



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

CMS/Sharks/MOS3/Decisions

14 December 2018
Original: English

3rd Meeting of the Signatories (Sharks MOS3)
Monaco, 10 – 14 December 2018

DECISIONS OF THE MEETING

Election of Officers

1. Signatories elected Robert Calcagno (Monaco) to be the Chair and David Hogan (USA) to be the Vice-Chair.

Credentials Committee

2. The UK was elected Chair of the Credentials Committee. The other members being Comoros, Costa Rica, New Zealand, UAE and USA. From 32 Signatories present at the Meeting, 25 credentials were accepted. Therefore, the quorum was reached.

Admission of Observers

3. All observers present were admitted to the session.

Amendments to the Sharks MOU Annex 1

Outcome Document: [CMS/Sharks/Outcome 3.1](#)

4. Signatories agreed to add the following eight new species of sharks and rays to Annex 1:
 - Dusky Shark (*Carcharhinus obscurus*)
 - Oceanic Whitetip Shark (*Carcharhinus longimanus*)
 - Smooth Hammerhead Shark (*Sphyrna zygaena*)
 - Angelshark (*Squatina squatina*)
 - Bottlenose Wedgefish / Whitespotted Wedgefish (*Rhynchobatus australiae*)
 - Whitespotted Wedgefish /Giant Guitarfish (*Rhynchobatus djiddensis*)
 - Smoothnose Wedgefish (*Rhynchobatus laevis*)
 - Common Guitarfish (*Rhinobatos rhinobatos*)
5. The Angelshark was added on an exceptional basis, despite the conclusion of the Advisory Committee (AC) that the species did not meet the criteria. Signatories emphasized that this decision and process should not set a precedent for future listing decisions of the MOS.
6. Signatories acknowledged the extremely poor condition of the population and the urgent need for action. Furthermore, new information indicating that Angelsharks may cross national jurisdictional boundaries within the Eastern Mediterranean part of the species' range, was taken into account.

7. The Signatories decided that the Blue Shark (*Prionace glauca*) would not be included in Annex 1 of the Sharks MOU as it was found not to meet the listing criteria. The Meeting recommended that Signatories may wish to resubmit the Blue Shark proposal for inclusion in MOS4, should new evidence indicate that the status was unfavourable.

Modifying the Species List

Outcome Document: [CMS/Sharks/Outcome 3.2](#)

8. The Meeting amended CMS/Sharks/ Outcome 1.4 “*Modifying the Species List (Annex1) of the MOU*” and adopted, with minor modifications for the purpose of the MOU, the new format for listing proposals, which had been adopted by CMS COP12 in 2017.
9. Signatories agreed a more detailed definition for the term “migratory”, which was one of the two listing criteria. Moreover, a provision that allowed for the inclusion of look-alike species was included in the document.
10. The new format for listing proposals is presented in the Annex of the document.

National Reporting

Outcome Document: [CMS/Sharks/Outcome 3.11](#)

11. The meeting established an Intersessional Working Group (IWG – Reporting) to further develop the national reporting system and Terms of Reference for the group were adopted.
12. The group would be chaired by the USA and Australia. The following Signatories and Cooperating Partners are members to the group: Brazil, Comoros, Congo, Cote d’Ivoire, EU and its Member States, Madagascar, Mauritania, New Zealand, Senegal, South Africa, the UAE, H.S.I., Sharks Advocates International.

Species-specific Conservation Measures

Outcome Document: [CMS/Sharks/Outcome 3.12](#)

13. The Meeting established an Intersessional Working Group (IWG – Conservation Measures) and adopted Terms of Reference to guide its work. The aim of the IWG was to review and finalize species factsheets, including suggestions for conservation action.
14. The IWG had an open membership and would work remotely under the chairmanship of the AC Chair, with support from South Africa.

Habitat Conservation

Outcome Document: [CMS/Sharks/Outcome 3.3](#)

15. Recommendations of the AC on Spatial Management and the Implementation of Activity 9.1 in the Conservation Plan were adopted by the Signatories.

Engagement with RFMOs

Outcome Document: [CMS/Sharks/Outcome 3.4](#)

16. It was agreed by the Signatories not to adopt a formal engagement strategy. However general guidance for the Secretariat and the Signatories to refer to was adopted.

Communication and Awareness-raising Strategy

Outcome Document: [CMS/Sharks/Outcome 3.5](#)

17. A strategy that was developed by the previous Intersessional Working Group (IWG - ComStrat) was adopted by the Signatories. It was agreed by consensus that the affiliation of the Sharks MOU with its parent Convention should be visible when communicating about the MOU, its objectives and activities.

Capacity-building Strategy

Outcome Document: [CMS/Sharks/Outcome 3.6](#)

18. The Meeting adopted a Capacity-building Strategy for the MOU that aimed to support Signatories with the implementation of the MOU and its Conservation Plan. The activities, which were recommended by the AC based on the result of a survey amongst Signatories, were agreed without modification. The implementation of the Capacity-building Plan would be subject to successful fundraising by the Secretariat, Signatories and Cooperating Partners.

Advisory Committee

Outcome Document: [CMS/Sharks/Outcome 3.7](#)

19. The Terms of Reference for the AC were revised to provide more flexibility regarding the duration of the service of its members aiming to ensure the stability and continuity of the AC.
20. The following changes in membership were made:
 - Africa would nominate a new member shortly for the East and Southern Region.
 - South, Central America and the Caribbean selected Dr. Carlos Julio Polo Silva (University Jorge Tadeo Lozano, Colombia) as a new member replacing Enzo Acuña.
 - All other regions retained their current members for the next triennium.
21. The updated list of AC members including their contact details can be accessed on the [website of the MOU](#).

Partnerships and Cooperation

Outcome Document: [CMS/Sharks/Outcome 3.8](#)

22. Signatories agreed activities to support the implementation of the following Concerted Action Plans, which had been previously adopted at CMS COP12:
 - Whale Shark (*Rhincodon typus*)
 - Mobulid Rays (*Mobulidae*)
 - Angelshark (*Squatina squatina*)

Cooperating Partners

23. Defenders of Wildlife was welcomed as the 12th Cooperating Partner to the Sharks MOU. Two more organizations, “Divers for Sharks” and the “Large Marine Vertebrate Research Institute Philippines”, which had been admitted via written procedure before Meeting, were not present and would be invited to sign the MOU remotely.

Programme of Work

Outcome Document: [CMS/Sharks/Outcome 3.9](#)

24. The Meeting adopted a Programme of Work (POW) for the triennium (2019-2021) which aimed to guide Signatories, the AC, the Conservation Working Group (CWG), Cooperating Partners and the Secretariat.
25. Under the chairmanship of Mauritania, an open Intersessional Working Group (IWG-POW) was established during the meeting to further develop the POW, and to add more detail to the agreed activities. In particular, the Signatories agreed that they would also work on the matter of engagement with RFMOs in their intersessional work. The following Signatories and organizations indicated their participation in the IWG-POW: Australia, Brazil, European Union and its Member States, Monaco, New Zealand, Portugal, Sweden, UK, USA, IUCN, CITES, FAO, Humane Society International and Humane Society International Australia, IFAW, Shark Advocates International, Shark Trust, and the Manta Trust.

Administrative and Budgetary Matters

Outcome Document: [CMS/Sharks/Outcome 3.10](#)

26. The Signatories agreed a budget, which aimed to provide adequate resources for the MOU for the triennium 2019-2021. The new budget as adopted by the Signatories is contained in Annex 1 to the document.
27. The Signatories noted the table, “*Scale of Indicative Voluntary Contributions by Signatories for the Period 2019-2021*” (Annex 2) and agreed that the Secretariat would use the table as a basis to request voluntary contributions from Signatories receiving an invoice. Signatories that did not wish to receive an invoice should inform the Secretariat. A reminder letter would be sent to them on the voluntary contributions. Once Signatories opted out from receiving an invoice, they would remain opted out unless notice was given to the Secretariat indicating otherwise.
28. Signatories may inform the Secretariat if they wished to be invoiced for an amount different from that indicated in the table. The deadline for submitting such information to the Secretariat would be January of each year.
29. Furthermore, the Terms of Reference for the Trust Fund were amended to include provisions for payments to the Trust Fund, to establish an operating reserve of 15 per cent or US\$ 100,000, whichever was higher and to define the rules for the eligibility of delegates to receive funding from the Trust Fund to participate at Meetings of the Signatories.
30. The amended Terms of Reference for the Trust Fund as adopted by the Signatories are contained in Annex 3 of CMS/Sharks/MOS3/Outcome 3.10.

Review Process

31. The European Union presented a suggestion to undertake a performance review of the MOU and its established processes as well as to periodically review Annex 1 of the MOU and to strengthen the AC. The meeting welcomed the suggestions and considered revisiting this initiative at MOS4.