom up' involvement. Such involvement could usefully provide relevant scientific input for Annex 1 listed species that are not currently being considered in detail.

1.3. Indian Ocean Tuna Commission (IOTC)

Signatories of the Sharks MOU may:

- encourage IOTC to develop Resolutions for the safe release of all Mobulid rays accidentally caught;
- encourage IOTC to facilitate the work of their Working Party on Ecosystems and Bycatch (WPEB) on identifying and monitoring the status of sharks until comprehensive assessments are possible for all relevant shark species¹.
- consult the IOTC WPEB to develop suggestions on joint capacity building activities between IOTC and the CMS Sharks MOU.
- encourage the IOTC to adopt new Resolutions for sharks caught in association with fisheries managed by IOTC, with updated recommendations that would close the gaps between IOTC and the Shark MOU;
- encourage IOTC to improved research on gear mitigation and size limits;
- encourage IOTC to amend its Resolution on shark finning such that all sharks are required to be landed with fins naturally attached;
- encourage IOTC to adopt a precautionary management approach for species included in Annex 1 of the MOU;
- encourage IOTC to improve data collection for the data needs highlighted by their relevant expert working group. Such data can include catch and effort, biological, and discard and release information.

To facilitate improved cooperation with IOTC, Signatories should:

- encourage and enable scientists with a background in the CMS-Sharks MOU (e.g. potentially including members of the AC or CWG) to participate in relevant Expert Working Groups to promote 'bottom up' involvement. Such involvement could usefully provide relevant scientific input for Annex 1 listed species that are not currently being considered in detail by IOTC.
- Examples include expertise in coastal gillnet and coastal longline data mining and biology².

¹ <http://www.iotc.org/science/status-summary-species-tuna-and-tuna-species-under-iotc-mandate-well-other-species-impacted-iotc>

² http://iotc.org/sites/default/files/documents/science/workplans/SC_and_WP_Program_of_WorkE.pdf

1.4. Inter-American Tropical Tuna Commission (IATTC)

Signatories of the Sharks MOU may:

- encourage IATTC to amend its Recommendation on shark finning such that sharks are required to be landed with fins naturally attached;
- consult the IATTC to develop suggestions on joint capacity building activities between IATTC and the CMS Sharks MOU.
- encourage the IATTC to adopt new Conservation and Management Measures (CMM) for sharks caught in association with fisheries managed by IATTC, with updated recommendations that would close the gaps between IATTC and the Shark MOU;
- encourage IATTC to improved research on gear mitigation and size limits;
- encourage IATTC to adopt a precautionary management approach for species included in Annex 1 of the MOU;
- encourage IATTC to improve data collection for the data needs highlighted by their relevant expert working group. Such data can include catch and effort, biological and discard and release information.

To facilitate improved cooperation with IATTC, Signatories should:

- encourage and enable scientists with a background in the CMS-Sharks MOU (e.g. potentially including members of the AC or CWG) to participate in relevant Expert Working Groups to promote 'bottom up' involvement. Such involvement could usefully provide relevant scientific input for Annex 1 listed species that are not currently being considered in detail.

PART 2: RECOMMENDED ELEMENTS FOR AN RFMO ENGAGEMENT PROCEDURE

Signatories to the Sharks MOU that are members of an RFMO have committed to the MOU objectives. While the MOU is not legally binding, Signatories have made a political commitment to implement these objectives and their negotiation positions at RFMOs should reflect this.

The Secretariat can assist Signatories in this regard by providing briefing notes for relevant RFMO meetings. However, in some cases, a more proactive approach may be desirable to ensure that commitments made under the MOU are available to RFMO delegates. These approaches are further elaborated below.

2.1 Level of engagement:

There are two different scenarios for Sharks MOU representation at meetings of RFMOs and other relevant organizations:

- a. Presence of a dedicated Sharks MOU representative, such as the Secretariat, an AC member or nominated expert;

and /or

- b. Presence of Signatories that are also members of RFMOs.

The presence of a dedicated Sharks MOU representative would be desirable, providing this person was independent and could focus exclusively on representing the Sharks MOU.

In the absence of a dedicated MOU representative, Signatories attending would be encouraged to remind the meeting of any relevant provisions of the MOU and/or relevant commitments made by MOU Signatories. The briefing notes (above) would be useful in this respect.

2.2 Ways to promote the objectives of the Sharks MOU

Promoting the objective of the Sharks MOU within RFMOs will require a variety of activities, which may differ between technical meetings and Commission meetings. This could be in form of:

- a) Participation in technical/scientific committees:
 - Identify relevant scientific meetings, where additional scientific experts with knowledge on Sharks MOU species may contribute specialist information;
 - Identify and send a Sharks MOU technical representative to relevant RFMO technical meetings.

b) Participation at Commission meetings:

The Sharks-MOU could potentially be an important contributor to commission level meetings, and this may be achieved as follows:

- Identify relevant meetings where the Sharks MOU may be represented;
- Identify and send a Sharks MOU representative to relevant RFMO meetings;
- Submit information documents to RFMO meetings to inform decisions and positions about matters relevant to the conservation and management of species listed in Annex 1 of the Sharks MOU
- Provide briefing notes to Signatory Focal Points on upcoming RFMO meetings and agenda items that are relevant to the Sharks MOU objectives and mandates.
- Inform RFMOs about the objectives of the Sharks MOU and provide regular updates on new initiatives and listed species;

c) General Cooperation with RFMOs:

- Liaise with RFMOs to identify opportunities for joint activities, including capacity-building activities that are relevant for the conservation and management of species listed in Annex 1;
- Sign Memoranda of Cooperation with RFMOs.

2.3 Processes for engagement

As outlined above, in order to achieve specific outcomes, it may be necessary to nominate a dedicated person to follow developments within a specific RFMO and to lead on the coordination of statements.

A suggested process to follow might be.

1. A dedicated Sharks MOU representative is agreed by the Secretariat and the AC for each RFMO;
2. Signatories are notified of an upcoming RFMO meeting at which a Sharks MOU presence would be desirable;
3. The representative informs Signatories about the meeting discussion points relevant to the Sharks MOU or information materials to be taken to the RFMO meeting, seeking feedback and input from Signatories within a reasonable timeframe. In addition, the Sharks MOU representative would liaise with the AC Chair.
4. Revisions to material to be presented may be made with reference to the feedback received and a revised version circulated;
5. Once agreement on the discussion points or material is reached, the Secretariat would submit any Sharks MOU documents to the RFMO. The Secretariat would also work with the Sharks MOU representative to ensure that agreed views and appropriate products, briefing papers etc. have been conveyed to the Sharks MOU Focal points;
6. After the meeting, the Sharks MOU representative will report back to the Signatories, including via a brief written report to the Advisory Committee.

If this method of engagement was to be agreed by the MOS it will require dedicated funding.