

SUMMARY OF THE FIRST MEETING OF SIGNATORIES TO THE MEMORANDUM OF UNDERSTANDING (MOU) ON THE CONSERVATION OF MIGRATORY SHARKS: 24-27 SEPTEMBER 2012

The First Meeting of Signatories to the Memorandum of Understanding (MoU) on the Conservation of Migratory Sharks convened from 24-27 September in Bonn, Germany. Organized by the Convention on Migratory Species (CMS), this is the first meeting since the MoU came into effect in 2011, following three preparatory meetings in: Mahé, Seychelles in December 2007; Rome, Italy, in 2008; and Manila, the Philippines, in February 2010.

Some of the main agenda items for this meeting included: the establishment of an Advisory Committee; consideration of a draft conservation plan; and administrative and budgetary matters, including arrangements for the Secretariat. Delegates also received reports from the Interim Secretariat, various Signatories and observers, and a report on the conservation status of migratory sharks.

The meeting took place in plenary sessions and in two working groups on the draft conservation plan and administrative and budget issues. Discussions in the working group on the draft conservation plan addressed a range of issues, including reducing shark mortality due to bycatch by other fisheries, and waste due to the practice of finning. The Conservation Plan was adopted, with further work to be done on prioritizing actions. The working group on administrative and budgetary consideration, limited to Signatory states, focused on issues concerning the terms of reference for the Advisory Committee and the rules of procedure for amending the list of shark species covered by the MoU.

Although the meeting proceeded smoothly and achieved all of its objectives, the MoU on the whole remains limited in scope and function due to the non-participation of important shark trading countries and insufficient funding, and this was apparent throughout the meeting. However, it must be remembered that the MoU as a process is in its nascent stages, and could very well grow to become a highly effective international instrument.

A BRIEF HISTORY OF CMS AND MIGRATORY SHARKS CONSERVATION

A significant proportion of threatened shark species are migratory, some of them undertaking large-scale movements across and around ocean basins. These extensive migrations mean that conservation efforts in one state can be undermined by actions in the waters of other states or on the high seas. Such species, therefore, require conservation and management actions across their entire range. While a number of international instruments contain provisions for the conservation and management of migratory sharks, they have generally failed to deliver practical improvements in the conservation status of the species, and vulnerable populations are continuing to decline. A few regional fisheries management organizations (RFMOs) and other international organizations, as well as some regional instruments, such as the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, also address migratory sharks.

This Brief History outlines the efforts made under the auspices of CMS and other relevant processes to address migratory sharks' conservation.

CMS: This Convention was adopted in 1979 in Bonn, Germany, in an effort to address the vulnerability of migratory species. It entered into force on 1 November 1983. CMS, also

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known as the Bonn Convention, recognizes that states must protect migratory species that live within or pass through their national jurisdiction, and aims to conserve terrestrial, marine and avian migratory species throughout their ranges. CMS currently has 113 parties.

The Convention was designed as a framework through which parties may act to conserve migratory species and their habitats by: adopting strict protection measures for migratory species that have been characterized as being in danger of extinction throughout all or a significant portion of their ranges (species listed in Appendix I of the Convention); concluding agreements for the conservation and management of migratory species that have an unfavorable conservation status or would benefit significantly from international cooperation (species listed in Appendix II); and joint research and monitoring activities. At present, over 100 migratory species are listed in Appendix I.

CMS also provides for the development of specialized regional agreements for Appendix II species. By January 2010, seven legally binding agreements and seventeen MoUs had been concluded. The agreements and MoUs are open for signature to all range states of a particular species, regardless of whether they are a party to the Convention.

CMS COP 6: CMS effectuated its first shark listing at its sixth meeting of the Conference of the Parties (COP 6) (4-16 November 1999, Cape Town, South Africa), where resolutions were adopted on, *inter alia*: institutional arrangements; bycatch; and concerted actions for Appendix I species. Seven species were added to Appendix I and 31 species to Appendix II, including the whale shark. Recommendations were approved on cooperative actions for various Appendix II species, including the Whale Shark.

CMS COP 7: The seventh meeting of the COP (18-24 September 2002, Bonn, Germany) added 20 species to Appendix I and 21 to Appendix II, with three whale species and the white shark listed on both. COP 7 also adopted a resolution on bycatch.

CMS COP 8: The eighth meeting of the COP (20-25 November 2005, Nairobi, Kenya) adopted resolutions on, *inter alia*: the CMS strategic plan, including a paragraph stating that CMS should, where appropriate, cooperate with the UN Convention on the Law of the Sea (UNCLOS) with respect to highly migratory marine species; cross-cutting issues, including climate change and bycatch; and the implementation of existing agreements and development of future agreements, including on migratory sharks.

In particular, Resolution 8.5 endorses the development of a global instrument on migratory sharks, under the auspices of the CMS, and urges cooperative action through a species-specific action plan. In Recommendation 8.16, the COP, *inter alia*: requests all parties to strengthen measures to protect migratory shark species against threatening processes; calls upon range states of CMS-listed migratory sharks to develop a global migratory sharks conservation instrument in accordance with CMS; and requests the Secretariat to explore avenues for cooperation with the UN Food and Agriculture Organization (FAO) and the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES)

and relevant range states leading to enhanced protection, conservation and management of sharks. The COP also agreed to include the basking shark in Appendices I and II.

SHARKS I: The first meeting on International Cooperation on Migratory Sharks under the CMS (SHARKS I) (11-13 December 2007, Mahé, Seychelles) was convened to identify and elaborate an option for international cooperation on migratory sharks under CMS. Participants elaborated several options for such an instrument and prepared a general statement on the purpose and process of the meeting and a statement on the outcomes of the meeting to guide future work on the process. Participants welcomed the emerging convergence towards either a global legally binding or non-legally binding instrument, supported the involvement of existing regional and intergovernmental organizations in the future governance arrangements for sharks, and agreed on key elements for the instrument. An Intersessional Steering Group on Migratory Sharks to advance the work was established, with the expectation of finalizing the instrument at CMS COP 9.

CMS COP 9: The ninth meeting of the COP (1-5 December 2008, Rome, Italy), in its resolution on priorities for CMS agreements (Resolution 9.2), *inter alia*: encourages the Secretariat to continue exploring partnerships with interested organizations specialized in the conservation and management of migratory species; urges range states to ensure the definite conclusion and entry into effect of an instrument on sharks; and lists the shortfin and longfin mako sharks, porbeagle shark and the northern hemisphere population of the spiny dogfish on Appendix II.

SHARKS II: The goal of the second meeting on International Cooperation on Migratory Sharks under the CMS (SHARKS II) (6-8 December 2008, Rome, Italy) was to reach agreement on whether the instrument to guide the management of migratory sharks would be legally binding or not.

SHARKS II agreed that the instrument should be non-legally binding in the form of an MoU for migratory shark conservation. Participants revised the proposed draft MoU and informally considered draft elements for the plan of action to be developed by an Intersessional Drafting Group, with the expectation that both documents would be finalized and adopted at SHARKS III. Among the meeting's most contentious issues was whether to limit the MoU's scope to the basking, great white and whale sharks or to also include the spiny dogfish, porbeagle and shortfin and longfin mako sharks that were listed on the CMS Appendices at COP 9.

SHARKS III: At the third meeting on International Cooperation on Migratory Sharks under the CMS (SHARKS III) (10-12 February 2010, Manila, the Philippines), participants considered and reviewed the draft text of a non-legally binding MoU on the Conservation of Migratory Sharks under CMS, adopted the MoU, and opened it for signature. This meeting was preceded by the Technical Meeting for the Elaboration of a Conservation and Management Plan for Migratory Sharks (8-9 February), which considered and further elaborated the draft plan and transmitted this to SHARKS III for consideration and endorsement.

CMS COP 10: The tenth meeting of the COP (20-25 November 2011, Bergen, Norway) welcomed the conclusion and entry into effect of the MoU on Migratory Sharks, agreed to include sharks among fauna affected by marine debris; and agreed to list the giant manta ray in Appendices I and II.

OTHER RELEVANT INITIATIVES

UNCLOS: This Convention, which was adopted in 1982 and entered into force in 1994, is one of the main legal frameworks for the conservation and management of marine resources. It grants coastal states rights and responsibilities for the management and use of fishery resources within their national jurisdictions and provides for the establishment of exclusive economic zones. With respect to the high seas, UNCLOS recognizes free access and freedom of fishing to all states, and calls upon these, and especially fishing states, to cooperate in the conservation and management of fishery resources occurring in the high seas. UNCLOS Annex I (highly migratory species) lists over 50 migratory shark species. Under UNCLOS, coastal states are also required to consider the effects of fishing on associated and dependent species, which is directly relevant to shark bycatch.

UNFSA: The Agreement for the Implementation of the Provisions of UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, also known as the UN Fish Stocks Agreement (UNFSA), was adopted in 1995 and entered into force in 2001. This agreement amplifies and facilitates the implementation of UNCLOS provisions relating to the conservation and management of these categories of fish stocks in the high seas. It sets out detailed mechanisms for cooperation between coastal and fishing states, including the establishment of regional fisheries arrangements or organizations.

IPOA-Sharks: Adopted in 1999, FAO's International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) was designed in the context of the voluntary FAO Code of Conduct for Responsible Fisheries. It highlights actions required for the management and conservation of sharks to ensure their long-term sustainable use. The IPOA-Sharks calls upon all states to produce a Shark Assessment Report and, if they have shark fisheries, to develop and implement national plans of action, which identify the research, monitoring and management needs for all *Chondrichthyan* fishes that occur in their waters. In implementing IPOA-Sharks, states are also urged to ensure effective conservation and management of sharks that are transboundary, straddling, highly migratory and high-seas stocks. Building on IPOA-Sharks and the recommendations of the CITES Intersessional Shark Working Group, FAO, in November 2008, held a Technical Workshop on the "Status, limitations and opportunities for improving the monitoring of shark fisheries and trade."

CITES: CITES entered into force in 1975 and constitutes the international legal framework for the prevention of trade in endangered species of wild fauna and for the regulation of international trade in other vulnerable species. The basking, whale and white sharks are listed on CITES Appendix II (species requiring control measures). Under Resolution 12.6 (conservation and management of sharks), CITES maintains an active involvement in shark conservation measures.

CITES COP 14: This meeting (3-15 June 2007, the Netherlands) agreed to list sawfish on its Appendix I (vulnerable species that may only be traded under exceptional circumstances), but rejected proposals to list porbeagle and spiny dogfish sharks on Appendix II and to impose trade measures. However, a wider range of species was expected to be discussed as a result of the work of the CITES Animals Committee's Intersessional Shark Working Group and a document submitted by Australia.

CITES ANIMALS COMMITTEE 23: The 23rd meeting of the CITES Animals Committee (19-23 April 2008, Geneva, Switzerland) considered the implementation of the IPOA-Sharks, including future action to be taken with respect to the management and conservation of sharks if their status does not change, and the illegal, unreported and unregulated (IUU) fishing and international trade in shark products.

Concerning IPOA-Sharks, the meeting underscored the need for detailed international trade data on shark products to assist with shark fisheries monitoring and assessments, and recommended that: the Secretariat monitor the World Customs Organization discussions on the development of a customs data model and the inclusion therein of a data field to report trade at a species level, and notify parties of the existence of these discussions and significant developments; the Secretariat identify and assess options for developing a more universal tracking system; and parties develop and utilize customs codes for shark fin products that distinguish between dried, wet, processed and unprocessed fins.

On the management and conservation of shark species of concern, the Committee requested the US to head the work of an intersessional group on the issue of sharks and stingrays, and prepare a paper for discussion at AC 24, highlighting progress made and priorities for future actions for species of concern.

CITES ANIMALS COMMITTEE 24: The 24th meeting of the Animals Committee (20-24 April 2009, Geneva, Switzerland) established a working group on sharks and stingrays. Australia presented a document on linkages between international trade in shark fins and meat and IUU fishing, including the outcomes of the FAO Technical Workshop. It noted that illegal shark fishing is occurring globally, most illegal fishing of sharks is carried out in national waters by both foreign and national vessels, most of the identified illegal fishing involves the retention of fins, and most of the reported instances and estimates of IUU shark fishing do not specify the species of sharks taken.

The AC recommended that, *inter alia*: parties improve data collection, management and conservation via, *inter alia*, domestic, bilateral and RFMO measures; possible future actions for the AC may include, refinement of the list of species of concern; parties continue research to improve understanding of the situation of IUU; and parties that are shark-fishing states develop national shark plans at the earliest opportunity and take steps to improve research and data collection on both fisheries and trade.

CITES COP 15: This meeting (13-25 March 2010, Doha, Qatar) adopted a decision on South American freshwater stingrays and revised Resolution Conf.12.6 with amendments addressing the need for greater capacity building for developing

countries on shark activities. The COP rejected proposals from the US, Palau and the EU on the inclusion of several shark species in Appendices I and II.

CITES ANIMALS COMMITTEE 25: The 25th meeting of the Animals Committee (18-22 July 2011, Geneva, Switzerland) requested the Secretariat to: invite all parties to submit a list of shark species that require additional conservation and management for consideration by the intersessional group on sharks and future AC meetings; solicit input from parties based on an annexed questionnaire on domestic regulations on fishing, retention and landing of sharks and on imports and exports of shark parts; and to collaborate with FAO and CITES on various shark-related issues.

CITES ANIMALS COMMITTEE 26: The 26th meeting of the Animals Committee (15-20 March 2012, Geneva, Switzerland) received reports from the Working Group on the Conservation and Management of Sharks, and recommended that the CITES Secretariat: encourage shark fishing member states to respond to CITES and FAO information requests; request parties to provide information on their domestic laws and regulations that prohibit the landing or trade of shark species and products and to develop National Plans of Action; and to take steps to improve research and data collection on both fisheries and trade.

REPORT OF THE MEETING

OPENING PLENARY

On Monday morning, the First Meeting of the Signatories to the Memorandum of Understanding on the Conservation of Migratory Sharks was opened by Acting Executive Secretary Elizabeth Mrema (UNEP/CMS), who described the meeting as a unique opportunity to establish a global instrument that covers all ocean areas. She urged countries to find the means of reversing the long-term decline of shark species and applauded the actions of several countries, including the imposition of bans on shark finning and the shipping of fins.

Sonja Fordham, Shark Advocates International, described sharks' biological characteristics that have contributed to the species' decline, yet emphasized overfishing as the main cause. On enforcing finning bans, she applauded the growing interest in banning at-sea fin removal as the most reliable method, saying that although there is a law enforcement burden, it facilitates species-specific catch data. Fordham lamented the current gaps in conservation acts, including the lack of: bilateral and international controls of spiny dogfish and porbeagle sharks; domestic controls of makos; implementation of species listed in IUCN Appendix I; and whale and white sharks coverage by RFMOs. She called for adding more species to the CITES endangered list at the second meeting of the MoU, and described the meeting as a timely, unique opportunity to guide and complement the current range of wildlife conservation regional and global initiatives.

ORGANIZATIONAL MATTERS: Delegates elected Fernando Spina (Italy) as Chair and Narelle Montgomery (Australia) as Vice Chair of the meeting. Chair Spina highlighted the importance of ensuring the conservation of these important predators so that sharks can continue roaming the oceans for millions of years.

Delegates agreed to use the rules of procedure proposed by the Secretariat (CMS/Sharks/MOS1/Doc.2/Rev.1) on a provisional basis, with the understanding that decisions would be made by consensus until the proposed rules could be further considered by the Working Group on Administrative and Budgetary Matters. Delegates adopted the provisional agenda (CMS/Sharks/MOS1/Doc.4.1) and provisional annotated agenda and meeting schedule (CMS/Sharks/MOS1/Doc.4.2). The US suggested that the establishment of the Advisory Committee should be discussed in the Working Group on Administrative and Budgetary Matters, but deferred to the Chair's preference to cover it during plenary.

The following countries agreed to serve as regional representatives on the Credentials Committee: Republic of Congo (Africa), the Philippines (Asia), US (North America), Germany (EU), Nauru (Oceania), and Costa Rica (South, Central America and the Caribbean).

The Secretariat noted that the MoU identified the types of entities allowed to participate as observers to the first meeting and its subsidiary bodies and requested formal admission of the observers to the meeting (CMS/Sharks/MOS1/Doc.6.1/Annex). Regarding entities who wish to associate with the MoU as cooperating partners, the Secretariat reviewed the role of the partners and proposed two options for a procedure to add partners (CMS/Sharks/MOS1/Doc.6.2): automatic authorization for all entities expressing interest, or automatic authorization only for interested non-range states, with formal approval needed by the Signatories for other relevant entities and bodies.

For the second option, the Secretariat proposed separate procedures for authorization during and between ordinary sessions. Costa Rica, the Philippines, Australia, and Norway preferred a formal approval process, while the US supported the first approach. The EU preferred to refer the issue to the Working Group on Administrative and Budgetary Matters. The Secretariat noted that the Signatories would need to determine what made an organization relevant, that further decision making would be postponed until Tuesday's plenary, and that a number of organizations had submitted letters of interest to become cooperating partners (CMS/Sharks/MOS1/Doc.6.2/Annex).

REPORT OF THE INTERIM SECRETARIAT: On Monday morning, Melanie Virtue, CMS Interim Secretariat Agreement Officer, summarized the Secretariat's activities, including: the organization of the meeting; outreach; fundraising; awareness raising; and cooperation with other organizations. She welcomed the addition of 15 members since the 2010 meeting in Manila and requested actions including designation of focal points by non-signatory nations and considering ways of increasing membership. Morocco voiced their intention to sign the MoU, subject to their review of the document.

REPORTS FROM SIGNATORIES: The Republic of Congo suggesting stocktaking of country actions at the end of the meeting, while the US and Australia referred delegates to their written reports on the website. The EU referred to the seven species listed in the MoU Species Annex, saying the EU has imposed a total ban on five of these species.

The Philippines spoke of the ban on whale shark fishing, which poses a new challenge because of ecotourism activities such as shark feeding, and called for scientific support to

develop new rules. Ecuador noted its National Plan based on a recent binding decree, but queried the absence of their report on the website. Senegal presented their National Action Plan that formed part of a sub-regional action plan by seven regional states, and Costa Rica described the country's progress regarding a governmental platform to protect sharks as part of migratory species' protection through the establishment of a sub-ministry for protection of the sea, and strengthening existing laws. South Africa said his country had developed a draft management plan based on a four-year initial implementation period, alongside a public education and awareness campaign.

REPORTS FROM OBSERVERS: The Wildlife Conservation Society pledged contributing to documenting shark fisheries, outreach and awareness-raising activities, expanding shark policies, and working with several CMS species. Pew Charitable Trust described its participation through establishing shark sanctuaries and hosting many regional workshops.

Brazil presented its initiatives on transportation and catch of manta and devil rays, and banning of certain fishing practices, such as finning. Morocco spoke of its National Action Plan, which was modeled on FAO's International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks). Tunisia and Uruguay lamented their inability to produce national reports, with Tunisia elaborating on their research regarding shark reproduction and the issue of bycatch.

REPORT ON CONSERVATION STATUS OF MIGRATORY SHARKS: Sarah Fowler, IUCN, presented on the conservation status of migratory sharks, alerting participants that eight percent of these are now classified as Critically Endangered, and only nine percent as Species of Least Concern. She noted that of 1093 known species, only 95 have been confirmed as migratory, and that one-third of all species have only been discovered in the past 30 years. She said that targeted fishing and bycatch remain the primary threats to sharks, with habitat loss also playing a significant role, especially for freshwater species.

She highlighted that *batoid* shark species, such as rays, are particularly endangered, and very few of the migratory shark species listed under CMS and UNCLOS are included in the MoU.

REPORT ON THE INTERNATIONAL PLAN OF ACTION FOR SHARKS: Johanne Fischer, FAO, presented a review of the implementation of IPOA-Sharks, which has as its main goal the establishment and implementation of National Plans of Action (NPOAs) by all participating countries. She elaborated on the intentions of the plan, including that states should: be responsible for developing and monitoring their national plans; carry out regular assessment of shark stock statuses; develop trends for effort and yield, and measures for access and control; and improve and modify management effectiveness.

Fischer lamented that although 143 members report to the FAO on shark catches, and of these, 48 have NPOAs in place, many catches go unreported. Applauding the improvement in reporting according to global reporting levels of sharks, she elaborated on problems in implementation of IPOA-Sharks, *inter alia*: lack of taxonomic guides, information funds and human resources; competing management imperatives; and

weak capacity of many developing countries. Noting the decline in catch figures since 1999, she emphasized that the IPOA-Sharks remains a general instrument to provide guidance, while the determination of the threatened status for sharks is left to countries and RFMOs.

Participants posed questions on: capacity problems of developing countries; unreported catch estimates; and causes for the increase in catch numbers since the 1950s.

REPORT OF THE CREDENTIALS COMMITTEE: Participants reconvened on Tuesday morning to hear the report of the Credentials Committee, chaired by Cheri McCarty (US) who reported that, with the exception of one, all new members had presented their credentials on Monday. On Wednesday, McCarty reported that this last member had presented the required documents.

ADMINISTRATIVE AND BUDGETARY MATTERS

A working group, limited to Signatories, met throughout the week to discuss administrative and budgetary matters, and reported back to plenary on Wednesday and Thursday.

On Monday, the Secretariat presented on the Arrangements for the Secretariat (CMS/Sharks/MOS1/Doc.10.1) and the Draft Terms of Reference of the Advisory Committee (CMS/Sharks/MOS1/Doc.10.1/Annex), and said in the absence of alternative host offers, the MoU Secretariat will be established in Bonn. He highlighted the advantages of: continuity; synergies of management; administration; facilities; team; and cost effectiveness, and suggested reviewing this during the next MoU meeting.

On the Proposed Budget for 2013-2015 (CMS/Sharks/MOS1/Doc.10.2/Annex I) the Secretariat suggested: appointing a full time P3 officer; a G5 administrative assistant; and CMS management. On the apportionment of contributions, he warned against appointing staff according to contributions and suggested that it be based on the UN General Assembly's agreed scale of assessments.

The Secretariat, presenting the Terms of Reference (ToR) for the Administration of the Trust Fund for the Sharks MoU (CMS/Sharks/MOS1/Doc.10.2/Annex III/Rev.1), referred to similar-sized instruments having their own Trust Funds for administration of their Budgets, and said contributions will be made in accordance with paragraph 17. He requested that delegates agree to establish the Secretariat in Bonn and review and adopt the Budget and annexed ToR for the Secretariat.

Australia, the US, South Africa, the Philippines, Ghana, the EU, UK, Germany and Monaco volunteered to serve on the Working Group on Administrative and Budgetary Matters, chaired by Kenya.

ADVISORY COMMITTEE: On Monday, the Secretariat presented the draft ToR for establishing an advisory committee (AC) (CMS/Sharks/MOS1/Doc.8.1/Annex I), whose function is to assist the Secretariat in implementing the MoU, including the Conservation Plan. He said the draft ToR addressed: mandates and tasks; size and composition, nomination and appointment; officers; and meetings and *modus operandi*; and that the Secretariat would serve as a clearing house for requests from the Signatories. He listed actions before the Signatories, including:

considering and adopting ToR; adopting a procedure to establish the AC; and establishing the AC during the first Meeting of the Signatories (MOS).

He said beyond the tasks already defined by the MoU, the draft ToR would: develop a reporting format for the AC; develop criteria for adding species to Annex I of the MoU; and review proposals for including species in Annex I. He noted that under the MoU, the AC will consist of 10 members qualified as experts in migratory shark conservation, science and management, with members appointed by the six different regions; and the AC members need not be from the region. He said the draft ToR propose that: members serve in their individual capacity as experts; the AC be authorized to invite up to five other specialists to provide additional expertise; and at future meetings, the Signatories would submit nominations to the Secretariat 60 days before the MOS with appointment of regional representatives to occur at the MOS. The Secretariat suggested deferring nominations for the First MOS to Thursday to allow discussion within the regional groups.

Australia proposed tasking the AC with reviewing priorities and time frames anticipated to be included in the Conservation Plan. The US proposed to allow the AC to set any limitations on additional experts, as opposed to keeping a limit of five. The Philippines proposed deferring nominating any experts for the Asia region until further consultations were possible, noting that although more than 50% of the shark trade occurs in Asia, the sole representative for the region is not even in the top ten. The participants agreed to a proposed revision by the US to make appointments to the AC by consensus as opposed to election. Regarding attendance by the AC Chair at other relevant meetings, the Secretariat clarified that the MoU budget would either have to cover related expenses or secure additional funding. Further action on the AC was deferred to allow the US time for legal consultation.

The EU suggested that the AC should be able to invite others to join the group on an *ex officio* basis, including members of the CMS Scientific Council, to promote understanding. The US suggested that, conversely, a member of the AC could sit on the CMS Scientific Council as an observer.

Final Outcome: Signatories established an AC (CMS/Sharks/MOS1/Doc.8) that comprises ten experts in migratory shark conservation, science and management, and represents each of the six regions of Africa, Asia, North America, Europe, Oceania, and Latin America and the Caribbean.

The ToR (CMS/Sharks/MOS1/Doc.8/Annex I) for the Advisory Committee proposed on mandates and tasks to, *inter alia*: provide expert advice on new initiatives and implementation of the MoU; analyze scientific assessments and recommend shark populations' conservation status listed in Annex I; prepare reports on its activities for each session of the MOS; and recommend convening of urgent sessions when emergencies arise.

The meeting adopted the ToR of the AC and added the following tasks: develop a formal reporting format for national reports; develop criteria for inclusion of further species in Annex I; review proposals for the inclusion of further species to

Annex I submitted by Signatories; and undertake further tasks as identified in the Conservation Plan after its adoption (CMS/Sharks/MOS1/Doc.9/Annex I).

The following experts were nominated by Signatories to serve on the Advisory Committee:

- **EU:** Marino Vacchi (Italy) and James Ellis (UK)
- **North America:** John Carlson (US)
- **Latin America and the Caribbean:** Enzo Hector Acuna Soto (Chile) and Jairo Sancho Rodrigues (Costa Rica)
- **Africa:** Mika Samba Diop (Senegal) and Boaz Kaunda Arara (Kenya)
- **Oceania:** Lesley Gidding (Australia)
- **Asia:** The Philippines indicated the Asian representatives will be nominated after six months, to allow for further regional involvement.

BUDGET AND TRUST FUND: On Thursday morning, Stephen Muriithi Manegene, Chair of the Working Group on Administrative and Budgetary Matters reported that the amended budget and ToR for the Trust Fund had been agreed, with the exception of the budget's time period, with the US requesting that the budget only be approved for a period of one year. He said participants were unable to reach consensus on cooperating organizations and the rules of procedure, saying the major issue was which issues should be decided by consensus as opposed to voting.

The Secretariat noted the approval of the two posts to execute the duties of the Secretariat, and said the only remaining issue was for the meeting to decide whether to attach the table of voluntary contributions to the budget as a second annex, as some countries felt this was undesirable, while other countries hoped to use the table to convince their governments to provide the proposed funding.

The EU supported the amended budget and agreed to the ToR as discussed in the working group, but cautioned that, in the EU internal financial processes, proposed contributions can only be confirmed once the procedures had been confirmed. To a question from the US about the two CMS positions, the Secretariat noted that, in principle, these are new posts, since the German government funding of 40 percent only extends until 2015, at which point, new posts will have to be created.

On the budget's time frame, the US preferred adoption for one year only to allow assessment of their financial resources; they requested detailed accounting of the past year as well as the coming year and suggested having another meeting after one year. The Secretariat cautioned that returning for a meeting after one year would cost €100,000, to which South Africa responded that they would not have the resources or flexibility to meet so soon, and proposed adopting the budget for three years. Chair Spina proposed that Signatories provisionally agree to a three-year budget, pending the scrutiny of the virtual working group within the next year. He listed the members of the proposed working group to be: US, Germany, EU, South Africa, UK, Ghana, the Philippines, Kenya, Monaco, Nauru and Australia.

On attaching the voluntary contributions to the budget, Senegal, with France, noted that the table might have a binding character that most African countries might find difficult to honor, and proposed that Signatories indicate their intentions but that it not be captured in an attached annex.

Following some debate, the Secretariat proposed that letters would be sent to Signatories at the end of one year to remind governments of voluntary contributions pledged. Chair Spina proposed that the meeting adopt the budget, with the caveat to finalize the budget's time frame during the agenda item on the time and venue for the next meeting.

Final Outcome: The meeting adopted the budget with the caveat.

AUTHORIZATION OF COOPERATING PARTNERS:

On Thursday morning, the Secretariat reported back on the discussions regarding the authorization of cooperating organizations, saying that no consensus could be reached on which of two proposed options to accept, and that the US proposed a third option, whereby the Meeting of Signatories would decide by consensus whether to reject an organization's application to sign the MoU as a cooperating partner.

The EU expressed preference for the second option, whereby authorization of organizations and entities would require the prior approval of the Signatories, and cautioned that the third option requires an objection and an explanation from opposing Signatories. The US remarked that it would be unpleasant to remove Signatories. The Chair proposed that participants discuss the impasse during the lunch break.

On Thursday afternoon, the Secretariat presented draft text on authorization of cooperating organizations (Doc.6.2 Rev.3), and the Chair encouraged its adoption in order to allow organizations present at the meeting to sign on to the MoU. Regarding authorization of cooperating organizations, the EU objected to requiring consensus in order to reject a partner organization. Since consensus on this was not forthcoming, the Philippines proposed that in the absence of an established rule, Signatories decide by consensus to allow organizations present to sign on at the meeting. The EU agreed, on the basis that this would not set a precedent, and this was supported by Australia, South Africa, the US and Senegal.

In response, a number of organizations present expressed their interest in signing the MoU, including Project AWARE, Shark Advocates International, the International Fund for Animal Welfare (IFAW), the German Elasmobranch Society, and Shark Trust. Humane Society International (HSI, Australia and US) signed the agreement in a brief ceremony. HSI thanked the Signatories, indicating they remain committed to implementing the Conservation Plan.

RULES OF PROCEDURE: The Secretariat said that although the draft Rules of Procedure had been discussed at length, the working group had not been able to finalize discussions, and had thus requested the Secretariat to incorporate views expressed, to be shared with Signatories within the next 30 days.

VOTING PROCEDURE: The US suggested meeting in an intersessional "virtual working group." This was supported by the EU and Australia.

PROCEDURE FOR AMENDING THE SPECIES LIST (ANNEX I) OF THE MOU: The CMS Secretariat presented the Procedure for Amending the Species List (CMS/Sharks/MOS1/Doc.11) for approval and called for Signatories to consider, as a first option, listing criteria of the CMS Convention Appendix II under Article IV (1) of the Convention, whereby species'

conservation status is considered favorable when: population dynamics data indicate that migratory sharks' sustainability is not compromised; distributional range is not reduced; and population abundance and structure remain at adequate levels. As a second option, she suggested that the listing criteria be prepared by the AC to be submitted to the Second Meeting of the Signatories to the Sharks MoU. She outlined the Draft Format for Listing Proposals (CMS/Sharks/MOS1/Doc.11/Annex) which required, *inter alia*: information on taxa, ecological data, threat data, and protection status.

In the ensuing discussion, the EU, with Germany, the Philippines, Senegal and South Africa, supported the first option, while the US supported the second option. Chair Spina concluded the session by urging Signatories to discuss the options further and reach consensus during the upcoming evening reception hosted by the City of Bonn.

DRAFT CONSERVATION PLAN FOR MIGRATORY SHARKS

This agenda item was introduced on Monday afternoon and discussed in a working group throughout the week. Participants began discussions on overall principles followed by each of the five objectives of the Conservation Plan.

On Monday, Shannon Dionne, Chair of the Intersessional Drafting Group (US), provided background information on the drafting of the Conservation Plan, noting that the Friends of the Chair's Drafting Group had recently produced a fifth draft for consideration (CMS/MOS1/Sharks/Doc.9/Annex I). She noted that the plan only considers species listed in Appendix I of the MoU, and that it is structured according to a table of objectives, priorities, time frames and responsible entities. In response, the EU outlined its role in the drafting of the conservation plan, while Morocco suggested that the plan be harmonized with the FAO's IPOA-Sharks.

On Tuesday, Chair Dionne invited comments on the draft. Australia, the US, the EU, Morocco, Ecuador and Senegal expressed general satisfaction with the draft plan and format. Australia emphasized achievable implementation, with a focus on priorities and time frame. The EU cautioned that proposals should not go beyond the text of the MoU. Morocco highlighted the importance of adapting national plans to the Conservation Plan.

OVERALL PRINCIPLES: On cooperative activities related to implementation. The Republic of Congo proposed text clarifying that efforts to create synergies on fisheries-related policies should specify that the policies are those that affect sharks. Australia said such synergies should "facilitate" as opposed to "guarantee" universal implementation of the plan. The Republic of Congo also called for stronger language, that Signatories "should be encouraged" to prioritize actions as opposed to stating that they "may wish" to do so.

On cooperation with RFMOs, UNEP's Regional Seas Conventions (RSCs) and FAO, CITES suggested generalizing the list in the title and through the section, by including "biodiversity-related multilateral environmental agreements (MEAs)."

OBJECTIVE A: IMPROVING UNDERSTANDING OF MIGRATORY SHARK POPULATIONS: On Objective A, participants made several amendments, including taking into

account regional differences with regard to identifying priority research, monitoring and training needs. On conducting studies and compiling data on relevant factors, they agreed to add text on improving ecological knowledge and added several topics. Colombia proposed, and Australia initially opposed, adding shark taxonomy, with Australia noting that the plan only applies to species listed in Annex I, for which taxonomy is not in dispute. The US noted that taxonomy can change and has, even for the listed species. In support of the addition, FAO said taxonomic studies should encompass related species. Costa Rica proposed emphasizing “essential” shark habitats and clarifying that research related to distributional ranges should be “through acoustic, statistical, and other programmes.” The reference to statistics was changed to “mark recapture” after Italy commented that mark recapture would encompass any method designed to obtain sequential data on variables such as movement, longevity, and survival. Cuba proposed adding “environmental factors with impacts on sharks” to the list. Senegal noted that the current text fails to acknowledge that many countries lack basic data on population dynamics.

On information exchange, Colombia requested reference to traditional knowledge of local communities, rather than indigenous knowledge, and participants accepted the proposal by the Chair to remove “indigenous” altogether.

OBJECTIVE B: ENSURING THAT DIRECTED AND NON-DIRECTED FISHERIES FOR SHARKS ARE SUSTAINABLE: On Fisheries-Related Research, Monitoring and Data Collection, Norway suggested that undertaking coordination of stock assessments and related research is too ambitious, and requested to only retain promotion of these activities.

Regarding **Best Practice Guidance**, the FAO suggested language elaborating on an ecosystem approach for developing and adopting best practice guidance for conservation and management.

Bycatch: The EU noted the lack of agreed definitions for “bycatch” and other related terms. He proposed alternative language to “ensure that directed fisheries for sharks are sustainable and that bycatch of shark resulting from other fisheries are properly regulated” and “to prioritize work to avoid capture of sharks listed in Annex 1 of the MoU that are also listed in Appendix I of CMS.” The Republic of Congo preferred “develop” instead of “apply” operative strategies, explaining that many countries will not have such strategies in place. IFAW noted that reducing bycatch would be consistent with the EU’s work on reducing food waste, and suggested that “unwanted” catches should be “minimized to the extent possible.”

The EU noted that non-target species of shark, such as mako caught during long-line fishing for swordfish, may still be desired, and so bycatch should only be “minimized” for unwanted non-commercial species and age classes “to the extent possible.” The US cautioned that it might not be possible to adequately define the terms “unwanted” and “minimize.” The FAO, supported by the EU, suggested using minimizing “discards” as bycatch may or may not be wanted. The Republic of Congo suggested distinguishing bycatch that is wasted from that which is retained.

The EU noted that text on “concrete measures to reduce discards from shark catches” mostly concerned finning, and that this is already dealt with elsewhere in the text, with reference to the FAO Code of Conduct. Tunisia expressed confusion with regard to the difference between bycatch and waste, noting that sharks are almost always bycatch, but that this can be sold, and suggested referring to the FAO definition. The FAO confirmed that incidental shark bycatch may be wanted, even if not targeted, and suggested that “unwanted bycatch may still be kept, per legal requirements.” The Republic of Congo expressed the need to distinguish between industrial and small-scale fisheries.

After suggested amendments by the US and Italy, new text was added to promote capacity building for the safe handling and release of sharks.

On Wednesday afternoon, Brazil requested, in paragraph 5.1, a new paragraph added to Bycatch, to insert the words “discard mortality” to strengthen the text on minimization of non-utilized catches. South Africa, Costa Rica and Shark Advocates International supported Brazil, with the latter cautioning that the original text might run contrary to some country’s national plans. The EU, with Australia, the US and the Republic of Congo, preferred the original text, with the EU warning that new terminology complicates the text and the UK indicating discomfort with the term suggested by Brazil. IUCN suggested accommodating the issue of mortality by inserting “non-utilized catch and discard mortality.” After deliberations Italy proposed “that mortality of non-utilized catches is minimized to the greatest extent possible,” which was accepted by the working group.

To address concerns put forward by the Republic of Congo, the Chair proposed the addition of another paragraph that aims to ensure that the global moratorium on all large-scale pelagic driftnet fishing is fully implemented on the high seas of the world’s oceans and seas, including enclosed seas and semi-enclosed seas, in accordance to UN General Assembly Resolution 46/215.

The EU proposed that on minimizing the impacts of fishing gear, “to the extent practical, develop and/or use devices and techniques to ensure that fisheries that take sharks are sustainable and appropriately managed and that non-utilized catches are minimized to the greatest extent possible.” On development of incidental capture mitigation mechanisms, he proposed that this be qualified to prioritize work to avoid the capture of protected sharks. The EU proposed that minimizing waste and discards be dealt with under the section concerning finning. Australia supported this and suggested deleting “and discards” in the title of the section. Brazil said that many national laws prohibit the landing of banned species, regardless of whether it is claimed as bycatch. Mexico requested that a provision on promoting capacity building for the safe handling and release of sharks be moved from the section on stakeholder participation, and all agreed.

On **Policy Legislation and Law Enforcement**, in the subsection on **Illegal Trade**, the EU requested addition of the text “in accordance with applicable” to management measures and regulations, while CITES requested that the title change to “International Trade.” Colombia requested wording that includes reference to evaluation, and proposed a new item on developing

and implementing measures to ensure legal and sustainable international trade in shark products. The proposed text and an earlier reference to shark products were amended to include sharks in addition to shark products after CITES noted that trade also includes live sharks.

Mexico and Norway noted redundancies in activities under **Domestic Policy and Law Enforcement**. IFAW proposed adding text to support undertaking joint capacity building on law enforcement, explaining that capacity building exercises can help increase effectiveness and save resources by avoiding duplicate efforts. South Africa, supported by Morocco, said the reference to capacity building was unnecessary since the concept was implied in existing text.

On **Finning**, the EU noted that the reference provided with regard to the UN General Assembly resolution has changed, and some discussion ensued after the Chair pointed out that these references are similar in the MoU text. The EU, supported by the Chair and FAO, suggested leaving out references to avoid the need to edit when text changes in original documents, and Republic of Congo requested appropriate French vocabulary in the text on finning. Costa Rica, supported by Project AWARE, seeking to direct strategies in areas where no RFMOs are established, requested insertion of “stored on board and landed” prior to text on landing of sharks with fins attached.

On **Economic Incentives**, the EU proposed alternative language on economic incentives and subsidies. After a US-proposed amendment, supported by South Africa, text was added to “work to reform, phase out and eliminate subsidies resulting in unsustainable use of sharks.” Morocco emphasized the importance of maintaining opportunities for local communities.

OBJECTIVE C: THE PROTECTION OF CRITICAL HABITATS AND MIGRATORY CORRIDORS: Participants approved draft text on **Conservation Activities; Policy and Legislation**; and **Economic Incentives**, with minor amendments.

OBJECTIVE D: INCREASED PUBLIC AWARENESS: Ecuador proposed a new activity focused on increasing knowledge of ecosystem services provided by sharks and sharks in their marine environment.

Stakeholder Participation: Australia proposed adding commercial and recreational communities to the list of stakeholders. Colombia proposed new text on co-management and public participation with local fishery communities in shark fishing. During discussions on stakeholder participation, Costa Rica suggested text referencing improved coordination on regional and international levels regarding management of sharks and their habitats; related text was incorporated into the section on Cooperation among Governments.

OBJECTIVE E: ENHANCING NATIONAL REGIONAL AND INTERNATIONAL COOPERATION: Regarding enhancing institutional capacities and competencies in shark identification, management and conservation techniques, Costa Rica suggested that national, regional and international levels should be specified. The EU suggested that “building and strengthening” institutional capacity goes beyond the MoU, preferring “enhance” instead.

On developing networks, the Republic of Congo suggested that this should refer specifically to “information and data sharing” while South Africa said that this would limit the scope unnecessarily, and the US suggested “including information and data sharing.” Tunisia cautioned that the French translation for “cooperative management” was akin to “communal” and suggested that this be harmonized.

Regarding **Cooperation with Existing Institutions and Organizations**, CITES requested adding reference to biodiversity related MEAs (CITES, Convention on Biological Diversity, Ramsar Convention on Wetlands). The Republic of Congo requested the addition of the World Trade Organization, World Customs Organization and INTERPOL. IUCN suggested including intergovernmental organizations and non-governmental organizations.

ADOPTION OF THE CONSERVATION PLAN: On Thursday morning, Working Group Chair Dionne reported that with the exception of ranking priorities, and proposing time frames and responsible entities, the fifth draft of the Conservation Plan had been agreed upon, and recommended that Signatories adopt the Plan. She suggested that the outstanding issues of priorities and time frames be dealt with intersessionally by the newly appointed Advisory Committee and presented to Signatories prior to the next meeting, during which Signatories may adopt the plan fully.

The EU congratulated the efforts achieved by the group, and the meeting adopted the Conservation Plan. The UK announced a donation of £10,000 towards research and implementation of the Conservation Plan.

Final Outcome: The Conservation Plan is based on the following eight overall principles:

- It only refers to migratory shark species listed in Annex 1 of the MoU;
- It aims to complement actions described in the MoU;
- It should be implemented by Signatories individually or cooperatively;
- Signatories should periodically review effectiveness of strategies;
- Signatories should support regional synergies;
- Signatories may encourage prioritization of actions;
- Signatories are encouraged to use this Conservation Plan; and
- It combines long and short-term activities.

The Conservation Plan is structured according to the following five objectives:

- Improving understanding of migratory shark populations through research, monitoring and information exchange;
- Ensuring that directed and non-directed fisheries for sharks are sustainable (including provisions related to: fisheries-related research; ecologically sustainable management of shark populations, including monitoring, control and surveillance; bycatch; cooperation through RFMOs, RSCs and FAO; policy, legislation and enforcement; review of domestic policy; international trade; finning; law enforcement, and economic incentives);
- Ensuring to the extent practicable the protection of critical habitats and migratory corridors and critical life stages of sharks, including provisions on conservation activities, legislation, and economic incentives;

- Increasing public awareness of threats to sharks and their habitats, and enhance public participation in conservation activities, including a provision on stakeholder involvement; and
- Enhancing national, regional and international cooperation, including provisions on: cooperation among governments; cooperation with existing instruments and organizations related to shark conservation; and accession to international instruments relevant for the conservation and management of sharks.

CLOSING PLENARY

DATE AND VENUE OF THE NEXT MEETING:

Participants agreed to the EU's proposal for the next meeting to be held in three years, and to postpone the decision on a venue.

OTHER BUSINESS: HSI, on behalf of Sharks Advocate International, Project AWARE Foundation, and other partners, commended the meeting on its achievements and called on the EU to encourage the European Parliament to approve legislation on landing all sharks with their fins naturally attached.

On Thursday afternoon, CMS Acting Executive Secretary Mrema extended final thanks to the host teams and delegates, and Chair Spina closed the meeting at 3:43 pm.

A BRIEF ANALYSIS OF THE MEETING

Sharks, as Chair Fernando Spina noted during his opening comments at the First Meeting of Signatories to the Memorandum of Understanding (MoU) on the Conservation of Migratory Sharks, have been roaming the oceans for hundreds of millions of years. They capture the human imagination as strong and aggressive predators, but targeted fishing, bycatch and loss of habitat have made the continued existence of many species extremely tenuous. "It is our moral duty," Chair Spina told the participants, to find compromise for the conservation of these important predators.

Presentations during the meeting underscored the urgency of action. Completely new species of sharks are still being discovered, revealing how little we know about sharks on the whole. Nearly half of all migratory sharks are considered threatened, yet reported shark catches continue to rise. Against the temporal backdrop of a millennia of existence and a narrowing opportunity to act for some species, Signatories found enough common ground to adopt a comprehensive and ambitious Conservation Plan, the meeting's main outcome.

This brief analysis will examine a number of aspects of the MoU, including its limitations, which became apparent during the meeting, as well as its potential to mature as an instrument and, in turn, improve the dire outlook for the world's sharks.

A LONG TIME COMING

The first CMS shark listing occurred in 1999. Now, thirteen years later, the first meeting of the Signatories to the MoU has taken place, an indication that sharks are finally beginning to receive the conservation spotlight they deserve. The impetus behind adopting the MoU in 2010 was to prevent the continuing decline of migratory sharks, with an initial focus on seven species. The Conservation Plan, agreed at this meeting, creates

a framework for how this work will take effect. Yet, for these documents to approach effectiveness, they must strike the difficult balance between sustainable harvest and conservation.

Harvest includes the consumption of shark meat, but also fins, culturally prized for their use in shark fin soup. It is also the focus of a huge industry known for the barbaric practice of severing the fins off live sharks and throwing the shark back to sea where they either die from suffocation or are consumed by other predators.

Language in the plan's section on "Finning" appears to be fairly weak, only requiring Signatories to "consider enacting" laws requiring landing of sharks with fins attached, if such laws are not already in place, a direct reflection of the MoU. While it might not make much difference to the shark whether it is finned at sea or on land, or to the impact on population numbers, it will allow better identification of prohibited shark species. Efforts to address shark-finching as a major driver for species' decline are also embedded in provisions on bycatch and discard, international trade, law and enforcement, and public awareness. As a non-legally binding instrument, successful implementation of conservation and management measures will depend on cooperative efforts at local and regional levels, covered as separate provisions in the plan.

THE ELEPHANTS NOT IN THE ROOM

Repeatedly referenced and noticeably absent were participants from the top five shark-fishing countries of the world: Indonesia, India, Spain, Taiwan, and Argentina. According to data presented by the UN Food and Agriculture Organization on reported catches, these five countries are responsible for more than 350,000 tons of shark per year. Also notably absent is China, the largest consumer. A number of substantive and procedural decisions made by the participants reflected a willingness to tailor outcomes to encourage states with significant shark fisheries to come to the table. For example, several states cautioned against the adoption of a majority-vote protocol in the event consensus couldn't be reached for adding to the list of species covered under the MoU, as this would preclude top shark-fishing countries from joining the MoU. Other members expressed concern that under a consensus approach, which is the established decision-making process under the MoU, it would be extremely difficult to expand the MoU's scope beyond the seven listed shark species.

In the end, the effort to include a voting option was defeated. Time will tell whether this makes it easier for these larger shark fishing countries to come on board, and what consequence this will have for the process as a whole.

PEER PRESSURE POTENTIAL?

In contrast, Signatories weren't able to formalize the procedure for authorizing entities to join as Cooperating Partners. This was viewed by some participants as a significant stumbling block for extending the influence of the MoU and the Conservation Plan to the countries that fish the majority of sharks, via Regional Fishing Management Organizations (RFMOs). As one participant explained, implementation decisions take place within RFMOs, which could be especially important for making progress in regions that produce and consume a great deal of shark, but are poorly represented within

the MoU. Most notably, the Philippines, as the sole Signatory from Asia, could work through their RFMO to implement the Conservation Plan in that region.

Negotiations broke down over establishing a process by which Signatories could object to a request from an organization (including non-governmental and inter-governmental organizations, as well as RFMOs) to join the MoU as a Cooperating Partner, even though a consensus-based option was on the table. Not everyone thought that it would be good to have “elephants” on board, quietly expressing the fear that, as a consensus-based process, their participation could effectively limit future progress, and sharing the view that peer pressure at a regional level may be the best way to effect change with the top shark fishery countries.

Still, other aspects of the meeting suggested a relatively civil process. The 2010 draft of the Conservation Plan had seen five iterations by the time participants arrived in Bonn. Despite a presumed high degree of familiarity and consensus around the draft going into the meeting, participants needed to review and in many cases amend it line-by-line. This slow process meant that the participants ran out of time to address priorities and time frames for actions under the Plan, and delegated such tasks to the newly-formed Advisory Committee, comprised of relevant experts. While disappointing to some participants, others seemed unfazed, saying that individual states should not wait for the larger body to prioritize actions before taking steps on the home front.

A VEHICLE IN NEED OF FUEL

Participants were similarly unable to reach agreement on establishing a permanent Secretariat, preferring to continue piggy-backing on the CMS Secretariat. While this may signal an unwillingness of the Signatories to make a substantial financial commitment towards an independent process at this stage, it is also a pragmatic arrangement that is typical for a process in its early stages of development.

They agreed to a three-year budget, with caveats, and established a voluntary fund, finding ways to provide information about suggested contributions for those states who wanted it, without formalizing the amounts in an annex. In discussions following the close of the meeting, some participants found the size of the budget approved by the plenary to be wholly inadequate. While a lack of funding currently plagues many environmental agreements, it appears particularly acute here, given the enormity of the task: very little is known about sharks, as they are notoriously difficult to research, and the geographic scope of the agreement is truly global, a first for a migratory species MoU. Furthermore, implementation efforts are likely to encounter resistance from massive economic interests and major non-Signatory players, and difficulties associated with establishing sustainable quotas in the absence of adequate data.

In his concluding remarks, Chair Spina congratulated the participants for their work on the first global conservation tool for migratory sharks, saying “these animals deserve our efforts towards long-lasting conservation.” As many noted, the success of this MoU will depend on its ability to attract many more participants, to commit meaningful resources, and to find ways to engage the top fishing countries.

At this nascent stage of the MoU, given the pace and tenor of its first meeting, it is still unclear whether the newly adopted conservation and management plan can be implemented fast or well enough to ensure that sharks will continue to roam the oceans for millions of years to come. The participants at this first meeting sure hope so.

UPCOMING MEETINGS

21st Annual Caribbean Water and Wastewater Association Conference and Exhibition: This meeting will consider the theme “Water and Waste Management in the Caribbean: Real Strategies and Solutions.” The eighth GWP-C Caribbean High Level Session Ministerial Forum will take place in conjunction with this meeting, from 4-5 October 2012. **dates:** 1-5 October 2012 **location:** Nassau, Bahamas **contact:** Local Planning Committee **phone:** +242-302-5744 **fax:** +242-302-5547 **www:** <http://www.cwwa2012.com/>

First Shark Conservation in Arabia Workshop: IFAW and Sharkquest Arabia are holding a four-day shark workshop under the auspices of the UAE Ministry of Environment & Water. The focus of the workshop is to introduce the region’s Ministries of Fisheries and/or Environment about the status of sharks in the seas of Arabia, including UAE, Oman, Qatar, Kuwait, Saudi Arabia, Yemen, Somalia, Sudan and Egypt. **dates:** 8-11 October 2012 **location:** Dubai, United Arab Emirates **contact:** Andreas Dinkelmeier **phone:** +40-8-665-0015 **email:** adinkelmeier@ifaw.org

International Marine Science and Technology Week: The 2012 Sea Tech Week will bring together researchers, technology professionals, and policy makers on oceanographic research and marine technology. The conference includes workshops and technological sessions on marine renewable energies (MRE), coastal oceanography, underwater remote sensing and mapping, maritime safety, and maritime e-learning, as well as a plenary session to discuss MRE technology, economic models of MRE, and energy policy at the national and European levels. **dates:** 8-12 October 2012 **location:** Brest, France **contact:** Brest Métropole Océane **phone:** +33-298-335-249 **fax:** +33-298-335-168 **email:** seatechweek@brest-metropole-oceane.fr **www:** <http://www.seatechweek.com/>

International Conference on the Safety of Fishing Vessels: The International Maritime Organization Diplomatic Conference for the Adoption of an Agreement on the Implementation of the Torremolinos Protocol of 1993 relating to the 1977 Torremolinos International Convention for the Safety of Fishing Vessels will meet in South Africa. **dates:** 9-12 October 2012 **location:** Cape Town, South Africa **contact:** Tiyani Rikhotso **phone:** +27-12-309-3451 **fax:** 27-12-309-3185 **email:** Rikhotsot@dot.gov.za **www:** <http://www.imo.org/About/Events/fishingconf/Pages/default.aspx>

CBD COP11: The 11th meeting of the Conference of the Parties (COP 11) to the Convention on Biological Diversity (CBD) is organized by the CBD Secretariat. The High Level Segment will be held from 17-19 October 2012. **dates:** 8-19 October 2012 **location:** Hyderabad, India **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/meetings/>

Second Regional Technical Meeting of the Western Indian Ocean Coastal Challenge: This meeting will engage the Permanent Secretaries and Directors of Ministries of Environment of the Western Indian Ocean. It aims to identify ways to foster collaboration among international, regional and national level as well as to strengthen the partnership/coordination between the key regional stakeholders and finalize the WIO-CC vision for the next 20 years. The workshop is being organized by ISLANDS Project in collaboration with the Government of Mauritius, and key partners. **dates:** 22-26 October 2012 **location:** Port Louis, Mauritius **contact:** Chantal Andrianarivo **email:** chantandri@gmail.com

CMS Working Group on the Strategic Plan (2015-2023) Meeting: At the 10th meeting of the CMS Conference of the Parties (COP 10), it was decided in Resolution 10.5 to establish a Working Group to draft a new Strategic Plan for the period 2015-2023. This work will be conducted intersessionally, with its first in-person meeting taking place on 5-6 November 2012, back-to-back with the 40th meeting of the CMS Standing Committee. A final draft strategy will be presented to CMS COP 11 in late 2014. **dates:** 5-6 November 2012 **location:** Bonn, Germany **contact:** CMS Secretariat **phone:** +49-228-815-2401 **fax:** +49-228-815-2449 **email:** secretariat@cms.int **www:** http://www.cms.int/bodies/StC/strategic_plan_2015_2023_wg/strpln_wg_mainpage.htm

6th Meeting of the Parties to the UNECE Water Convention: The sixth session of the Meeting of the Parties (MOP) to the UN Economic Commission for Europe Convention on the Protection and Use of Transboundary Watercourses and International Lakes will mark the 20th anniversary since its adoption. The MOP will adopt a work programme for 2013-2015 and will address the future evolution of the Convention becoming a global instrument with a forthcoming entry into force of the amendments opening it to countries outside the UNECE region. **dates:** 28-30 November 2012 **location:** Rome, Italy **contact:** Cammile Marcelo **phone:** +41-22-917-1606 **fax:** +41-22-917-0621 **email:** cammile.marcelo@unece.org **www:** <http://www.unece.org/env/water/mop6.html>

7th Conference of the Parties to the Nairobi Convention: The seventh Conference of the Parties (COP 7) to the Nairobi Convention is convening under the theme “Partnering for a Healthy Western Indian Ocean.” This meeting will feature a “Science for Policy” workshop, a policy makers and expert meeting to review decisions, followed by the COP. The contracting parties include Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia, Tanzania and South Africa. **dates:** 10-14 December 2012 **location:** Maputo, Mozambique **contact:** Dixon Waruinge **phone:** +254-20-762-1250 **email:** Dixon.Waruinge@unep.org **www:** <http://unep.org/NairobiConvention/Meetings/COP7/>

14th Meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea: The meeting is expected to take place in May or June 2013, at UN Headquarters in New York. The decision to hold this meeting will be taken by the UN General Assembly in December 2012. **dates:** May or June 2013 **location:** UN Headquarters, New York

contact: UN-DOALOS **phone:** +1-212-963-3969 **fax:** +1-212-963-5847 **email:** doalos@un.org **www:** <http://www.un.org/Depts/los/>

Ad Hoc Open-ended Informal Working Group to Study Issues Relating to the Conservation and Sustainable Use of Marine Biological Diversity Beyond Areas of National Jurisdiction: The sixth meeting of the *Ad Hoc* Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction is expected to be convened by the General Assembly. It will be preceded by two intersessional workshops at dates to be determined. **dates:** second half of 2013 **location:** UN Headquarters, New York **contact:** UN-DOALOS **phone:** +1-212-963-3962 **fax:** +1-212-963-5847 **email:** doalos@un.org **www:** <http://www.un.org/depts/los/biodiversityworkinggroup/biodiversityworkinggroup.htm>

4th Global Fisheries Enforcement Training Workshop: The workshop will be hosted by OSPESCA and aims to provide participants training in various measures designed to tackle IUU fishing. **dates:** 2013 **location:** Costa Rica **contact:** International MCS Network **email:** mcs.network@imcsnet.org **www:** <http://www.imcsnet.org>

31st Session of the FAO Committee on Fisheries: The 31st session of COFI will review, *inter alia*: the activities of the COFI Sub-Committees on Aquaculture and Fish Trade; progress in implementation of the Code of Conduct for Responsible Fishing and associated IPOAs; and selected activities of the FAO on fisheries and aquaculture that have occurred since COFI 30. **dates:** June 2014 **location:** Rome, Italy **contact:** Hiromoto Watanabe, FAO **fax:** +39-6-5705-6500 **email:** hiromoto.watanabe@fao.org **www:** <http://www.fao.org/cofi>

GLOSSARY

AC	Advisory Committee
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora.
CMS	Convention on Migratory Species of Wild Animals
COP	Conference of the Parties
FAO	UN Food and Agriculture Organization
HSI	Humane Society International
IFAW	International Fund for Animal Welfare
IPOA-Sharks	International Plan of Action on the Conservation and Management of Sharks
IUCN	International Union for Conservation of Nature
IUU	Illegal, Unreported and Unregulated
MEA	Multilateral environmental agreement
MoU	Memorandum of Understanding
RFMO	Regional Fisheries Management Organization
RSCs	UNEP Regional Seas Conventions
UNCLOS	UN Convention on the Law of the Sea
UNEP	United Nations Environment Programme