



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

CMS/Sharks/AC2/ Report

2 February 2018

Original: English

2nd Meeting of the Advisory Committee (AC2)
2nd Workshop of the Conservation Working Group (CWG2)
Bonaire, Netherlands, 20 - 24 November 2017

REPORT OF THE MEETING

Agenda Item 1: Opening of the Meeting

1. Welcoming remarks were provided by Martijn Peijs, the Sharks MOU Focal Point of the Netherlands, Mr Maurice Adriaens, Tourism Corporation Bonaire, the Director of the Tourism Corporation Bonaire (TCB), Bert Lenten, the Deputy Executive Secretary of CMS and Melanie Virtue, Head of the CMS Aquatic Species Team.
2. The Secretariat thanked the Government of the Netherlands for the warm welcome in Bonaire and for the excellent organization of the meeting as well as the considerable financial support provided for the travel of participants.
3. John Carlson, the Chair of the Advisory Committee, presided over the meeting with the constant support of the AC Vice- Chair, James Ellis. The Chair explained, that the during the joint meeting of the Advisory Committee and the Conservation Working Group discussions and contributions of both groups were welcome on each agenda item.

Agenda Item 2: Agenda

Meeting Document: [CMS/Sharks/AC2/Doc.2.1/Rev.1](#)

Provisional Annotated Agenda and List of Documents

4. The agenda was adopted as presented and the schedule for the week was agreed. Agenda items were addressed in alternative order to take advantage of the presence of experts on specific agenda items during the first days of the meeting.

Agenda Item 3: Report of the Chair

5. The Chair gave a brief overview of activities since the 1st Meeting of the Advisory Committee.

6. Mr Carlson explained that since MOS2, all ten positions of the Advisory Committee had been filled and welcomed three new representatives for Asia and South & Central America and the Caribbean:

- Ms Rima Jabado (Asia)
- Ms Moonyeen Alava (Asia)
- Mr Mario Espinoza (South & Central America and the Caribbean)

7. He reminded the AC that a Conservation Working Group was established by MOS2 and that this group was composed of members recommended by the AC and the Signatories. He explained that the aim of the CWG was to serve and assist the AC and complement areas where additional expertise within the AC was required.

8. In October 2016, the Conservation Working Group held its first workshop in Bristol, UK (CWG1) from 31 October to 1 November 2016. Four AC members and nine additional experts, selected by the AC and the Signatories participated at the workshop.

9. A number of items as requested by MOS2 and specified in the CWG the Terms of Reference for the Conservation Working Group ([CMS/Sharks/MOS2/Outcome 2.8](#)) were addressed at that meeting, and the results were presented in “Outcomes of the First Workshop of CWG1” ([CMS/Sharks/CWG1/Outcome 1.1](#)).

10. The Chair informed participants that at CMS COP12, held the previous month, in October 2017, five new species of sharks and rays were included in the CMS Appendices. He reminded the meeting that newly listed species would automatically be considered for inclusion by the MOS, and that the AC was requested to provide its recommendations on the proposed species.

11. It was noted that the proposal for the Whale Shark (*Rhincodon typus*), which was included in CMS Appendix I at COP12, would not be subject to review by the Advisory Committee, as this species was already included in Annex 1 of the MOU.

12. The Chair informed that since AC1, the Secretariat, guided by the AC, conducted a survey of the capacity-building needs of Signatories in relation to the implementation of the Conservation Plan to the MOU. The results of the survey are found in [CMS/Sharks/AC2/Doc.7](#).

13. Intersessionally, the Secretariat, the AC and CWG had prepared a document to provide recommendations to MOS3 with regard to [action 9.1 in the Conservation Plan](#) “Designation and Management of MPAs” and developed draft species-specific fact sheets, with the aim to provide guidance on priority conservation measures for individual taxa.

Agenda Item 4: Proposals for Amendments to Annex 1 of the Sharks MOU

Meeting Document: [CMS/Sharks/AC2/Doc.4/Rev.1](#)

Proposals for the Amendment of Annex 1 of the Memorandum of Understanding on the Conservation of Migratory Sharks

(see table below for CMS COP12 listing proposals and related documents)

Recommendations: [CMS/Sharks/AC2/Rec 2.1](#)

14. The Meeting reviewed the proposals to amend the Appendices and related recommendations by the 2nd Sessional Committee of the Scientific Council of CMS for five species of sharks and rays that were included in the CMS Appendices at COP12.

15. Following the procedure laid out in ([CMS/Sharks/Outcome 1.4 “Modifying the Species List \(Annex 1\) of the MOU”](#)), the AC, with support from the CWG, examined the original proposals, as submitted to CMS COP12, and which were the following:

Species	CMS Appendices	Proponent	Relevant Documents (provided in the version as submitted to COP12 in “Proposals for amendment of CMS Appendices”)
Dusky Shark <i>Carcharhinus obscurus</i>	App II	Honduras	UNEP/CMS/COP12/Doc.25.1.21/Rev.1 UNEP/CMS/COP12/Doc.25.1.21/Add.1
Blue Shark <i>Prionace glauca</i>	App II	Samoa, Sri Lanka	UNEP/CMS/COP12/Doc.25.1.22/Rev.1 UNEP/CMS/COP12/Doc.25.1.22/Add.1
Angelshark <i>Squatina squatina</i>	App I App II	Monaco	UNEP/CMS/COP12/Doc.25.1.23 UNEP/CMS/COP12/Doc.25.1.23/Add.1
Common Guitarfish <i>Rhinobatos rhinobatos</i>	App (I) II	Israel, Mauritania, Senegal, Togo	UNEP/CMS/COP12/Doc.25.1.24(a) UNEP/CMS/COP12/Doc.25.1.24(a)/Add.1 UNEP/CMS/COP12/Doc.25.1.24(b) UNEP/CMS/COP12/Doc.25.1.24(c)/Rev.1 UNEP/CMS/COP12/Doc.25.1.24(d)/Rev.1 UNEP/CMS/COP12/Doc.25.1.24(b-d)/Add.1
White-spotted Wedgefish <i>Rhynchobatus australiae</i>	App II	Philippines	UNEP/CMS/COP12/Doc.25.1.25/Rev.2 UNEP/CMS/COP12/Doc.25.1.25/Add.1

16. Three species, the Dusky Shark, White-spotted Wedgefish and Common Guitarfish were recommended for inclusion in Annex 1 of the MOU. Two species, the Blue Shark and Angelshark, were not recommended for inclusion.

17. As outlined in their TOR, the AC examined whether other species should be considered for listing on Annex 1. The Committee concluded that other threatened species, such as the Oceanic Whitetip Shark, the Smooth Hammerhead, the Winghead Shark and two “look alike” species of the White-spotted Wedgefish should be considered by the Signatories for listing on Annex 1 to strengthen international conservation action for those species.

18. Finally, the AC made recommendations on the interpretation of the use of listing criteria for the purpose of the MOU.

19. The recommendations made by the AC on the amendment of Annex 1 of the MOU are presented in document CMS/Sharks/AC2/Rec 2.1. These recommendations were finalized in a closed session of the AC.

Agenda Item 5: Cooperation with Relevant Organizations

Meeting Document: [CMS/Sharks/AC2/Doc.5](#)

Options for Cooperation between the Sharks MOU and relevant Regional Fisheries Management Organizations

Recommendations: [CMS/Sharks/AC2/Rec. 2.2](#)

20. After the meeting had reviewed [CMS/Sharks/AC2/Doc.5](#), the AC prepared recommendations for possible activities by the Sharks MOU Signatories in their engagement with relevant Regional Fisheries Management Organizations (RFMOs) and elements for an RFMO engagement procedure.

21. Discussions unfolded over how the MOU might complement work with RFMOs. 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.

22. The question of who should represent the MOU at meetings of RFMOs was also intensely discussed, bearing in mind the large number of meetings per year and the limited staff and travel resources of the Secretariat. As reflected in their amendments, the AC concluded that the MOU representative should ideally be independent and should exclusively focus on representing the MOU.

23. It was agreed that it would be worthwhile prioritizing RFMOs and to focus on two or three organizations in the beginning.

24. Generally, it was felt that the Signatories would benefit from 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.

25. In a series of presentations, Dr. Rui Coelho, an expert in RFMOs and Chair of the Indian Ocean Tuna Commission (IOTC) Working Party on Ecosystems and Bycatch (WPEB), provided important details about recent stock assessments for the Blue Shark and the Shortfin Mako Shark, which were undertaken by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and IOTC in recent years.

26. Furthermore, he pointed out priorities of the IOTC WPEB within its Programme of Work 2017-2021. Dr. Coelho saw clear scope for cooperation between IOTC and the Sharks MOU, in particular for potential historical data mining in the Indian Ocean region. He further suggested that a first step to get engaged with the technical work of the IOTC could be to offer support for the implementation of this task and that Signatories may consider to formally submit their offer share their data to the next meeting of the Commission of the IOTC in 2018.

27. The recommendations made by the AC are presented in CMS/Sharks/AC2/Rec 2.2.

Agenda Item 6: Spatial Management

Meeting Document: [CMS/Sharks/AC2/Doc.6](#)

Effectiveness of Marine Protected Areas for the Conservation of Migratory Sharks and Rays

Recommendations: [CMS/Sharks/AC2/Rec. 2.3](#)

28. The Chair opened the discussion on spatial management by introducing CMS/Sharks/AC2/Doc.6.

29. The general agreement in the room was that spatial management and Marine Protected Areas (MPAs) should not be regarded as the only or most important tool to conserve and manage sharks and rays, and that it should be combined with other approaches. It was noted that the efficacy of MPAs for chondrichthyan species would vary across taxa and depend on many factors, such as site fidelity/ scale and scope of movements of species and the measures undertaken within and outside a managed area, and the effects of any spatial displacement of human activities.

30. Generally, the meeting agreed that that the designation of protected areas for migratory sharks and rays made most sense in critical areas, where a significant number of individuals spent a significant amount of time, in particular during critical life stages. The AC noted that these critical areas were often not well known and that further research would need to be undertaken by Signatories and Range States to identify those (also see agenda item 8) and to define discrete areas of highest conservation priority for those species for which spatial management was an appropriate tool.

31. It was recommended that the terminology used to describe spatial management and managed areas should be explicit, and that it could follow the [Guidelines for Applying the IUCN Protected Area Management Categories to Marine Protected Areas \(CMS/Sharks/AC2/Inf.2\)](#).

32. The recommendations made by the AC on spatial management and the implementation of Activity 9.1 of the Conservation Plan are presented in CMS/Sharks/AC2/Rec 2.3.

Agenda Item 7: Capacity-building Needs of Signatories

Meeting Document: [CMS/Sharks/AC2/Doc.7](#)

Capacity-building needs of Signatories in relation to the implementation of the Conservation Plan to the MOU

Recommendations: [CMS/Sharks/AC2/Rec. 2.4](#)

33. After a brief introduction of Doc.7 by the Secretariat, the meeting reviewed the results of the survey on capacity-building needs. It was noted that the response rate from Signatories had been relatively low especially in some regions. The Secretariat was hence advised by the AC to again approach those Signatories who had not responded to cover all regions equally.

34. Based on the results of the survey, the AC made suggestions for elements that might be included in a capacity-building strategy for the MOU to support Signatories with the implementation of the MOU and its Conservation Plan in accordance with their expressed needs.

35. The agenda item was accompanied by a presentation given by Dr. Ralf Sonntag (Pew Foundation) on recent activities by NGOs on building capacity to further the implementation of CMS and CITES decisions related to sharks and rays.

36. Dr. Sonntag explained that the training workshops provided were highly welcomed by countries and that the overall demand for more workshops was high. He added that it was beneficial in terms of government support and political will, to hold the first workshop in a given country on the highest possible political level with participation of decision makers.

37. The recommendations made by the AC are presented in CMS/Sharks/AC2/Rec. 2.4.

Agenda Item 8: Species-specific Conservation Measures

Meeting Document: [CMS/Sharks/AC2/Doc.8](#)

Recommendations for Species-specific Conservation Measures

Recommendations: Eleven fact sheets that will be finalized by the AC and the Secretariat for presentation to MOS3

38. Draft Species-specific fact sheets for all species listed in Annex 1 of the MOU were discussed and amended during the meeting.

39. It was agreed that the overall aim of the fact sheets should be to inform decision makers about the species and to make recommendations for key conservation measures and further research that should be undertaken. The recommendations should entail those activities of highest priority to implement the MOU and its Conservation Plan.

40. The structure of the fact sheets was modified by adding a brief summary, including a general introduction, information on the conservation status and a brief overview on the legal status followed by recommendations for conservation measures and further research to be undertaken for the species. More comprehensive information on critical sites and the legal status of a species were to be annexed to the fact sheets.

41. Instead of referring to ocean basins, it was decided that the population status of species should be provided on stock/population level.

42. The Committee agreed that final adjustments, including the inclusion of distribution maps and critical sites were to be undertaken intersessionally. It was further agreed that Signatories should be requested to complete the list of critical sites for each taxon present in their national waters.

43. Finally, the Committee recommended to update the fact sheets every three years and to date the fact sheets.

44. It was briefly discussed whether the Secretariat could serve as depository for relevant literature, but this was not recommended, because of copyright issues.

45. The draft fact sheets will be further developed and finalized during the intersessional period by the AC with support from the Secretariat, in time for presentation to MOS3.

Agenda Item 9: Cooperation with CMS on Concerted Action

Meeting Document: [CMS/Sharks/AC2/Doc.9/Rev.1](#)

Cooperation with CMS on the implementation of Concerted Action for Sharks and Rays

Recommendations: [CMS/Sharks/AC2/Rec.2.5](#)

46. The Secretariat introduced document CMS/Sharks/AC2/Doc.9/Rev.1 on “Cooperation with CMS on the implementation of Concerted Action for Sharks and Rays”. The concept of Concerted Action under CMS was briefly explained to the participants, and an update on Concerted Action for shark and ray species that were approved by CMS COP12 was provided.

47. After examining the CMS Concerted Action for Whale Sharks and Mobulids, the meeting reviewed the suggested activities in Annex 1 (Whale Shark) and Annex 2 (Mobulids) of the

document regarding the involvement of the Sharks MOU in the implementation of CMS Concerted Action.

48. To this end the Secretariat provided a table for each of the Concerted Action species, which summarized the COP12 agreed activities in one column. The AC filled additional columns with recommendations on how the Sharks MOU could support the implementation, which entities would be the most appropriate for implementation and what implications these activities would have for the budget of the MOU.

49. The Concerted Action for the Angelshark, which was also approved by CMS COP12, was not reviewed by the AC and CWG, because the species hadn't been included in Annex 1 at the time of the meeting.

50. The AC and CWG generally welcomed Concerted Action as a tool for conservation, and in particular to generate momentum for activities by the Range States of the respective species.

51. The recommendations made by the AC are presented in CMS/Sharks/AC2/Rec.2.5.

Agenda Item 10: Any Other Business

Next Meeting

52. The group discussed the work of the AC in the time leading up to MOS3, which had recently been set for 3-7 December 2018. The Secretariat noted that the deadline for proposals to amend the MOU or its Annexes would be 6 July 2018, while all documents would need to be online in three languages by 4 October 2018.

53. Noting that, except the Chair, AC members would not be attending the MOS, it was felt that a meeting back to back with MOS would not be warranted. In addition, the members did not think it would be feasible or necessary to meet again in person to review MOS documents. It was therefore decided to schedule a teleconference during the week of 15 October 2018 for all members to discuss and finalize recommendations to the MOS.

Composition of the AC

54. The Secretariat reminded the AC members about the term of their membership. The terms of reference of the AC, contained in document CMS/Sharks/MOS2/Outcome.2.7, stipulates that AC members serve for "two regular meetings of Signatories and in exceptional cases may be nominated for a third term". The group noted that as the MOU and the AC were still in the early stages of developing their work, it could be disadvantageous to lose too many members at once. The Secretariat noted they would inform Signatories in good time of their obligations regarding this item, so that they came to MOS3 well prepared.

Signing Ceremony

55. The Dutch Elasmobranch Society (Nederlandse Elasmobranchen Vereniging - NEV), represented by their Director, Irene Kingma, signed the MOU as Cooperating Partner, which brings the overall number of partners to eleven.

Agenda Item 11: Closure of the Meeting

56. Bert Lenten, on behalf of CMS thanked the Chair, Vice Chair, and committee members for their hard work during the week, and thanked the Government of the Netherlands for the excellent facilities and organization they provided.

57. Martijn Peijs, on behalf of the Government of the Netherlands, noted that Bert Lenten would retire from the UN in the next month and so took the opportunity to thank him for all his work; at the African Eurasian Waterbirds Agreement (AEWA), at CMS and prior to that with the Dutch Government. The participants wished Mr Lenten well in his retirement.

58. The Chair declared the meeting closed at 14.10.

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