

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

CMS/Sharks/CWG1/Outcome 1.1

5 December 2016

Original: English

First Workshop of the Conservation Working Group  
Bristol, United Kingdom, 31 October-01 November 2016

**OUTCOMES OF THE FIRST WORKSHOP OF THE CONSERVATION WORKING GROUP**

*(Prepared by the Secretariat)*

**Membership and Workshop Participants**

1. The First Meeting of the Conservation Working Group (CWG1) was held in Bristol, UK from 31 October to 1 November 2016. Four Advisory Committee (AC) members including John Carlson (AC Chair, North American region), James Ellis (AC Vice-Chair, European region), Rima Jabado (Asian region) and Marino Vacchi (European region) participated at the workshop.
2. The AC invited nine additional experts, who were selected from the “List of Experts” adopted at the 2<sup>nd</sup> Meeting of the Signatories (MOS2) ([CMS/Sharks/MOS2/Decisions.Rev.2](#)) based on their expertise related to tasks assigned to the Conservation Working Group (CWG). The CMS Scientific Councilor for Bycatch attended the workshop to contribute his expertise on bycatch and ensure effectiveness of bycatch mitigation measures across different taxonomic groups. A total of six observers were admitted by the AC to participate in the Workshop, including one Signatory (United States) and three Cooperating Partners to the Sharks MOU (Sharks Advocates International, The Shark Trust and Project Aware). The full participants list can be found in Annex 2 to this document.
3. The workshop was opened by Ms Melanie Virtue (Head of Aquatic Species Unit, CMS Secretariat), followed by Mr John Carlson (AC Chair) and Mr James Ellis (AC Vice-Chair). Mr Martin Clark served as a facilitator of the workshop.

**Adoption of the Agenda**

4. The CWG accepted the proposed agenda and working documents (CMS/Sharks/CWG1/Doc1.2).

### **Definition of bycatch for the purpose of the Sharks MOU (Agenda item 5)**

5. The CWG discussed CMS/Sharks/CWG1/Doc.5.1 aiming to clarify the term “Bycatch” for the purpose of the Sharks MOU as requested in their Terms of Reference (ToR) (4 b).

6. A sub-working group was formed including Mr Carlson, Mr Baker, Ms Heupel, Ms Fowler, Ms Lawson, Ms McCarty and the Secretariat.

7. The CWG noted the preambular text of the MOU, and paragraphs 4.2, and 5 of the Conservation Plan:

*“Taking” means taking, harvesting, hunting, fishing, capturing, harassing, deliberate killing or attempting to engage in any such conduct*

*4.2 Develop programmes to monitor directed shark fisheries and shark bycatch, including programmes such as vessel monitoring systems, inspections and on-board observer or monitoring programmes*

*5.1 To the extent practicable, develop and/or use selective gear, devices, and techniques to ensure that the take of sharks in fisheries is sustainable and appropriately managed and that mortality of non-utilized catches is minimized to the greatest extent possible.*

*5.2 Liaise and coordinate with fishing industries, fisheries management organizations, academic institutions and environmental non-governmental organizations (NGOs) to develop and implement incidental capture mitigation mechanisms in national waters and on the high seas, prioritizing work to avoid the capture of protected sharks in accordance with paragraph 13 i of the MoU.*

8. In light of this, the CWG clarified that for the purpose of the Sharks MOU, bycatch to be defined as:

***“Sharks that interact with but are not the targets of fishing operations”.***

9. This working definition will be communicated to the AC at its next meeting.

### **Bycatch mitigation measures (Agenda Item 3)**

10. In accordance with the ToR of the CWG, item 4.c, the CWG discussed the review and gap analysis of bycatch mitigation measures being employed by fisheries management bodies, presented as document CMS/Sharks/CWG1/Doc.3.1.

11. The CWG agreed that Ms Fowler and Mr Baker would work together on reviewing bycatch mitigation measures, using CMS/Sharks/CWG1/3.1 as a basis for their work.

12. The draft best practice guidelines presented as document CMS/Sharks/CWG1/3.2 were not discussed at this meeting. However, it was decided that Ms Fowler and Mr Baker would work on a more comprehensive draft best practice guidelines for sharks which would be circulated among the CWG and finalized for discussion at CWG2.

13. The timeline for the process and finalization of both documents is outlined in Table 1.

### **Species-specific priority research and conservation needs (Agenda Item 2)**

14. The Working Group discussed the gap analysis of activities for the conservation of species listed in Annex 1 under relevant fisheries bodies, presented as document CMS/Sharks/CWG1/Doc.2.1. The CWG was tasked, in ToR 4.d, to compile relevant biological data of Annex 1 species, review and identify species-specific priority research and conservation needs at the appropriate scale.

15. For this purpose, three working groups were created to cover different shark species groups. The groups were chaired by 1. Mr James Ellis (Species: White Shark, Basking Shark, Porbeagle, Spiny dogfish), 2. Mr Rui Coelho (Species: Thresher Sharks, Mako Sharks, Silky Shark, Hammerhead Sharks), and 3. Mr Colin Simpfendorfer (Sawfish, Mobula, Manta, Whale Shark).

16. The working groups were tasked to provide information for the respective species based on a template, which was structured as follows:

- i. Relevant competent authorities
- ii. Status of protection of CMS Appendix I species in their main distributional range
- iii. Data gaps in relation to fisheries technical measures
- iv. Data gaps for informing on options for spatial management
- v. Other potential threats and miscellaneous issues
- vi. Potential priorities for the Sharks MOU in relation to the species

17. It was agreed that the chairs of each group, with the support from the Secretariat, would compile this information into one document that would be circulated to the wider CWG group for comments and submitted to the AC2 for consideration. The document CMS/Sharks/CWG1/Doc.2.1 on the gap analysis of activities for the conservation of species listed in Annex 1 under relevant fisheries bodies, prepared by Ms Fowler, would be taken into consideration for the final version of this document. The timeline of activities is outlined in Table 1.

18. The final document will become available as an outcome document on the workshop page (<http://www.cms.int/sharks/en/CWG1>).

### **Compiling relevant biological data (Agenda Item 4)**

19. The CWG discussed document CMS/Sharks/CWG1/Doc.4.1 aiming to design a survey to collect relevant biological data and to identify species research and conservation needs for species listed in Annex 1 of the MOU, as requested in their Terms of Reference (4 d).

20. A sub-Working Group was formed, comprising of Mr Sant, Ms Jabado and the Secretariat.

21. The CWG decided not to undertake a comprehensive survey amongst experts, since most of the required information was already publicly available in form of species listing proposals to CMS and CITES, IUCN Red List assessments and fact sheets of RFMOs. Instead, the working group suggested to work closely with the IUCN Shark Specialist Group in order to compile relevant biological data on a species level. It was decided instead to develop:

- Fact Sheets for each of the 29 Annex 1 species
- Synthesis of priority research, conservation and management measures

22. The detailed activities envisaged to complete this task are found in Annex 1 to this document and timeline for the process and finalization of the task is outlined in Table 1.

### **Other suggestions and recommendations of the CWG**

23. The document prepared by Ms Fowler for CWG1 (CMS/Sharks/CWG1/Doc.2.1) would be circulated amongst CWG members for comments and additions. A final draft would be presented as an Information document to the AC2. (see Table 1 for timeline).

24. Furthermore, in its ToR (4f), the CWG was tasked to undertake a prioritization of the activities of the Conservation Plan by species or groups of species, with priority given to those listed under Appendix I of CMS, taking into consideration relevant existing initiatives. It was agreed that Ms Heupel and Mr Carlson would present a proposal on the prioritization of the Conservation Plan activities for discussion at CWG2. This proposal would be circulated beforehand among the CWG members and the AC for input and comments.

25. It was also suggested that the content on the Sharks MOU and CMS species database should be updated and reviewed by a member of the AC or the CWG. The name of the reviewer would be placed on the website including the date of the last review.

### **Possible dates and agenda for CWG2**

26. MOS2 envisaged holding two workshops of the CWG (CMS/Sharks/Outcome 2.5). The 2<sup>nd</sup> Workshop (CWG2) was therefore considered best held not less than six months before the 3<sup>rd</sup> Meeting of the Signatories (MOS3), back to back with the 2<sup>nd</sup> Meeting of the Advisory Committee (AC2). The group identified the most suitable dates as being mid-August to September 2017. The Secretariat would bear this in mind when scheduling the meeting.

27. Based on the CWG ToR, the following items were considered useful next steps for discussion at CWG2:

- i. Gaps in compliance and implementation
- ii. Prioritization of actions in the Conservation Plan
- iii. Spatial management: Spatial data and data gaps, clarification of terms
- iv. Stock structure and regional cooperation
- v. RFMO engagement strategy

28. The meeting concluded at 16.00 with the usual pleasantries and an acknowledgement of the collegial spirit and concrete outcomes that ensued.

Table 1. Timeline of activities agreed at CWG1		
Outputs	Responsibility	Deadline
<b>Bycatch mitigation measures</b>		
Prepare 1 <sup>st</sup> draft and circulate to CWG for comments	Ms Fowler and Mr Baker	15 Dec 2016
Comment on draft fact sheet and agree on the general structure	CWG	15 Feb 2017
Compile comments and finalize document for CWG2	Ms Fowler, Mr Baker, Secretariat	30 March 2017
<b>Species-specific priority research and conservation needs</b>		
Complete drafts and send to the Secretariat	Group leads: Mr Coelho, Mr Ellis and Mr Simpfendorfer	7 Nov 2016
Format and check for consistency and content and return to Group leads and Mr Carlson	Secretariat	18 Nov 2016
Draft tables of region/nation/CMS etc.	Ms Fowler	30 Nov 2016
Group leads work on the document and circulate draft to CWG for comments	Group leads: Mr Coelho, Mr Ellis and Mr Simpfendorfer and Mr Carlson	30 Dec 2016
CWG comment on document	CWG	30 Jan 2017
Finalize document for AC2	Secretariat	30 March 2017
<b>Compiling relevant biological data</b>		
a. Collecting species specific information:		
Collecting information (IUCN red list data, CITES and CMS proposals, RFMO data, other)	IUCN SSG/Secretariat	31 Jan 2017
Request and compile information from Signatories (“reduced format for national reports”)	Secretariat	28 Feb 2017
Undertake M-risk assessment for species, giving priority to species listed in Annex 1	TRAFFIC	Tentative Feb/March 2017 (tbc)
Review M-risk Assessment results	CWG	15 March 2017

<b>b. Develop species fact sheets based on species and regions/management units</b>		
Prepare 1 <sup>st</sup> draft fact sheet for example species based on the ACAP fact sheets and share with CWG1	Secretariat	30 Nov 2016
Comment on draft fact sheet and agree on the general structure	CWG	15 Dec 2016
Develop fact sheets for all 29 species (incorporating all information received under activity and CWG1 agenda items 2 and 3 <sup>1</sup> (intersessional work) as it becomes available <sup>2</sup>	IUCN SSG/Secretariat	31 May 2017
Review fact sheets and provide comments	CWG/AC/Signatories	15 June 2017
Finalize and publish fact sheets	Secretariat	30 June 2017
<b>c. Develop a synthesis of priority research, conservation and management measures</b>		
Prepare a draft document for CWG2/AC2, prioritizing research and conservation and management measures on a species specific level	Secretariat	30 June 2017
Review draft synthesis and provide comments	CWG	15 July 2017
Finalize and publish CWG2 document	Secretariat	31 July 2017
<b>Other suggestions and recommendations of the CWG</b>		
Gap analysis of activities for the conservation of species listed in Annex 1 under relevant fisheries related bodies		
Comment on documents 2.1 and 3.1	CWG	30 Nov 2016
Submit final revised document	Ms Fowler	30 Jan 2017
Prioritization of the Conservation Plan activities		
Work on a prioritization proposal and circulate to CWG for comments	Mr Carlson and Ms Heupel	30 Jan 2017
Comment on proposal	CWG	28 Feb 2017
Discuss at CWG2	CWG	Aug/Sept 2017

1 Gap analysis and recommendations related to RFB management and conservation measures, including bycatch mitigation measures.

2 Once a structure is agreed, available information can be built in, followed by additional information obtained from Signatories and the M-risk assessment at a later stage

## ANNEX 1: Compiling relevant biological data

The following new procedure to complete task 4.d of the TOR was agreed:

Objective:

Identifying research gaps and defining priority research, conservation and management needs.

Outputs:

- a. Species fact sheets
- b. Synthesis of priority research, conservation and management measures

Emphasis should be on Sharks MOU regions/management units.

Activities:

### a. **Compiling species specific information**

- i. **Extract available biological information:**  
Collect information from RFMO data sheets, CITES and CMS proposals, IUCN assessments and other relevant publications and sources;
- ii. **Request information from Signatories:**  
Contact Signatories and ask for intersessional submission of information to identify gaps in implementation, capacity needs, priority research and conservation measures from the country perspective (consult Signatories);
- iii. **M-risk assessment:**  
In order to assist prioritization of stocks/populations for management, request TRAFFIC to produce assessments for Annex 1 species using their management risk (m-risk) assessment method. The assessment method aims to identify management gaps and the resulting risk of certain stocks being exposed to overexploitation and to further advise the AC on additional species of concern not yet listed on Annex 1 through undertaking risk assessments of species in trade.

### b. **Develop species fact sheets based on regions/management units**

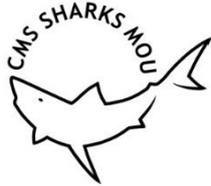
All fact sheets should contain information gathered through activities a. and be modelled on the ACAP species fact sheets; e.g. <https://acap.aq/en/acap-species/291-black-petrel/file>)

### c. **Develop synthesis of priority research and conservation measures**

Prepare a document for CWG2/AC2, prioritizing research, conservation and management measures on a species specific level, taking into account results from activity a (**Compiling species specific information**) and intersessional work related to CWG1 agenda items 2 and 3 (see sections **Bycatch mitigation measures** and **Species-specific priority research and conservation needs** in this report).

The timeline for this activity is outlined in table 1 of the main document.





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CMS/Sharks/CWG1/Outcome 1.1/  
Annex 2

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First Workshop of the Conservation Working Group  
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*(Prepared by the Secretariat)*

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