

MEMORANDUM OF UNDERSTANDING ON THE CONSERVATION OF MIGRATORY SHARKS (Sharks MOU)

Benefits, Entitlements and Responsibilities of Signatories



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Introduction



The **Convention on the Conservation of Migratory Species of Wild Animals** (CMS or the Bonn Convention) aims to conserve terrestrial, aquatic and avian migratory species throughout their range. It is an Intergovernmental Treaty, concluded under the auspices of the **United Nations Environment Programme** (UN Environment), which is concerned with the conservation of wildlife and habitats on a global scale. CMS acts as a framework Convention that encourages Range States to develop regional or global agreements covering single or groups of migratory species. The **Memorandum of Understanding on the Conservation of Migratory Sharks** (Sharks MOU) is one such global agreement. The MOU was concluded under the umbrella of CMS in Manila in 2010. The Secretariat of the Sharks MOU is located in Bonn, Germany.

Objectives of the Sharks MOU

The MOU is a **legally non-binding international** instrument that aims to restore a favourable conservation status for endangered shark species on a global level. It complements existing international wildlife conservation agreements, fisheries agreements and regional fisheries management organizations.

The **Conservation Plan** which was adopted by the Signatories in 2012 is based on five objectives:

1. Increasing **public awareness** of threats to sharks;
2. Improving the **understanding of migratory shark populations** through research;
3. Ensuring that **directed and non-directed fisheries for sharks are sustainable**;
4. Protecting **critical habitats and migratory corridors**; and
5. Enhancing **national, regional and international cooperation**.

A favourable conservation status is achieved when the abundance and structure of populations of migratory sharks remain at levels adequate to maintain ecosystem integrity.

When undertaking activities to meet these objectives, Signatories should endeavour to cooperate through **Regional Fisheries Management Organisations**, the **Food and Agriculture Organization**, **Regional Sea Conventions** and **biodiversity-related conventions**. The Signatories should cooperatively strive to adopt,

implement and enforce such legal, regulatory and administrative measures as appropriate to conserve and manage migratory sharks and their habitat.

37 Sharks and Rays Covered

There are currently thirty-seven shark species covered by [Annex 1](#)¹ of the Memorandum of Understanding:

ORECTOLOBIFORMES

Rhincodontidae *Rhincodon typus*

LAMNIFORMES

Lamnidae *Carcharodon carcharias*

Isurus oxyrinchus

Isurus paucus

Lamna nasus

Cetorhinidae *Cetorhinus maximus*

Alopiidae *Alopias superciliosus*

Alopias vulpinus

Alopias pelagicus

CARCHARHINIFORMES

Carcharhinidae *Carcharhinus falciformis*

Carcharhinus longimanus

Carcharhinus obscurus

Sphyrnidae *Sphyrna mokarran*

Sphyrna lewini

Sphyrna zygaena

SQUALIFORMES

Squalidae *Squalus acanthias* (northern hemisphere populations)

SQUATINIFORMES

Squatinae *Squatina squatina*

RHINOPRISTIPHORMES

Rhinobatidae *Rhinobatos rhinobatos*

Rhinidae *Rhynchobatus australiae*

Rhynchobatus djiddensis

Rhynchobatus laevis

Pristidae *Anoxypristis cuspidata*

Pristis clavata

Pristis pectinata

Pristis zijsron

Pristis pristis

¹Signatories to the MOU can propose further species to be listed in [Annex 1](#) of the MOU.

MYLIOBATIFORMES

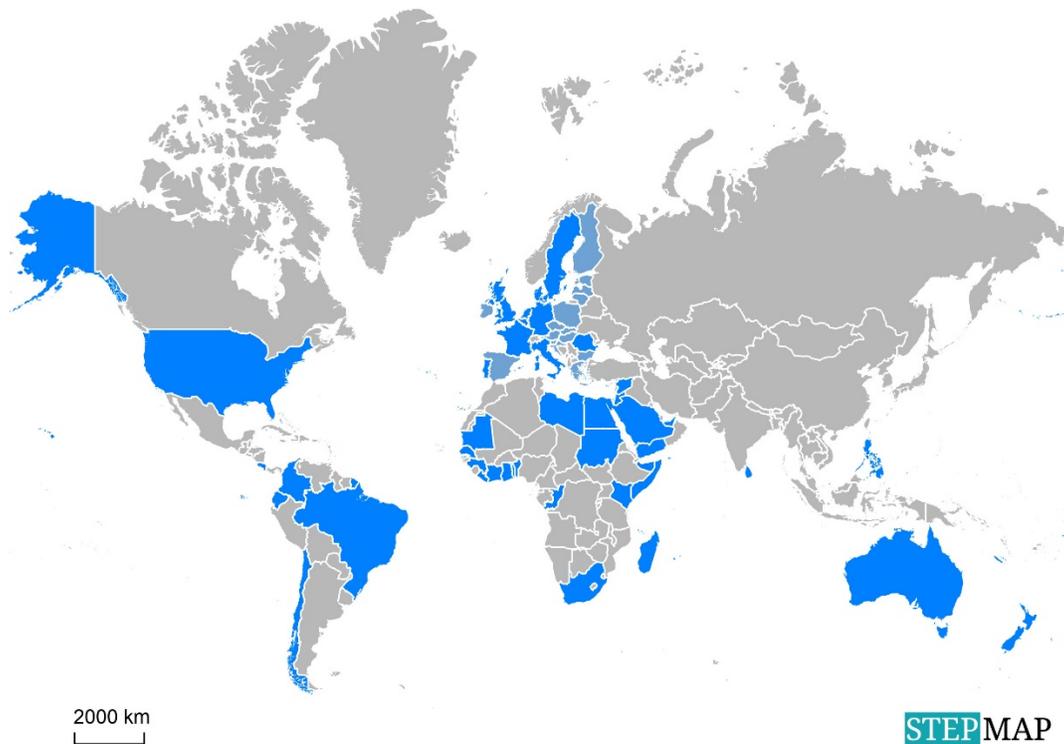
Mobulidae

Manta alfredi
Manta birostris
Mobula mobular
Mobula japanica
Mobula thurstoni
Mobula tarapacana
Mobula eregoodootenkee
Mobula kuhlii
Mobula hypostoma
Mobula rochebrunei
Mobula munkiana

Signing Procedure

This Memorandum of Understanding is open for signature by the Range States and regional economic integration organizations of the shark species listed in Annex 1.

There are currently **49 Signatories** to the Sharks MOU:



Range States are defined as any State that exercises jurisdiction over any part of the range of migratory sharks, or a State, flag vessels of which are engaged outside its national jurisdictional limits in taking, or which have the potential to take migratory sharks.

The Secretariat offers various options for States wishing to sign the Sharks MOU:

- Signature of the Memorandum by the **Head of State, Head of Government, Minister for Foreign Affairs**, or the **responsible Minister** or other **high-level official** with delegated authority. This may be arranged in the country concerned or in any other country on the occasion of a relevant meeting/workshop.
- Signature of the Memorandum at a **Meeting of Signatories** or **other meetings** organised by the Secretariat, by a duly accredited Official – subject to presentation of a suitable **original Instrument of Authority 2**, prior to the meeting.

The Memorandum of Understanding shall **take effect** for a new Signatory on the first day of the month following the date of signature.

Benefits of being a Signatory

Signatories to the Sharks MOU can benefit in many ways:

- Access to support in **developing national or regional conservation strategies** for sharks (taking account of the need for collaborative trans-boundary measures);
- Invitations to attend and participate in Meetings of the Signatories and, as a consequence, being in the position to **shape future policies and implementation** of the Sharks MOU;
- Access to support in **developing partnerships** or **collaborative shark conservation activities** with other Range States, Inter-Governmental (IGOs) or Non-Governmental Organizations (NGOs);
- Invitations to participate in occasional **Capacity-Building** or **Technical Workshops**, including potential access to funding to support attendance at these gatherings;
- Access to **technical advice and support** from the Advisory Committee for the Sharks MOU;

² See Annexes for Model of Instrument of Authority

- Access to **funding opportunities** for shark conservation initiatives (e.g. through the UNEP/CMS Small Grants Programme or in partnership with other Range States or Co-operating Partners);
- Enhancement of the Signatory's **international visibility** in the field of shark conservation through cooperating with other Signatories in global and regional shark conservation efforts;
- Access to a range of **international networks, specialists, IGOs and NGOs**.

It is also worthwhile highlighting that any effective measures introduced to conserve migratory Sharks are likely to deliver much wider benefits to the conservation of **other marine species**.

Responsibilities of a Signatory

New Signatories should designate a **Focal Point** who will be in charge of the communication among Signatories and for the coordination of implementation measures and activities under the MOU.

Signatories should strive to **adopt, implement and enforce** such legal, regulatory and administrative measures as may be appropriate to conserve migratory sharks and their habitats, in a **spirit of consensus, cooperation and mutual support**, and to the extent that resources permit.

Signatories should **endeavor to coordinate their efforts**; to cooperate in emergency situations requiring concerted international action; to **take appropriate measures** for the recovery of shark populations; to **exchange information**, and **to cooperate** with a view to assisting each other to implement the Sharks MOU, particularly in the areas of research and monitoring.

Signatories should **report on the implementation of the MOU** at each Meeting of the Signatories.

Financial contributions to the MOU are voluntary, which gives Signatories the flexibility to make a **voluntary contribution** when they have the capacity to do so. Voluntary financial and/or in-kind contributions, however, are important for the on-going operations of the Sharks MOU as the only source of funding.

Annexes

AUTHORITY TO SIGN MEMORANDA OF UNDERSTANDING

I, *[full name and title of the Head of State, Head of Government, Minister for Foreign Affairs, Minister of Environment or other responsible Minister]*,

HEREBY AUTHORIZE *[full name and title of representative]* to sign the *[name of the Memorandum of Understanding]* on behalf of the Government of *[name of State]*.

Done at *[place]* on *[date]*.

*[Signature]*³

³ This instrument should also be printed on the letterhead of the relevant Minister to unambiguously indicate that the person signing the instrument has authority to do so. However, neither letterhead nor an official seal may replace the signature of one of the relevant authorities authorized to sign this instrument.

Designated Authority and Focal Point Form for the Memorandum of Understanding on the Conservation of Migratory Sharks

Recalling Paragraph 15a of Section 5 of the above MOU:

“Each Signatory should designate a focal point for communication among Signatories and for coordinating implementation measures and activities under this Memorandum of Understanding and the Conservation Plan, and communicate the complete contact details of this authority, and any subsequent changes thereto, to the Convention Secretariat.”

I hereby designate the following governmental institution as the authority to serve as focal point for the MoU and for implementing activities under the MoU:

Ministry/Department/Organisation:
.....

I hereby nominate the following person as focal point for purposes of communicating with the Secretariat and other Signatories:

Family name: (Mr./Ms./Dr.)..... First name:

Title/Function:

Department:

Organisation:

Address:

.....

Tel.:

Fax:

E-mail:

Signature:..... Date: Seal/Stamp of Ministry

.....

(Responsible Minister)

Please return to the Secretariat by email to natalie.merjaneh@un.org

Kindly contact the Secretariat of the UNEP/CMS Sharks MOU in Bonn by telephone or e-mail to make the necessary arrangements, or if you have any questions. Thank you.