



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

CMS/Sharks/MOS3/Doc.15.1
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3rd Meeting of the Signatories (Sharks MOS3)
Monaco, 10 – 14 December 2018
Agenda Item 15

**COOPERATION WITH CMS ON THE IMPLEMENTATION OF CONCERTED ACTION FOR
SHARKS AND RAYS**

(Prepared by the Secretariat)

1. This document presents suggestions in Annex 1-3 for cooperation with the Convention on the Conservation of Migratory Species of Wild Animals (CMS) on the implementation of Concerted Action for sharks and Rays.
2. The concept of “Concerted Action” under CMS¹ is to foster activities by Parties, Range States and relevant organizations to improve the conservation status of selected CMS-listed species.
3. Despite being an independent agreement with its own membership, procedure and functional bodies, the Sharks MOU is an agreement in accordance with Article 4 (4) of CMS. As such it aims to implement Appendix II of the Convention, which lists species that would benefit from international cooperation.
4. The Secretariat therefore suggest a close cooperation with CMS on all matters related to sharks and rays on CMS Appendices that are also included in Annex 1 of the MOU.
5. At the 12th Conference of the Parties to CMS (CMS COP12) in October 2017, Concerted Actions were adopted for the following species, that are already covered by the MOU or that are proposed for inclusion in Annex 1 of the MOU at this meeting.
 - a. Whale Shark (*Rhincodon typus*) (CMS/Sharks/MOS3/Inf.8)
 - b. Mobulid Rays (*Mobulidae*) (CMS/Sharks/MOS3/Inf.9)
 - c. Angelshark (*Squatina squatina*) (CMS/Sharks/MOS3/Inf.10)
6. The Sharks MOU has been invited by COP12 to support Parties and non-governmental organizations involved with implementation activities.

¹ For more information see UNEP/CMS/Resolution 12.28

7. Therefore, the Secretariat has reviewed all activities and made suggestions as to how the MOU may get engaged in these activities. These suggestions were submitted to the 2nd Meeting of the Advisory Committee (AC2), which reviewed the Concerted Action for Mobulid Rays and Whale Shark. Concerted Action for the Angelshark was not reviewed by AC2, because the species had not been included in Annex 1 of the MOU at the time of the meeting.
8. Suggestions made by AC2 to MOS3 on the cooperation with CMS on the implementation of Concerted Action for the Whale Shark and Mobulids, were previously published as [CMS/Sharks/AC2/Rec.2.5](#) and are now contained in Annex 1 and 2 to this document. Suggestions, made by the Secretariat on the implementation of Concerted Action for the Angelshark (*Squatina squatina*) are included in Annex 3.
9. The recommendations are provided in the form of a table for each of the Concerted Action species, which summarizes the activities agreed at COP12. The recommendations made specifically refer to ways on how the Sharks MOU could support the implementation of these activities, who the most suitable entity would be for implementation and what implications the recommended activities might have for the budget of the MOU.
10. AC2 generally welcomed Concerted Actions as a tool for conservation, and in particular to generate momentum for activities by the Range States of the respective species. Hence, as the MOU would be eligible to submit proposals for Concerted Action to the CMS COP13, the Signatories may wish to consider this option for a species or species group included in Annex 1, not yet covered by a Concerted Action and instruct the AC to develop a proposal accordingly.

Action requested:

The Meeting is requested to:

- a) Review the annexed recommendations of the AC on cooperation with CMS on the implementation of Concerted Action for Whale Sharks and Mobulids, and the suggestions of the Secretariat for Angelsharks, also taking into account CMS/Sharks/MOS3/Inf.8-10;
- b) Provide comments and make revisions and additions regarding the implementation support by the MOU, entities responsible for implementation and possible implications for the MOU Budget;
- c) Approve the Sharks MOU implementation support as recommended;
- d) Consider submitting proposals for Concerted Action for other species contained in Annex 1 to CMS COP13 and instruct the AC accordingly.

Annex 1

CMS Concerted Action for the Whale Shark (*Rhincodon typus*)

Overview of activities, suggestions for implementation support by the Sharks MOU, entities responsible for implementation and possible implications for the Sharks MOU Budget

Activity (as approved by CMS COP12 ²)	Suggestions for implementation support by the Sharks MOU	Entity	Implication for the Sharks MOU Budget
1.1 Investigate (through research, including satellite tagging and genetic studies) the connectivity of local populations and migrations.	<ul style="list-style-type: none"> – Signatories may support research activities; – The AC may provide technical expertise; – The Secretariat may foster collaboration in other regions. 	<ul style="list-style-type: none"> – Signatories – AC – Secretariat 	none
1.2 Collect information on the scale of bycatch and fisheries interaction to assess the level of impact this has on Whale Sharks and any potential mitigation strategies.	<ul style="list-style-type: none"> – Signatories may support research activities; – The AC may provide technical expertise. 	<ul style="list-style-type: none"> – Signatories – AC 	none
1.3 Investigate locations and conditions in which pollution (such as discarded fishing gear, noise, plastics etc.) may be affecting Whale Shark populations.	<ul style="list-style-type: none"> – Signatories may support research activities; – The AC may provide technical expertise; – The Secretariat may foster collaboration amongst Signatories. 	<ul style="list-style-type: none"> – Signatories – AC – Secretariat 	none
1.4 Assess the impacts of climate change on Whale Sharks.			
1.5 Identify (through research, including satellite tagging studies) and protect critical Whale Shark habitats (e.g. feeding or mating habitats) and migratory routes.	<ul style="list-style-type: none"> – Signatories may support research activities; – The AC may provide technical expertise; – The Secretariat may foster collaboration amongst Signatories. 	<ul style="list-style-type: none"> – Signatories – AC – Secretariat 	none

² see CMS/Sharks/MOS3/Inf.8 for further details

Activity (as approved by CMS COP12 ²)	Suggestions for implementation support by the Sharks MOU	Entity	Implication for the Sharks MOU Budget
2.1 Identify potential threats to Whale Sharks from tourism activities.	<ul style="list-style-type: none"> – Signatories may support research activities; – The AC may provide technical expertise; – The Secretariat may foster collaboration amongst Signatories. 	<ul style="list-style-type: none"> – Signatories – AC – Secretariat 	none
2.2 Collate and share good practice from countries with established Whale Shark tourism.	<ul style="list-style-type: none"> – Signatories may share good practice examples; – The AC may provide technical expertise; – The Secretariat may foster collaboration amongst Signatories. 	<ul style="list-style-type: none"> – Signatories – AC – Secretariat 	none
2.3 Encourage licensing and regulation of Whale Shark tourism interaction tour operators.			
2.4 Develop unified tourism guidelines to limit impacts on Whale Sharks and provide a code of conduct			
2.5 Ensure socio-economic benefits of Whale Shark tourism benefits the local community.	<ul style="list-style-type: none"> – Signatories may coordinate with local communities and ensure full stakeholder participation in Whale Shark tourism. 	<ul style="list-style-type: none"> – Signatories 	none
2.6 Develop appropriate education and awareness tools, incorporating scientific and traditional knowledge for a range of different stakeholders.	<ul style="list-style-type: none"> – Signatories may include the development of education and awareness tools into a Capacity Building Programme. 	<ul style="list-style-type: none"> – Signatories 	?
2.7 Capacity-building of Government agencies and local communities to deliver educational campaigns.	<ul style="list-style-type: none"> – The Secretariat may respond to specific requests from Signatories; – The AC may provide technical expertise. 	<ul style="list-style-type: none"> – Secretariat – AC 	none
2.8 Ensure clear communication and stakeholder engagement with local communities that may be affected by conservation efforts and mitigate any negative impacts.	<ul style="list-style-type: none"> – Signatories may engage with local communities and mitigate negative impacts of tourism. 	<ul style="list-style-type: none"> – Signatories 	none

Activity (as approved by CMS COP12 ²)	Suggestions for implementation support by the Sharks MOU	Entity	Implication for the Sharks MOU Budget
3.1 Coordinate with RMFOs to encourage the sharing of information and streamlining of conservation efforts.	– See AC recommendations on RFMO engagement (agenda item 11).		
3.2 Proposal of minimum onboard observers on commercial shipping lines & fishing vessels to gain more information on vessel strikes, bycatch and fisheries interactions.	– Signatories may work towards improving observer coverage on their fishing fleets.	– Signatories	none
3.3 Collate information on the scale of bycatch and fisheries interaction to assess the level of impact this has on Whale Sharks and any potential mitigation strategies.	– Signatories may provide information on bycatch and fisheries interactions.	– Signatories	none
3.4 Engage non-CMS Parties in the conversation to protect Whale Sharks and encourage their integration.			
4.2 Arrange a regional workshop to encourage cooperation and increase awareness.			
5.1 Identify inconsistencies in the level of protection ensured by different Range States.	– The Secretariat may support with gathering information from Signatories.	– Secretariat	
5.2 Encourage all Range States to implement a ban on all targeted fishing of Whale Sharks.	– Signatories may address this with other Range States. – Cooperating Partners may develop awareness raising materials.	– Signatories – Cooperating Partners	none
5.3 Encourage all Range States to develop action plans (AP) for the conservation of Whale Sharks.	– Signatories may consider developing an AP for Whale Sharks. – The AC may provide guidance to Signatories upon request.	– Signatories – AC	?

Activity (as approved by CMS COP12 ²)	Suggestions for implementation support by the Sharks MOU	Entity	Implication for the Sharks MOU Budget
5.4 Strengthen existing policies and legislation, develop new legislation where necessary, for the effective conservation of Whale Sharks, including measures to protect key habitats and alleviate threats.	– Signatories may strengthen or develop policies.	– Signatories	none
5.5 Ensure enforcement capacity for the implementation of national protection regulations	– Signatories may strengthen or develop capacity	– Signatories	none
5.6 Encourage the development of regional action plans to foster cooperation between Range States with connected populations.	– Signatories may consider developing regional AP; – The AC may provide technical expertise.	– Signatories – AC	?
5.7 Develop management plans for marine sanctuaries, Marine Protected Areas (MPAs) and other ecosystem-based protection measures that include Whale Sharks.	– Signatories may consider developing management plans for MPAs; – The AC may provide technical expertise (See AC recommendations on spatial management).	– Signatories – AC	?
5.8 Ensure all RMFOs ban the setting of purse seine nets around Whale Sharks.	– Signatories, that are also members to the different RFMOs concerned, may propose to ban the setting of purse sein nets around Whale Sharks.	– Signatories	none
6.1 Encourage climate change mitigation strategies and awareness.			
6.2 Encourage enhanced waste management at small and large scales to reduce marine debris entering the oceans.			

Annex 2

CMS Concerted Action for Mobulids (Mobulidae)

Overview of activities, suggestions for implementation support by the Sharks MOU, entities responsible for implementation and possible implications for the Sharks MOU Budget

Activity (as approved by CMS COP12 ³)	Suggestions for implementation support by the Sharks MOU	Entity	Implications for the Sharks MOU Budget
1.1 Review the Global Conservation Strategy (Lawson <i>et al.</i> 2017) and implement priority actions.	<ul style="list-style-type: none"> – The AC may provide advice on the Strategy and potential initiatives for Signatories to implement; – Signatories may consider adopting the Strategy; – The Strategy is provided as CMS/Sharks/MOS3/Inf.11. 	<ul style="list-style-type: none"> – AC – Signatories 	none
2.1 Engage with local communities and fisheries sector to gather socio-economic information on mobulid catch, share information and develop collaborative conservation and management strategies.	<ul style="list-style-type: none"> – Signatories may coordinate with local communities in their countries. <p>AC comment: there needs to be a feedback process on implementation without creating additional work for Signatories and the Secretariat.</p>	<ul style="list-style-type: none"> – Signatories 	<p>none</p> <p>Costs might occur for Signatories</p>
2.2 Build capacities within local communities to support a transition towards alternative livelihoods.	<ul style="list-style-type: none"> – Signatories may coordinate with local communities in their countries. <p>AC comment: there needs to be a feedback process on implementation without creating additional work for Signatories and the Secretariat.</p>	<ul style="list-style-type: none"> – Signatories 	<p>none</p> <p>Costs might occur for Signatories</p>
2.3 Consult and collaborate with communities and fisheries sector to design and plan for regulatory or	<ul style="list-style-type: none"> – Signatories may coordinate with local communities in their countries. 	<ul style="list-style-type: none"> – Signatories 	<p>none</p> <p>Costs might occur for Signatories</p>

³ see CMS/Sharks/MOS3/Inf.9 for further details

Activity (as approved by CMS COP12 ³)	Suggestions for implementation support by the Sharks MOU	Entity	Implications for the Sharks MOU Budget
legislative changes prior to implementation.	AC comment: there needs to be a feedback process on implementation without creating additional work for Signatories and the Secretariat.		
3.1 Conduct participatory community research to improve knowledge on target and incidental mobulid catches and the distribution and occurrence of mobulid rays within Range States.	<ul style="list-style-type: none"> - Signatories may coordinate with local communities in their countries. <p>AC comment: there needs to be a feedback process on implementation without creating additional work for Signatories and the Secretariat.</p>	<ul style="list-style-type: none"> - Signatories 	<p>none</p> <p>Costs might occur for Signatories</p>
3.2 Develop, disseminate, and support implementation of best-practice approaches to reduce incidental catches of mobulid rays and for safe-handling and release to minimize post-capture mortality.	<ul style="list-style-type: none"> - Signatories may coordinate with local communities in their countries; - The AC may provide technical expertise on bycatch mitigation and safe handling and release techniques (e.g. guidelines on purse seine fisheries by IOTC, add link, other safe release guidelines need to be developed, ICES/FAO technologies on fish behaviour). 	<ul style="list-style-type: none"> - Signatories - AC - Cooperating Partners - Secretariat 	<p>none</p> <p>Costs might occur depending on the activity</p>
3.3 Collaborate and coordinate research and management implementation with both local stakeholders and neighboring Range States, recognizing the need to address shared stocks conservation through coordinated approaches - e.g. via RFMOs and RFBs.	<ul style="list-style-type: none"> - Signatories may coordinate their activities with local stakeholders and neighboring Range States; - The AC may provide technical expertise. 	<ul style="list-style-type: none"> - Signatories - AC 	<p>none</p> <p>Costs might occur depending on the activity</p>
4.4 Ensure effective implementation of complementary CITES requirements and regulations particularly if no strict national protection for mobulids exists.		<ul style="list-style-type: none"> - Signatories 	<p>none</p>
3.5 Expand enforcement against illegal fishing and illegal trade		<ul style="list-style-type: none"> - Signatories 	<p>none</p>

Activity (as approved by CMS COP12 ³)	Suggestions for implementation support by the Sharks MOU	Entity	Implications for the Sharks MOU Budget
4.1 Develop a plan to monitor and evaluate the effectiveness of interventions to reduce the socio-economic impact of protection measures.			
4.2 Develop an ecological monitoring plan for mobulid rays to determine effectiveness of conservation and management measures.	<ul style="list-style-type: none"> – The AC may provide technical expertise. <p>AC comment: The AC may review ecological monitoring plans.</p>	<ul style="list-style-type: none"> – AC 	<p>none</p> <p>Costs might occur depending on the activity</p>
4.3 Collate and share findings and best practices at national and regional workshops.	<ul style="list-style-type: none"> – Signatories may share best practice examples; – The AC may assess best practice. 	<ul style="list-style-type: none"> – Signatories – AC – Cooperating Partners 	<p>none</p> <p>Costs might occur depending on the activity</p>

CMS Concerted Action for the Angelshark (*Squatina squatina*) – not reviewed by the AC

Overview of activities, suggestions for implementation support by the Sharks MOU, entities responsible for implementation and possible implications for the Sharks MOU Budget

Activity (as approved by CMS COP12 ⁴)	Suggestions for implementation support by the Sharks MOU	Entity	Implication for the Sharks MOU Budget
<p>1 The Eastern Atlantic and Mediterranean Angel Shark Conservation Strategy (CMS/Sharks/MOS3/Inf.12)</p> <p>Acknowledge the Strategy and implement its objectives where appropriate</p>	<ul style="list-style-type: none"> – Signatories may acknowledge the strategy and implement its objectives; – The AC may review the strategy and provide guidance on implementation measures. 	<ul style="list-style-type: none"> – Signatories – AC 	<p>none</p>
<p>2 Regional Action Plan Workshops</p> <p>2.1 Prepare and hold Northeast Atlantic workshop</p> <p>2.2 Prepare and hold Mediterranean workshop</p> <p>2.3 Prepare and hold West Africa workshop</p>	<ul style="list-style-type: none"> – Range State Signatories may participate in workshops and/or support the organization of the latter, e.g. by hosting or providing funds; – The AC may attend workshops and provide technical expertise; – Cooperating Partners are involved in the organization of workshops (Shark Trust); – The Secretariat may assist with administrative and logistical preparations of workshops and attend the workshops. 	<ul style="list-style-type: none"> – Signatories – AC – Cooperating Partners – Secretariat 	<p>Staff time of the Secretariat</p> <p>Travel costs of AC and Secretariat</p>
<p>3 General Fisheries Commission for the Mediterranean (GFCM)</p> <p>Encourage CMS Parties who are also Parties to GFCM to comply with their obligations GFCM/36/2012/3</p>	<ul style="list-style-type: none"> – Signatories who are Parties to GFCM (General fisheries Commission of the Mediterranean) may consider complying with their obligations (GFCM/36/2012/3). 	<ul style="list-style-type: none"> – Signatories 	<p>None</p>

⁴ see CMS/Sharks/MOS3/Inf.10 for further details

Activity (as approved by CMS COP12 ⁴)	Suggestions for implementation support by the Sharks MOU	Entity	Implication for the Sharks MOU Budget
<p>4 Global Strategy</p> <p>Engage with IUCN SSG and contribute to Global Red List reassessments for all angel shark species</p>	<ul style="list-style-type: none"> - Signatories and the AC may provide data and expertise to the IUCN Shark Specialist Group to support the reassessment of the angel shark. 	<ul style="list-style-type: none"> - Signatories - AC 	none
<p>5 Sharks MOU</p> <p>5.1 Support the inclusion of Angelsharks in Annex 1 of the MOU</p> <p>5.2 Present the Strategy to the Sharks MOU Signatories at Sharks MOS3</p>	<ul style="list-style-type: none"> - Signatories may consider listing the Angelshark in Annex 1; - The Strategy is provided as CMS/Sharks/MOS3/Inf.12. 	<ul style="list-style-type: none"> - Signatories - AC - Secretariat 	none