



# CONVENTION ON MIGRATORY SPECIES

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Concluding Statement 1

13 December 2007

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MEETING TO IDENTIFY AND ELABORATE AN OPTION FOR  
INTERNATIONAL COOPERATION ON MIGRATORY SHARKS  
UNDER THE CONVENTION ON MIGRATORY SPECIES  
Mahe, Seychelles, 11-13 December 2007

## GENERAL STATEMENT ON THE PURPOSE AND PROCESS OF THE MEETING

1. The meeting was an official intergovernmental meeting hosted by the Government of the Seychelles and convened by the UNEP Secretariat of the Convention on Migratory Species (CMS). The Minister of Education of the Seychelles Government, Mr. Bernard Shamlaye, formally opened the meeting on 11 December at the Plantation Club Resort, Victoria, Mahe, Seychelles.

2. Representatives of all shark range and consumer states were formally invited to attend, together with relevant Intergovernmental Bodies, including FAO, CITES and RFMOs, IUCN Species Survival Commission, NGOs and advisers such as the Chairman of the CMS Scientific Council (ScC) and the ScC specialist member for Large Fish. A total of 70 representatives attended the meeting. This included representatives of 34 Governments and 11 other bodies. Credentials for 32 Governmental delegates were confirmed by a Credentials Committee established by the meeting. The meeting agreed informal rules of procedure and to operate by consensus.

3. The main purpose of the meeting - reflected in its title - was to identify and elaborate an option for international co-operation on migratory sharks under CMS. The meeting was a direct response to Recommendation 8.16 and Resolution 8.5 adopted by the CMS Conference of Parties (COP) in November 2005. *Inter alia* these two decisions called for range states of the three shark species listed in Appendices I and II of the Convention to develop a global instrument on migratory sharks under CMS auspices, and identified a number of states already willing to co-operate in supporting such an instrument.

4. A total of 4 substantive and 13 information papers were made available to the delegates before and during the meeting. These included a major background paper on the conservation status of sharks and options for international co-operation prepared by IUCN with support from the CMS Secretariat. Papers were also provided by CITES, FAO, the European Commission, ICCAT and a number of range states and NGOs. A new paper in the CMS Technical Series (No. 15) entitled *Review of Migratory Chondrichthyan Fishes* also prepared by IUCN for the CMS Secretariat with support from the U.K., Department for Environment, Food and Rural Affairs (DEFRA) was also made available shortly before the meeting began.

5. The meeting elected Seychelles as Chair and Australia as Vice Chair; supported by a Bureau comprising representatives of Belgium, Costa Rica, Nigeria, the Philippines, IUCN and the CMS Secretariat. The meeting conducted its work through a series of plenary discussions, working groups, and complementary activities, including presentations, regional meetings and an individual questionnaire.

6. The Meeting decided that its main outputs would take the form of 2 Concluding Statements as follows:

- Concluding Statement 1: General Statement on the Purpose and Process of the Meeting
- Concluding Statement 2: Statement on the Outcome of the Meeting agreed by Participants

## **IUCN**

7. Forty-eight percent of the 145 migratory and potentially migratory species of sharks and rays are Threatened according to IUCN Red List criteria, compared with 19% of the non-migratory species assessed to date. The primary threat to CMS-listed species (whale, basking and white sharks) is excessive mortality in fisheries, both as a target and as a utilised bycatch. Other threats include persecution, habitat deterioration (including prey depletion), boat strikes and disturbance (sometimes associated with ecotourism). These threats need to be addressed by an Instrument for International Cooperation on Migratory Sharks. Species not listed on CMS that are in most urgent need of conservation management are exposed to the same threats, including 14 Critically Endangered or Endangered migratory species and other large oceanic sharks exploited by unregulated high seas fisheries. The CMS Scientific Council has agreed that Threatened species are of unfavourable status under CMS criteria and qualify for consideration for listing on the Appendices.

## **FAO**

8. The meeting regretted that a representative from the FAO was unable to attend the meeting. It is recognised that fishing has a major impact on the sustainability of migratory shark species. The FAO, in its role as a peak body on global fisheries issues, is well-placed to provide input on the impact of fishing on migratory sharks species. Furthermore, the International Plan of Action on Sharks, promulgated through the FAO, is a key document of relevance to this forum. FAO expertise on this issue and possible links between any initiative proposed by this meeting and other regional initiatives on sharks would have been valuable. The meeting strongly encouraged FAO representation at future meetings of the CMS dealing with the development of mechanisms to ensure sustainable management of migratory shark species.

## **NATIONAL AND REGIONAL PLANS OF ACTION**

### **Developing countries and National Plans of Action**

9. The meeting took note of the work that some developing countries are doing in order to elaborate and implement their national Plans of Action on Sharks under FAO IPOA-Sharks.

10. The meeting noted the publication of the consultation paper on an EC Action Plan for Sharks. The meeting decided to bring the outcome of this meeting to the attention of the EC in the context of the public consultation procedure. The meeting trusts it provides a valuable contribution to the future development of the EU Action Plan for Sharks.

## **RFMOs**

11. The Executive Secretary will inform RFMOs of the process engaged by the CMS, inquire how the RFMOs might contribute towards the objectives of the process and invite them to collaborate by providing clarity on their respective mandates, on the priority given to shark conservation and management activities by adopting appropriate management measures, accompanied by measures for control and enforcement.

12. The RFMOs should be engaged in time for their respective decision-making bodies to

respond within the end of 2008.

### **CITES**

13. The objective of CITES – protection of endangered species through regulation of international trade – has strong complementarities and synergies with actions taken to protect migratory shark species listed on the CMS Appendices and thus should be recognised as adding value to CMS initiatives. A representative of CITES should again be invited to attend the next meeting.

### **UN GENERAL ASSEMBLY**

14. The meeting welcomed the fact that the United Nations General Assembly was poised to adopt a resolution on sustainable fisheries calling for urgent action by the international community to promote the conservation and management of sharks.

### **NEXT STEPS**

15. The meeting noted that good progress had been made, and that a series of elements have been agreed upon for the instrument. The meeting agreed to set the ambitious target of having a final version of the instrument available by the 9<sup>th</sup> Conference of Parties to CMS in early December 2008. The meeting welcomed the offer of the CMS Secretariat to have a second meeting in Bonn in the first half of 2008, with simultaneous translation, prior to COP 9 to move the process forward. The meeting urges stakeholders to make available financial resources available for this meeting. It was agreed to establish an interim mechanism to assist in preparing the first draft of the instrument before the Bonn meeting, with the CMS Secretariat taking the lead.

16. The Government of Seychelles requested the Executive Secretary to inform other relevant conventions, agencies and organisations of the work undertaken in this forum and invite the CMS Secretariat to encourage their members and observers to participate actively in the future development and implementation of the instrument.

### **REPORT AND ENB**

17. The full report of the meeting will be prepared and published on the CMS website [www.cms.int](http://www.cms.int) in early 2008. A report by the Earth Negotiations Bulletin (Vol.18 No.28) was published on Saturday, 15 December 2007 on <http://www.iisd.ca/cms/sdsey/>.

18. Delegations from the U.S., ICCAT, Costa Rica and Seychelles, as well as the Chairman of the Meeting and the Executive Secretary of CMS made closing statements of thanks and encouragement to move the process forward.



## CONVENTION ON MIGRATORY SPECIES

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### STATEMENT ON THE OUTCOME OF THE MEETING AGREED BY PARTICIPANTS

1. The Participants considered that an agreement developed under Article III, IV and V of CMS would add value to current global shark conservation and management efforts, and that the process to develop such an agreement should continue with a view to finalising the proposed instrument at or before the 9<sup>th</sup> Conference of the Parties to CMS in December 2008\*. The goal of the agreement should be *to achieve and maintain a favourable conservation status for migratory sharks listed in the Annexes of the agreement*.
2. Participants focused their deliberations on those elements of a shark conservation agreement that they believed would be essential irrespective of the precise form of the final instrument. This included key elements related to **the geographical scope, species covered, fundamental principles, shark conservation/management components (including non-consumptive use) and co-operation with other bodies**.
3. With regard to **geographical scope**, participants agreed that for the purpose of this instrument, it should be global in scope with opportunity to incorporate regional or species-specific initiatives where required.
4. With regard to **species covered** there was consensus that the agreement should focus on the three species listed in the Appendices of CMS. In addition there should be an enabling mechanism built into the agreement that allows Parties to add species to the agreement.
5. Three **fundamental principles** recommended were (i) the need to address the broad range of measures that deal with shark conservation and management; (ii) the need for precautionary and ecosystem approaches to shark conservation; and (iii) the need for cooperation and immediate engagement with the fisheries industry, FAO and Regional Fisheries Management Organizations (RFMOs), if the development of this instrument and shark conservation and management in general is to be successful. Participants were of the view that the CMS instrument could re-invigorate the implementation of the FAO IPOA for sharks by incorporating and building on it.

\* The working group documents as amended by the Plenary provide further details on the issues summarized in this paper and can be consulted at Annex A. These will guide the preparation of a draft agreement.

6. **Shark conservation and management components** should include:

- measures to build capacity (e.g., research & monitoring, enforcement, compliance) in developing countries to manage sharks;
- identification and protection of critical shark habitats and migration routes;
- the creation of a standardized species-specific global shark database;
- coordination of stock assessments and research;
- promotion and regulation of non-consumptive use including ecotourism;
- processes to encourage the prohibition or strict control of shark finning;
- active cooperation with the fisheries industries;
- studies of shark aggregation and breeding ground and shark behaviour and ecology;
- strict conservation measures for species listed on Appendix I of CMS in accordance with Article III of the Convention;
- regulation of exploitation of species listed on Appendix II of CMS;
- encouragement of relevant bodies to set targeted fishery quotas, and effort and other restrictions;
- processes to encourage restrictions of shark by-catch in non-directed fisheries; and
- Enforcement and compliance measures, including observers on fishery vessels.

7. Further consideration should also be given to include within the agreement provisions to encourage

- global promotion of shark conservation and wise use;
- reducing pollution, marine debris and ship strikes; and
- reporting structure on measures taken to comply with the agreement.

8. With regard to **cooperation with other bodies** the participants agreed that the new agreement should establish a technical and advisory body including representatives of CITES, IUCN, FAO and RFMOs. The Executive Secretary should approach RFMOs individually by letter to follow up the meeting (see CS1). The Chairman of the meeting should deliver messages on behalf of the meeting to the FAO and the European Commission (see CS1).

9. The meeting also considered the **institutional structure** and **funding** for the agreement. Options were identified for further analysis by an inter-sessional group prior to discussion at a second meeting in 2008. Participants strongly recommended the use of existing bodies and mechanisms wherever possible to maximize synergies and reduce costs. It was acknowledged that the final choice of institutional options, and any central funding from CMS, would need to be agreed at the second meeting and at the next CMS Conference of the Parties in December 2008.

10. The meeting recommended that the text of a **draft CMS agreement** incorporating the conclusions reached should be prepared by the CMS Secretariat in consultation with an inter-sessional steering group comprising Australia, Chile, Costa Rica, EC, New Zealand and Seychelles. This would be circulated to all participants and interested organisations for further consideration and refinement at a follow-up meeting in the first half of 2008, as well as for subsequent discussion with, and reflection by, potential partners and UN organizations within the global shark conservation and management community. The CMS Secretariat offered to host the next meeting at its headquarters in Bonn, Germany in the first half of 2008, subject to the availability of resources.

## **Working group 1: Institutional Framework**

**Chairman: Mr. Richard Cowan**

**Rapporteur: Mr. Randall Arauz**

The purpose of this working group was to discuss the following:

- Institutional framework including the involvement of RFMOs and CITES
- Issues concerning: research, monitoring, compliance, value addition and time frame

### **1. Institutional Framework**

- There was agreement that RFMOs must be involved in the production of the instrument from the start
- That it would be a good idea to have a scientific committee tied to the developed instrument
- There was suggestion that parties bring up the issues regarding the conservation of migratory sharks at the RFMOs meetings
- It was also agreed that a letter is to be sent to the RFMOs by the Executive Secretary to get information on their involvement with regards to migratory shark issues.

### **2. Value addition and Research:**

- It was agreed that CMS could bring value addition to the existing instrument by strengthening political will to act on shark conservation issues.
- Agreement should be a bridge between fisheries and conservation.

### **Data collection**

**It was proposed that there are:**

- Linkages between RFMOs
- Linkages between range states
- Improvement in quality of data collected on shark from fisheries through increase awareness of fishermen in terms of species identification and the placement of independent observers on boats.
- Exchanges of trade data and links
- Better collection and sharing of national trade data
- Links with CITES
- Capacity for analysis and compilation of data is strengthened as a lot of data is available but not enough analysis is taking place

### **3. Time frame**

- It was agreed that we need to get something positive out of this meeting as it has taken such a long time and funds to get this one meeting organised and as such we need at least a strong commitment to organise another meeting to discuss the issues.

## Report Working Group 1

### Objectives

1. Achieve and maintain a favourable conservation status for migratory sharks listed in the Appendices of the Instrument (as well as for those not yet listed but whose conservation status may also improve?).
2. PRECAUTIONARY APPROACH  
Lack of scientific knowledge should not be used as a reason for postponing measures to enhance the conservation status of migratory sharks.

### Scope

1. Request all Parties to take or strengthen measures to achieve or maintain a favourable conservation status of migratory sharks species listed in the Appendices of the instrument. Of particular importance are measures to address threatening processes such as *inter alia* habitat destruction IUU fishing and fisheries by-catch + directed overfished fisheries and trophy fishing, ships strike Overfishing of targeted (and by-catch) species.  
Develop conservation mechanisms where such measures are insufficient.
2. Encourage the FAO Committee on Fisheries to promote greater uptake of the International Plan of Action for the Conservation and Management of Sharks as a matter of urgency.
3. Call upon Range States of migratory sharks listed on Appendix I or II to develop a global migratory sharks conservation instrument in accordance with Article III and V of the Convention, noting that discussions on the development of the instrument could, *inter alia*
  - a) Consider the potential value of developing subsidiary regional and/or species specific conservation management plans to the instrument;
  - b) Involve for the greatest extent possible, governments intergovernmental organizations and local communities + NGOs + Industry;
  - c) Identify as appropriate, effective mechanisms to mitigate threats such as by catch entanglement in marine debris and IUU fishing (ships strikes?);
  - d) Identify viable and practical alternatives to consumptive uses (such as non consumptive use) of migratory sharks while recognizing the cultural and the economic importance of these species for some communities; and
  - e) Develop mechanism to facilitate developing country participation in the implementation of the instrument.
4. Request the Secretariat to bring this to the attention of RFMOs (US and Belgium to propose a draft) the FAO Committee on Fisheries and CITES and to explore future avenues of cooperation with these organizations within their respective mandate as well as with Range States of migratory sharks that will lead to enhanced protection, conservation and management of these sharks.
5. The parties to this agreement will work through RFMO's and FAO when adopting and implementing fisheries measures to deliver the objectives of this agreement as appropriate. Fisheries measures include *inter alia* catch limits for directed fisheries as well as for fisheries by catch and control and enforcement of management measures, including finning bans.
6. The Parties to this agreement will further work through other relevant international, regional and sub-regional bodies including *iter alia* CITES and regional seas programmes, in delivering the objectives of this agreement.

7. The Secretariat may enter into arrangements, and shall consult and cooperate, when appropriate, with:
  - The Convention Secretariat, and its relevant bodies;
  - The Secretariat of the relevant conventions and international instruments, mentioned above, in respect of matters of common interest; and
  - Other organizations or institutions with the competence in the fields of fisheries measures, as appropriate as well as in to fields of conservation of Migratory sharks and their habitats, research, education and awareness raising.
8. The instrument shall include a mechanism whereby Parties to the Instrument can amend its annexes to include sharks deserving of protection or to amend the status of sharks where favourable conservation status has been achieved.

## Structure

The Instrument would have the classic structure of text plus annexes:

Two annexes at least are envisaged at this stage. Appendix 1 would cover shark species where obligations at least equivalent to those laid down in Article 3 of the CMS Convention would apply. The Instrument would need to contain an article equivalent to Article 3 of the Convention. In the first instance, the draft Instrument would include in Appendix 1 the shark species currently listed on CMS Annex 1.

Appendix 2 would cover other sharks where Parties would be encouraged through the Instrument to take measures designed to achieve the GOAL and OBJECTIVE of the Instrument (see above). In the first instance, the draft Instrument would include in Appendix 2 the shark species currently listed on CMS Annex 2.

1. The text of the instrument could already indicate in broad terms more specific measures, e.g. of the kind specified in the FAO Shark IPOA (para 22 etc.), the draft EU Shark Action Plan; National Shark Action Plans etc. Such measures could include stock assessment, critical habitat protection, shark finning bans, capacity building, ecotourism, provision for targeted fishing and quotas etc.

BUILD IN HERE SOME OF THE PRIORITIES FOR KEY ELEMENTS IDENTIFIED FROM RESPONSES TO THE QUESTIONNAIRE (CMS Secretariat to advise).



## WORKING GROUP 2 – Instrument scope (scope & mandate)

Chairman: Richard BAGINE

Rapporteur: Elvina HENRIETTE PAYET

The purpose of this working group was to discuss the following:

- Geographical scope – global vs local
- Species scope – focus on appendix species + potential for development of a general framework for future listed species
- Legal scope – Binding & Non-binding elements

### 1. Geographical scope – global vs local

The working group agreed that the instrument should consider a 'Global wider scope' and borrow the approach from other existing CMS instruments.

### 2. Species scope

There was a group consensus that the agreement should focus on the 3 appendix species but in addition there should be an enabling mechanism (see below) build into the agreement that allows other species to be brought on board. These additional species could very well be those proposed by the IUCN listing and should not only pertain to the CMS listing.

#### The nature of the Mechanism

Further discussions were held on the nature of the mechanism of the agreement, and the inclusion of additional species.

The following structure was proposed.

Articles	Annexes	
Key articles – article 3	Appendix 1	Appendix 2
	White & basking sharks	Whale shark
Convention + extra for appendix 2 species		
Regional aspect		
NGOs??? Not party to CMS		
RFMO??? Not party to CMS		

There was a broad consensus on the framework proposed, except that organisations like NGOs should not be included as it is the states that are Party to the CMS (and not NGOs).

It was also agreed that there is a need to include overarching objectives for the instruments.

### 3. Legal scope – Binding & Non-binding elements

There was a lengthy debate on the legal scope of the agreement. Some participants felt that both options should be kept open.

There was a strong support to agree on some **fundamental elements** that need to go into the instrument whether it would be binding or non-binding. Therefore there is a need to look at the **content** of this instrument.

**Report Working Group 2**

Chairman: Selby Remie – Seychelles  
Rapporteur: Riaz Aumeeruddy – Seychelles  
Anmol Kumar – India  
Patrick Jacobs – South Africa  
Hans Nieuwenhis – Netherlands  
Sarah Fowler – IUCN  
Clinton Duffy – New Zealand  
John Stevens – Shark advisor (Australia)  
Tom Blasdale – UK  
Oystein Storkersen – Norway  
Richard Bagine – Kenya  
Brad Wiley – USA  
George Hutchford – Ghana  
Ana Kobablic – Croatia  
Danielle Annese – Australia  
Anwar Sheik Mamode – Mauritius  
Zeb Hogan – CMS  
Sergio Golabeoea – Argentina

## **Institutional Structure**

- Head some form of secretariat and scientific body. The group did not conclude on any specific option, but rather the need to have an interim group set-up to explore the issue further. However, the group discussed various options that this interim group should consider further:
  - ? minimalist approach (a few institutions involved in secretariat);
  - ? option for more institutions involved in coordination and running secretariat;
  - ? Scientific body: e.g. CMS Scientific Council; and
  - ? CMS Secretariat mandated by COP could take on the task of acting as Secretariat of the instrument.
- Financing mechanism: another group to look at that. Different options from CMS Secretariat.
  - ? contributions for MoUs charged according to UN scale (not all countries can afford);
  - ? Parties pay part of the contribution and donors pay the rest;
  - ? CMS to absorb the costs, but need to go to the COP of CMS to get approval for a budget (then all CMS parties will be asked to finance);
  - ? Nations that trade in shark products could be asked to pay more (might be contentious and difficult to negotiate);
  - ? Consider back to back meetings with other instruments to reduce costs; and
  - ? Build synergies to reduce costs (e.g. use scientific council of CMS for scientific issues).

## **Mechanism for engagement/membership structure**

- CMS secretariat to send a letter to RFMOs with the following questions: how do RFMOs see their role in shark management: is it a priority for them, catch, by-catch;
- Outcome of this meeting will be put forward to joint RFMO meeting in 2008;
- Any article in CMS instrument containing fisheries instrument should commit RFMO to the instrument,? Via the parties of RFMOs;
- CMS Secretariat can conclude MoU with RFMO;
- CMS Secretariat can participate in RFMO meetings; and
- Invite RFMOs to be observers of CMS instrument.

Engagement of FAO (CMS Secretariat, CMS Parties and FAO members to lobby FAO)

Engage major fishing nations in the formulation of the instrument (CMS Secretariat, CMS Parties especially at bilateral level, good opportunity to approach them at FAO COFI).

Engagement with non signatory states, non CMS Parties, with NGOs and intergovernmental organisations: Secretariat to take lead role but states can also use their influence.

### **Priority issues (result of the questionnaire would have been useful)**

The group agreed on the following priority points (not in order of priority)

- Development of shared database (interaction with RFMO), standardisation of data collection
- Reporting structure (mechanism) on conservation status to be implemented, actions taken to be fed in the database (capacity building needed)
- Develop taxon specific Action Plans that produce recommendations to RFMOs
- Identification of critical habitats & important migratory corridors
- Create a direct link between the instrument developed here and FAO IPOA sharks (building momentum on the IPOA, help develop NPOAs)
- Help capacity building in developing countries (research and monitoring, enforcement, compliance)
- Public awareness
- Identify key information gaps (go down to species level when information is available at group level)
- Address non consumptive use (ecotourism issues)
- Role of how to engage non CMS signatories, fishing states etc.
- Protection of existing populations and restoration of population and stocks in depleted areas (can be put in species specific action plans)
- Building synergies (eg. CMs scientific council can take the role of scientific body of this instrument)

The group also touched on two points which should be addressed in other sections of the instrument, possibly in the Preamble.

- The importance of the precautionary and ecosystem approach.

Reference to the statement in the IPOA Sharks supporting the notion that FAO encourages other mechanisms to manage sharks (*"25. States, within the framework of their respective competencies and consistent with international law, should strive to cooperate through regional and subregional fisheries organizations or arrangements, and other forms of cooperation, with a view to ensuring the sustainability of shark stocks, including, where appropriate, the development of subregional or regional shark plans."*)

## MEETING TO IDENTIFY AND ELABORATE AN OPTION FOR INTERNATIONAL COOPERATION ON MIGRATORY SHARKS UNDER THE CONVENTION ON MIGRATORY SPECIES: 11-13 DECEMBER 2007

The Meeting to Identify and Elaborate an Option for International Cooperation on Migratory Sharks under the Convention on Migratory Species (CMS) took place in Mahé, Seychelles from 11-13 December 2007. The intergovernmental meeting was hosted by the Ministry of Environment, Natural Resources and Transport, Government of Seychelles, with the objective to identify and elaborate an option for international cooperation on migratory sharks under CMS. The meeting brought together some 70 participants from 40 countries, representing governments, intergovernmental and non-governmental organizations (NGOs), and scientific and academic institutions.

Through its Recommendation 8.16 (Migratory sharks), CMS recognized that migratory shark species could benefit from conservation measures delivered through CMS in cooperation with other partners. Its Resolution 8.5 (Implementation of existing and development of future agreements) endorses the development of a global instrument on sharks. In Mahé, participants elaborated on several options for such an instrument. The extensive discussions resulted in two outputs: a general statement on the purpose and process of the meeting, and a statement on the outcomes of the meeting, which will guide the future work on the process.

Although participants expressed strong regret at the absence of key intergovernmental actors, such as the UN Food and Agriculture Organization and regional fisheries management organizations, and major fishing nations, such as Japan and South Korea, they were satisfied with the progress made. In particular, many participants welcomed the emerging convergence towards both a global and non-binding instrument, yet the interventions and results of a questionnaire circulated during the session indicated a major divergence in NGO and government preferences on the legal nature and species scope of the agreement. However, there was broad support for the involvement of existing regional and intergovernmental organizations, agreement on key elements for the instrument and

establishment of an intersessional steering group to advance the work with the expectation of concluding the instrument at the ninth meeting of the CMS Conference of the Parties (COP9), scheduled for 1-5 December 2008.

Still, participants acknowledged the ambitious nature of the undertaking in light of the challenges ahead, especially funding constraints, and the ability to enroll all regional fisheries management organizations to prioritize the conservation and management of sharks. Some lamented that the meetings' outcomes may have created expectations that may be difficult for the Secretariat to attain. In particular, participants were concerned about its ability to complete the draft instrument by the end of May, and then have it negotiated and compiled in time for CMS COP9 in December, in parallel with the other COP preparations.

Even so, there was little choice because the window of opportunity to establish an effective shark management and conservation instrument is closing quickly. After all, the rate of depletion of shark stocks calls for urgent action. Some constituents are already impatient with the progress made, having waited for two years since COP8, and participants feared that confidence in the CMS process would be lost if concrete results are not achieved before COP9.

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## 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 action across their entire range. According to a recent report by the UN Food and Agriculture Organization (FAO), up to 90% of all migratory shark stocks are being unsustainably exploited. Research by IUCN - the World Conservation Union indicates that 48% of all migratory shark species are threatened, and another 29% are near-threatened. Although a number of international management measures, notably FAO's International Plan of Action for the Conservation and Management of Sharks and the UN Convention on the Law of the Sea, include provisions for the conservation and management of migratory sharks, these have generally failed to deliver practical improvements in the conservation status of the species, and vulnerable populations are continuing to decline.

A number of other migratory species are vulnerable to similar threats, including habitat shrinkage in breeding areas, excessive hunting along migration routes, and degradation of feeding grounds. As a result of international concern over such threats, CMS was adopted in 1979 and entered into force on 1 November 1983. CMS, also known as the Bonn Convention, recognizes that states must be the protectors of migratory species that live within or pass through their national jurisdictions, and aims to conserve terrestrial, marine and avian migratory species throughout their ranges. CMS currently has 106 parties.

The Convention was designed to allow for expansion and revision of commitments and to provide a framework through which parties may act to conserve migratory species and their habitat 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. To date, six agreements and sixteen memoranda of understanding (MoUs) have been concluded. These are open to all range states of the species, regardless of their party status in the Convention.

CMS operational bodies include the Conference of the Parties (COP), the Standing Committee, the Scientific Council and a Secretariat provided by the United Nations Environment Programme (UNEP). The COP meets every two to three years to review and amend Appendices I and II.

**COP6:** CMS effectuated its first shark listing at its sixth meeting of the COP (4-16 November 1999, Cape Town, South Africa), where resolutions were adopted on, *inter alia*, institutional arrangements, by-catch, 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.

**COP7:** 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 being listed on both. COP7 also adopted a resolution on by-catch.

**COP8:** 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 by-catch; and the implementation of existing agreements and development of future agreements, including on migratory sharks. This last resolution, Resolution 8.5, endorses the development under CMS auspices of a global instrument on migratory sharks and urges cooperative action through a species-specific action plan. In its 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 FAO and 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.

## OTHER RELEVANT DEVELOPMENTS

**UNCLOS:** One of the main frameworks for conservation and management of marine resources is the UN Convention on the Law of the Sea (UNCLOS), which was adopted in 1982 and entered into force in 1994. It gives coastal states rights and responsibilities for the management and use of fishery resources within their national jurisdictions and enables the establishment of exclusive economic zones (EEZs). With respect to the high seas, UNCLOS recognizes the free access and the 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 by-catch.

**UNFSA:** Other relevant provisions arise from the 1995 Agreement for the Implementation of the Provisions of UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. This agreement, also called the UN Fish Stock Agreement (UNFSA), adopted in 1995, amplifies and facilitates the implementation of UNCLOS provisions relating to the conservation and management of high seas fish stocks, by setting out detailed mechanisms for cooperation between coastal and fishing states, including the establishment of regional fisheries arrangements or organizations.



**IPOA-Sharks:** FAO's International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), adopted in 1999, highlights the action required for sharks within the context of the FAO Code of Conduct for Responsible Fisheries. Its overall objective is to ensure the conservation and management of sharks and their long-term sustainable use. It 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 should identify 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.

**CITES:** CITES, which entered into force in 1975, constitutes the international legal framework for the prevention of trade in endangered species of wild fauna and flora and the effective regulation of international trade in other species that may become threatened in the absence of such regulation. Three shark species are listed on CITES Appendix II (species requiring control measures): Basking shark, Whale shark and White shark. CITES maintains an active involvement in shark conservation issues under its Resolution 12.6 (conservation and management of sharks). CITES CoP14, held in June 2007, 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 on Appendix II, as well as proposed decisions on trade measures regarding these two species. A wider range of species may be discussed as a result of the work of the CITES Animals Committee's Intersessional Shark Working Group and a document submitted by Australia. FAO has also commissioned a background study, building on IPOA-Sharks and the recommendations of the CITES Intersessional Shark Working Group, to identify weaknesses and opportunities for improving fisheries management of species considered most threatened by international trade.

**RFMOs:** A number of regional fisheries management organizations (RFMOs) and other international organizations, including the Commission for the Conservation of Antarctic Marine Living Resources, 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 include provisions on migratory sharks.

## MEETING REPORT

Presiding over the opening ceremony on Tuesday, 11 December 2007, Selby Remie, Director of Conservation, Department of Environment, Seychelles Ministry of Environment, Natural Resources and Transport, welcomed participants to Seychelles. Local schoolchildren presented their song "Protect our Ocean," which won the annual national schools' music festival, and a poem, "Save our Sharks."

Bernard Sham-Laye, Seychelles Minister for Education, opening the meeting on behalf of Joel Morgan, Seychelles Minister for Environment, Natural Resources and Transport, said as a small island developing state that depends on fisheries and tourism for economic development and marine resources for

its livelihoods, Seychelles has great interest in the conservation of migratory species. He emphasized the need for proper stewardship in the exploitation of natural resources, and called for action on targeted fishing and by-catch of sharks.

Robert Hepworth, Executive Secretary of the Convention on Migratory Species, said shark fisheries are among the last unregulated harvests of wildlife. He highlighted recent successes in various conservation efforts with the signing of six memoranda of understanding in 2007. Stating that shark conservation presents a problem of a different dimension, as action in the high seas is required, he emphasized the need for collective action and called for patience with the process.

The United Kingdom (UK) stressed the importance of coordinated sharks conservation. Noting that the UK is presently in the process of setting its budgets, he announced that he would be unable to make financial commitments at this point.

Australia noted its role in putting sharks conservation on the international agenda, noting it supports a legally binding agreement as well as a non-legally binding MoU, and expressed disappointment at the absence of FAO at the meeting, noting its important role in relation to the migratory species under consideration. Seychelles urged immediate action and outlined its contribution to CMS Recommendation 8.16 (migratory sharks), its recently completed national plan of action for sharks conservation, and recently installed policies on finning and on Whale shark encounters.

Delegates then elected Rolph Payet (Seychelles) as meeting Chair, and Amanda Lawrence (Australia) as Vice-Chair. Randall Arauz (Costa Rica), Paulus Tak (Belgium), Edwyn Alesna (Philippines), Amos Afolabi (Nigeria) and Sarah Fowler (IUCN – the World Conservation Union) were elected to the Bureau, and Nancy Céspedes (Chile), Bernard Séret (France) and Arthur Hore (New Zealand) to the Credentials Committee.

Participants adopted the agenda (UNEP/CMS/MS/1/Rev.1), meeting schedule (UNEP/CMS/MS/2/Rev.3) and rules of procedure without amendment.

This report is organized on the basis of the meeting's main agenda items, which comprised:

- an analysis of the conservation status of sharks defined as migratory under CMS;
- a review of existing international, regional and other initiatives to improve the conservation status of migratory sharks, including lessons learned; and
- options for international cooperation on migratory shark conservation and management under CMS.

## MEETING OVERVIEW

CMS Executive Secretary Hepworth provided a meeting overview, recalling CMS Recommendation 8.16 (migratory sharks), and Resolution 8.5 (implementation of existing and development of future agreements), which endorses the development of a global instrument on sharks. Noting that the aim of the meeting was to take these recommendations further and identify a potential instrument, he outlined several options, such as developing a new agreement under CMS, or building on existing initiatives. He noted ongoing efforts under the FAO IPOA-Sharks, RFMOs, CITES, UNCLOS and the Convention on Biological Diversity (CBD).

Hepworth identified CMS as a unique convention, being the only global multilateral environmental agreement dedicated exclusively to the conservation of species and their habitats, and having adopted a regional approach through its various agreements. He highlighted successful mechanisms under CMS, including World Summit on Sustainable Development (WSSD) Type II Partnerships, legally binding agreements, and non-legally binding MoUs. He said CMS is flexible, noting that for migratory sharks various combinations of mechanisms are possible. Regarding a future mechanism, he said it is crucial to focus on value-added, availability of resources, and practicalities.

### **CONSERVATION STATUS OF SHARKS DEFINED AS MIGRATORY UNDER CMS**

Sarah Fowler, Co-Chair of the IUCN Species Survival Commission's Shark Specialist Group, provided an overview of the conservation status of migratory sharks and factors affecting their long-term survival. Outlining the Shark Specialist Group's activities, she highlighted its involvement in the IUCN Red List Programme, noting that: 600 of the world's approximately 1200 shark species are currently on the Red List; submission of additional species is underway; and a global assessment for large oceanic pelagic sharks was completed in 2007.

Among intrinsic factors affecting shark survival, she noted their low population growth rates and low demographic resilience due to a slow life cycle, late maturity, long life span, long gestation period, and small litters. Among extrinsic factors, she highlighted: over-exploitation through target fisheries and used and disregarded by-catch; habitat degradation and loss; depletion of prey species; and lack of management and data on fisheries, trade and critical breeding and aggregation sites. She elaborated on the conservation status of White, Basking and Whale sharks, noting that migratory sharks are particularly vulnerable and that almost three quarters of migratory sharks are endangered, threatened or near-threatened.

Bangladesh presented its report on the conservation status of the shark species in its region, and its efforts to manage them (UNEP/CMS/MS/Inf.10). India emphasized its interest to address migratory species through international cooperation, and said it would make its presentation on this issue on Wednesday evening. Chile highlighted its efforts regarding shark conservation both at the national level under the aegis of IPOA-Sharks, and under two regional initiatives. Costa Rica called for a global instrument that bans shark finning, requires landings of shark with fins that are naturally attached, and reduces shark mortality.

Australia called for a global instrument that, *inter alia*, specifies options and procedures for listing shark species. The US called for an instrument that adds value in respect to data collection, self-assessments, capacity building in developing countries, standards on ecotourism, and habitat protection. Norway concurred with regard to value-adding and emphasis on data of shark populations and their movements. He urged participants to take into account the financing of the instrument. New Zealand said, while it does not rule out efforts to address other shark species, the meeting should focus on the shark species listed on the CMS Appendices.

The Ocean Conservancy/Shark Alliance highlighted the ineffectiveness of the existing instruments and called for a

legally binding instrument that promotes meaningful catch limits on migratory species, including those not listed on the CMS Appendices. Stanley Johnson, CMS Ambassador, said the meeting should consider the matter raised by New Zealand, and noted that IPOA-Sharks covers a whole range of sharks. CMS Executive Secretary Hepworth clarified that CMS Article IV(4) (Migratory species to be subject of Agreements: Appendix II species) provides for a focus on listed as well as non-listed species.

Regarding the species to be covered under the instrument, Seychelles favored prioritizing the species on Appendices I and II. He supported considering other species in due time, if this does not hinder progress. Nigeria drew attention to his country's limited capacity to enforce regulations, stressing that enforcement of existing rules should be a priority. He also underlined the dangers of pollution. Yemen highlighted national activities regarding sharks conservation, and underlined the importance of fisheries managers' dedication to long-term sustainable use.

The Netherlands called for an analysis of why implementation of existing instruments is lacking, noting that CMS should play a complimentary role. Argentina said its national plan of action will be completed in 2008, and supported a non-legally binding instrument. Indonesia lamented the lack of historical and biological data and of research and management capacity. He called for socioeconomic research on why sharks became a target species.

### **EXISTING INTERNATIONAL, REGIONAL AND OTHER INITIATIVES TO IMPROVE THE CONSERVATION STATUS OF MIGRATORY SHARKS, INCLUDING LESSONS LEARNED**

This agenda item (UNEP/CMS/MS/4, Inf/5 and Inf/6) was considered and concluded in a brief session on Tuesday afternoon.

John Hilborn, CMS Secretariat, highlighted the activities and legal instruments put in place since the 1982 UNCLOS. These include the FAO Code of Conduct for Responsible Fisheries and IPOA-Sharks, regional fisheries management organizations (RFMOs), several resolutions adopted by the CMS COPs between 1994 and 1997, the CMS listing of the White, Whale and Basking sharks, and Resolution 8.5, which endorses the development of a global instrument on the conservation and management of sharks. He drew attention to the options laid out in chapter 4 of the meeting's Background Document (UNEP/CMS/MS/4).

CMS Executive Secretary Hepworth delivered a statement on behalf of Ichiro Nomura, FAO Assistant Director-General for Fisheries, noting that FAO considers the theme of the meeting highly relevant to its own efforts to manage sharks fisheries.

Concluding this discussion, Executive Secretary Hepworth said the meeting should also take into account the reports submitted by the CITES Secretariat (UNEP/CMS/MS/Inf/12) and FAO (UNEP/CMS/MS/Inf/13).

### **OPTIONS FOR INTERNATIONAL COOPERATION UNDER CMS**

This agenda item was addressed in plenary, in regional groups and in four working groups. Additional input was received from



an anonymous questionnaire circulated during the session. Two final outputs were agreed upon and will guide follow-up work: a general statement on the purpose and process of the meeting, called for by Chair Payet, and a statement on the outcomes of the meeting.

**INITIAL DISCUSSION:** On Tuesday, Executive Secretary Robert Hepworth presented the four options laid out in the Background Document (UNEP/CMS/MS/4), and provided examples of each. He said WSSD Type II Partnerships are most useful in involving other non-state actors, but have financing problems. He noted that action plans are quick to develop and relatively cheap, but that it is unclear how they would differ from IPOA-Sharks. Hepworth said MoUs have become the most common methodology of choice for parties for cooperation within CMS, noting that they present a variety of types of institutional infrastructure, but require attention in managing meetings, organizing, and financing. He outlined that a legally binding agreement would address the shortcomings of the voluntary measures. Hepworth highlighted the possibility of mixing and matching these approaches, including in selecting the species and geographic scopes to be covered.

The UK said choosing among the options was not a straightforward matter. With the European Commission (EC), Norway and the US, the UK expressed preference for a non-legally binding agreement, noting that it might be a useful first step. The UK said a WSSD Type II Partnership would engage RFMOs, especially in the context of European Union (EU) politics. The EC highlighted regional-level progress in developing a plan of action for adoption in 2008. Norway said some RFMOs are operational, and exchange and recognize each others' blacklists, and must therefore have a role.

Shark scientist Ramón Bonfil, supported by Norway, the US and New Zealand, said discussions on geographic scope and species scope should precede those on the legal nature of the instrument, as the latter depends on the former. He strongly favored a legally binding option. The Netherlands said the main question is how to engage RFMOs, noting that the answer might provide solutions to questions on scope and legal nature.

The US said CMS should help RFMOs achieve what they are supposed to do and that the instrument must be a bridge to other bodies, such as CBD, FAO and CITES.

India, Chile and others supported the option of MoUs. Concurring, Nigeria drew attention to the absence of some key commercial fishing countries and the time it takes to formalize legally binding instruments, while Kenya emphasized the benefits of engaging a broad range of stakeholders. The Gambia proposed a mix between an MoU and an Action Plan.

Australia stated that it was not in a position to express a preference for either a memorandum of understanding or legally binding agreement because of the recent change of government and insufficient time to brief incoming ministers. Australia, did, however, see advantages in progressing further discussion on these two options to the next CMS sharks meeting because of the value they can add to existing shark conservation and management measures.

Seychelles supported a legally binding agreement and said it has become clear that non-binding measures are not

working, and stated that cooperation and formal agreement are needed to change the status quo. IUCN argued that in view of the slow progress with the voluntary IPOA-Sharks, a new voluntary instrument will not be beneficial. The International Commission for the Conservation of Atlantic Tunas (ICCAT) said ICCAT has conducted assessments of some shark stocks and adopted a finning ban. He lamented the lack of compliance by contracting parties on data provision. The EC said it supports the development of a non-binding instrument under CMS.

**QUESTIONNAIRE:** On Tuesday, Chair Payet invited participants to fill out an anonymous questionnaire, drawn up by the Secretariat to inventory the ideas and preferences of participants regarding a future instrument. The results of this questionnaire were analyzed by the Secretariat on Wednesday evening. On Thursday, Executive Secretary Hepworth reported that the 21 governments and seven NGOs that took the survey were a representative sample of the participants. He said while a majority of governments expressed preference for a non-binding instrument, a small number suggested a mix, possibly a non-binding instrument that could later become binding. A majority of the NGOs chose a legally binding instrument. Similarly, governments generally supported coverage of the three listed species initially, plus a mechanism to allow subsequent expansion. NGOs were split between an initial coverage of the three species and an expanded list right away. Governments as well as NGOs favored the development of a global, not regional instrument. Of the options on the relationship between the instrument and FAO and RFMOs, participants supported establishing IPOA-Sharks as the Global Plan of Action for the instrument, possibly supplemented by the CMS regional or species work plans. A small group supported the establishment of a coordination unit for the instrument within an existing RFMO, but many supported the establishment of a technical advisory body. Among the elements participants most preferred for inclusion in the instrument are: capacity building in developing countries; a global shark database; protection of critical habitats; stock assessments; cooperation with the fishing industry; finning bans; and high seas protected areas and migratory corridors.

**REGIONAL GROUPS:** Regional groups met on Wednesday. They reported on their findings in plenary on Thursday. Nigeria, on behalf of the African Group, said the Group had agreed that: a legally binding instrument should be developed if it only covers the three listed sharks, and a non-legally binding instrument if the list will be expanded. He said their priority issues for action are research, capacity building, sustainable use, and poverty alleviation.

Indonesia, for the Asian Group, elaborated on the status of the region's shark species and national action plans. As priority issues, he identified: enhanced biological information and data on the region's main species and their compositions; improved capability in research assessment and management; the design of national and regional plans for highly migratory sharks; and elaboration of a non-legally binding agreement.

Costa Rica, for the America and Caribbean Group, said the region recommended: working through member states to introduce the instrument to RFMOs; involvement of FAO and all major fishing countries in these meetings; participation of CMS

at Tuna RFMO meetings to present the instrument; and support in enforcing local laws, training and funding of surveillance, and having observers aboard fishing boats in the region.

Australia, on behalf of Oceania, highlighted the region's initiatives in shark management, and emphasized the need for the region to increase and exchange data on species, and for effective engagement with regional organizations.

Belgium, on behalf of the EU, drew attention to the EC's draft regional action plan, and called for submission of feedback to the EC over the next two months, emphasizing that as stakeholders, participants could submit their feedback. He said the EU also stressed the need for early cooperation with and involvement of RFMOs, and the value of raising political awareness about the shark management instrument.

**WORKING GROUPS:** On Tuesday, Chair Payet established two working groups, which convened in parallel on Tuesday afternoon and Wednesday morning. The working group chaired by Richard Cowan (UK), with Randall Arauz (Costa Rica) as rapporteur, discussed institutional matters, including: the involvement of other bodies, such as RFMOs, CITES and FAO; value-added issues, including research, data management, monitoring and enforcement; and timeframe issues, including stepping-stone strategies. The working group chaired by Richard Bagine (Kenya), with Elvina Payet (Seychelles) as rapporteur, addressed the scope of the future instrument, focusing on geographic, species and legal scope.

On Wednesday, the deliberations of these working groups were presented to and discussed in plenary. Chair Payet then established two new working groups, which met in parallel on Wednesday afternoon. The working group chaired by Selby Remie (Seychelles), with Riaz Aumeeruddy (Seychelles) as rapporteur, outlined the main mechanism for engagement, membership structure and institutional structure, as well as the priority issues that will need to be addressed in the instrument. The working group chaired by Herman Oosthuizen (South Africa), with Michel Vely (Seychelles) as rapporteur, was mandated to draft the objectives, scope, structure and broad articles of the future instrument. These working groups concluded their work on Wednesday and reported on their work in plenary on Thursday morning. Plenary continued discussing these issues, and concluded its deliberations on Thursday afternoon.

In Wednesday's plenary session, Chair Payet clarified that the working group sessions were informal brainstorming sessions, not an occasion to present country positions or negotiate. In response to a question relating to the meeting's mandate, Chair Payet explained that the group should discuss a mechanism that addresses the three species listed on the CMS appendices (White, Whale and Basking sharks), while providing for potential future additions as well as cooperation with other institutions dealing with sharks. The Netherlands reiterated the relevance of the broader mandate if collaboration with other organizations is considered critical. The EC reported that the Directorate-General for Fisheries and Maritime Affairs has forwarded its plan on shark management to IUCN. The Indian Ocean Tuna Commission (IOTC) highlighted (and later circulated) its five resolutions on shark management, and said it would report the outcomes from

the current meeting at the next IOTC meeting scheduled for mid-2008.

**Engagement with RFMOs and other organizations:** Noting that hardly any RFMOs were in attendance, the working group chaired by Richard Cowan considered a two-step process for engaging RFMOs. First, the CMS Secretariat would write letters to invite the RFMOs to participate in the process. A second letter might ask them to enter into a working relationship with the CMS process in developing the agreement. Some suggested that the letters also inquire about the specific work undertaken and priority given by the RFMOs to the conservation and management of sharks. However, there was no agreement to use an MoU to engage the RFMOs. The Secretariat was also asked to provide legal advice on whether any of the four agreement options may hinder the RFMOs from entering into an agreement with CMS. The international bodies identified for participation in the process were the Secretariats of FAO, CITES, CBD, and the UN Fish Stocks Agreement.

Participants stressed the need for complementarity between RFMOs, CMS and other organizations. Some suggested: involving RFMOs from the very beginning; initiating contact and reporting on the outcomes of the Seychelles meeting to the joint Tuna RFMO meeting, open only to RFMO Chairs, to be held in January 2008 in Mauritius; linking the shark instrument to initiatives on sea turtle management as they can be mutually reinforcing; and requesting CMS to analyze the data on sharks already gathered by RFMOs. Participants also considered the challenges of working with RFMOs, specifically that: RFMO joint meetings are coordination rather than decision-making forums; RFMOs are sometimes unable to agree on joint priorities of action, including on by-catch; and state consultation is required in order to analyze existing shark data. Participants also emphasized the potential for synergies with international organizations, noting greater ease in engaging with them than with RFMOs, while acknowledging their capacity and political constraints.

In Wednesday's plenary, shark scientist Ramón Bonfil, noting that RFMOs were invited to the meeting but did not attend, expressed concern at the continued dependence on RFMO participation in developing an instrument. Chair Payet concurred with Seychelles and the US on states' responsibility for the process, particularly through RFMOs. The UK observed that engaging the RFMOs during their 2009 joint meeting on tunas, as suggested by the US, might be too late.

**Value-added of the instrument:** The working group highlighted: habitat conservation and ecotourism; the establishment of a scientific technical group; standardized data gathering, sharing, and analysis involving methods such as tagging; and specific data relating to the behavior of sharks, including their movement and migratory routes, and monitoring of shark by-catch.

Some participants suggested that the instrument should: support implementation of existing mechanisms; strengthen political will on sharks management by putting moral pressure on parties to undertake consistent follow-up; strengthen in-country collaboration on fisheries management; emphasize habitat conservation; facilitate the establishment of scientific/technical

committees; and assist RFMOs to develop policies on shark conservation and management.

With respect to research and data, participants said the proposed instrument should: increase robust data collection and analysis for use beyond the local level, including data on the most harmful fishing methods and shark trade; and enhance data-sharing between range states and data-collection through education and capacity-building programmes targeting data collectors and fishermen.

**Time frame:** Regarding the expected duration of the process, the Secretariat specified that the development of an MoU takes up to six months, but participants noted that the independence of RFMOs could render this process longer.

Participants agreed that given the considerable time and cost investments involved in organizing the Seychelles meeting, a tangible actionable outcome is needed to maintain the interest of parties and other constituencies. Proposals made were to: develop an MoU between CMS and some key actors while a long-term instrument is negotiated; set up a schedule of events; and prepare a package for consideration by parties at CMS COP9 in 2008. Participants suggested that the content might comprise: a simple agreement on data collection and education that could enhance the database on the movement and migration of sharks; agreement on data collection with RFMOs, FAO, NGOs and similar actors; collaboration with industry, fishermen and others to collect data on fishing methods, including catch by species and method; and enforcement and control mechanisms that could be implemented with these actors.

In Wednesday's plenary, the Netherlands proposed that the CMS Secretariat develop a paper with milestones to be achieved over the next two years. Norway said some participants wanted text prepared, "a sort of MoU," for consideration on Thursday. Australia said it had drafted two non-papers, a draft MoU and a draft legally binding agreement, to be used as skeletal documents to build upon. Seychelles welcomed Australia's documents and the Secretariat's questionnaire as potential starting points. Executive Secretary Hepworth said if needed, the Secretariat could host in Bonn, and meet 50% of the cost of, a follow-up drafting meeting in mid-2008.

**Geographic scope:** In the working group chaired by Richard Bagine, participants pointed out the need to involve not just range states, since the instrument should also apply to the high seas, and many non-range states are involved in fisheries. One participant cautioned against duplication of efforts, remarking that a formula for this has already been developed under other CMS instruments.

In Wednesday's plenary, participants agreed that the instrument should consider a "global wider scope" and borrow the approach from existing CMS instruments.

**Species scope:** The working group discussed whether to focus primarily on the three shark species already listed in the CMS appendices (Whale, White and Basking sharks), or to include other migratory shark species as well. Divergent views were expressed. Some argued that the three appendix species would be a good starting point, since there is already COP consensus about their conservation status and a broader scope would delay progress, while others opined that: these three species are not the

ones targeted by commercial fisheries and RFMO management; there are shark species that have a more unfavorable conservation status than these three species; and an instrument should include all migratory species to prevent them from becoming eligible for the appendices in the first place.

It was noted that Recommendation 8.16 leaves open all options regarding geographic, species and legal scope. One participant pointed out the "Catch-22" situation of some species not being listed because they are data deficient, and not being protected because they are not listed. Participants agreed on the need to create a framework, based on the three appendix species, which includes a provision on adding other species once consensus is reached. This led one participant to note that scientific consensus already exists that three-quarters of migratory species are either threatened or near-threatened. Another drew attention to the CMS Technical Series Report No. 15 (Review of Migratory Chondrichthyan Fishes) that already lists CMS priority actions for several species. Participants lamented the lack of involvement of CMS in RFMO meetings.

The working group also discussed a basic framework of the future instrument, which would take the three currently listed species as a starting point, while including provisions for regional aspects and cooperation with RFMOs, and a mechanism for adding species. Participants debated whether to automatically include CMS-listed species in the instrument, but some argued that the new instrument will also apply to states that are not parties to the Convention, and thus have no obligation regarding CMS-listed species. One participant remarked that only a Meeting of the Parties to the new instrument can decide on further listings. There was consensus on the need to establish the overall objectives of the instrument before engaging in further discussions at the species level.

In Wednesday's plenary, the Netherlands suggested following the recently published IUCN data on species' conservation status, which he said is robust and in line with FAO data. He enquired whether any species will be considered for listing at the next COP. Zeb Hogan, CMS Scientific Councillor for Fish, said around 35 shark species meet the criteria for CMS listing, being both migratory and vulnerable, and said that parties to CMS have until July 2008 to propose these species for listing. He expected the next COP to consider at least some of these species. Norway and New Zealand underlined that the Meeting of the Parties to the new instrument should be in a position to make its own decision regarding species listing.

**Legal scope:** In the working group, participants reiterated that a non-binding instrument would be quicker to take effect, and be more likely to involve a broad membership, while a binding instrument, although stronger, might deter states. Others restated their fear that "yet another non-binding instrument" would effectuate little or no change. Participants explored intermediate options, such as an instrument that becomes binding after a few years, the parallel development of binding and non-binding mechanisms, and an instrument that has both binding and non-binding elements. A participant pointed out that this last strategy is commonly used in existing instruments, as states are allowed to make reservations on specific elements of the instrument. One



participant suggested analyzing elements of IPOA-Sharks that have not worked.

In Wednesday's plenary, participants agreed that no decision should be taken on the legal nature of the instrument before agreement is reached on the overarching objectives and fundamental elements of the instrument. Some participants suggested keeping all options open.

**Mechanism for engagement, and membership and institutional structure:** In the working group chaired by Selby Remie, participants listed priority needs in relation to engagement, mostly with RFMOs. They suggested: gathering information from RFMOs on how they see their role in sharks management, and their recent decisions on by-catch regulation and shark catch limitations; putting the outcomes of this meeting on the agendas of RFMOs; focusing on "acting through RFMOs"; inviting RFMOs as observers at future Meetings of the Parties to the new instrument; and engaging with CITES and the FAO Commission on Fisheries in building bridges with RFMOs.

Regarding the institutional structure, participants agreed on the need for the future instrument to have a secretariat of some sort, as well as a scientific committee. CMS Executive Secretary Hepworth said the CMS Scientific Council could fulfill this last role. Participants elaborated on different mechanisms for funding a secretariat, noting that the process will be delayed if no decision is taken. Participants discussed various options, including funding through range states or through CMS parties, as well as a "zero budget solution," which would require individual countries to make voluntary contributions to implement specific elements of an action plan, or host a secretariat. One participant said he would not favor this option, lamenting that major donors are pushing for budget decreases while the need for action is increasing.

CMS Executive Secretary Hepworth expressed a preference for financing by signatories according to the UN Scale of Assessments in combination with voluntary contributions. He said another option would be to seek funding within CMS itself, noting that this would imply that all 106 parties are obliged to contribute. He proposed, and participants agreed to, an institutional structure akin to that of other CMS instruments, where instruments are implemented through partnerships with experts on the ground. Participants were unable to agree on the exact institutional structure of the instrument.

On Thursday in plenary, Seychelles and South Africa expressed concern with tasking the CMS Scientific Council with the scientific issues relating to the new instrument, stressing capacity constraints and the need to involve specialized technical experts. The Netherlands suggested building synergies between the secretariat of the new instrument and the secretariats of other CMS instruments.

**Priority issues to be addressed by a future instrument:** The working group identified several priorities, including:

- the development of a shared shark database and cooperation with RFMOs in this regard;
- long-term monitoring;
- a reporting structure;
- the development of species action plans;
- capacity building within range states, particularly developing countries;

- communication and cooperation with other stakeholders;
- promotion of non-consumptive use, including ecotourism;
- commitment of states under this instrument, with implementation through RFMOs;
- identification of migratory routes and important habitats, and measures to protect these;
- identification of region- and species-specific information gaps;
- scientific cooperation;
- a focus on the role and involvement of non-CMS range states and fishing states;
- enforcement and compliance, also in relation to issues such as data collection and reporting;
- use of the ecosystem and precautionary approaches;
- restoration of depleted stocks and habitats; and
- a direct link between the instrument and IPOA-Sharks.

One participant said the working group was trying to reinvent the wheel, as all measures mentioned, and more, were elaborated and adopted many years ago in IPOA-Sharks, and suggested that as such, the only priority of this group should be the question how to implement IPOA-Sharks.

**Objectives, scope, structure and broad articles of the instrument:** On Wednesday afternoon, the working group chaired by Herman Oosthuizen, started drafting the possible structure and key elements of a CMS migratory sharks instrument. Without much debate, participants agreed on a preambular paragraph recognizing that under CMS, range states should take action to conserve, protect and manage migratory species, and endeavor to conclude agreements to promote the conservation and management of migratory sharks.

Participants debated proposed language stating that the overall objective of the instrument is "to achieve a favorable conservation status for migratory sharks listed in the appendices of the instrument." Discussion centered on how a "favorable status" would be assessed, but the language was retained, as it is used in CMS and related conservation agreements. The reference to "appendices of the instrument" addressed the concern about focusing on the three species listed, while providing for future listings.

Participants drafted operative paragraphs based on CMS Resolution 8.16 relating to: the need to strengthen measures to protect migratory shark species against threatening processes; the potential to develop subsidiary regional and/or species conservation management instruments; involvement of governments, intergovernmental organizations and local communities; identification of alternatives to the consumptive use of migratory species; and support for developing country participation in the implementation of the instrument. Participants elaborated on these provisions, adding references to: ensuring cooperation with industry, NGOs and RFMOs; broadening the geographic scope to range states, other states with an interest in sharks and RFMOs; and capturing other threatening measures including over-fishing of target species, by-catch, ship strikes, barriers to migration, directed over-fished fisheries, and non-consumptive uses. A contact group was established to develop language on cooperation between the instrument and existing instruments with a mandate to regulate directed species of migratory shark species, and which builds on Resolution 8.16

reference to FAO's Committee on Fisheries, CITES, and other organizations.

In Thursday's plenary, delegates returned to the issues discussed by the working group and earlier sessions, specifically: the meaning of a "favorable conservation status"; the species scope of the instrument; which state actors to focus on; and the involvement of RFMOs and the role of member states in this regard. Participants agreed to include Australia's call to encourage member states to develop action plans.

With regard to the structure and broad scope of articles, Chair Oosthuizen said the group did not address the matter because it was premature to consider these without knowing what the instrument will look like. However, he pointed out that CMS Ambassador Stanley Johnson had submitted elements for a possible structure, which were drawn from the contributions made Wednesday by the working group on mechanism for engagement, and membership and institutional structure. Presenting the proposal, Amb. Johnson said the suggestion for an instrument with a text and two annexes – an Annex 1 on the shark species currently listed on CMS Appendix I and an Annex 2 covering sharks species currently listed on CMS Appendix II – should be viewed as a guide. He also suggested that the instrument include a mechanism that enables parties to amend the instrument or its annexes in order to include species of sharks deserving protection or to amend the status of sharks for which favorable conservation status was achieved.

Seychelles agreed, in principle, with the proposal for an instrument that contains annexes, noting the possibility of an Annex 3 for species under consideration. Australia stated that this requires more discussion. Executive Secretary Hepworth said it would be unprecedented for an MoU to have a list of species that is drawn from the Mother Convention and subsequently expanded, which he speculated may cause unease if the CMS Council is not involved in amending these annexes. Chair Oosthuizen reiterated that it is these challenges that render elaboration of the structure premature, upon which participants concluded discussion.

#### **GENERAL STATEMENT ON THE PURPOSE AND**

**PROCESS OF THE MEETING:** On Wednesday, Chair Payet asked the Secretariat to prepare, as an outcome document of the meeting, a draft general statement on the purpose and process of the meeting. He invited submissions to this draft statement. Input was received from IUCN, Australia, Belgium, Norway and Seychelles.

On Thursday, participants discussed the draft statement (Concluding Statement No. 1) in plenary. Discussion focused on the concluding statements, specifically, the number of critically endangered migratory shark species, FAO's participation in the process, the EU's draft plan of action for sharks, and next steps.

The UK inquired about the inconsistency regarding the number of species that are threatened and critically endangered reflected in the statement and Background Document. IUCN said reference should be made to the CMS Technical Series Paper No. 15.

Following proposals by Argentina, US, UK, Australia and the Netherlands to emphasize the importance of the FAO's participation in the process, plenary agreed to express "regret" that a representative of the FAO was unable to attend the meeting,

and to emphasize that "given the linkages with IPOA-sharks," it is "vital" that FAO representation will be possible at future meetings of the CMS dealing with the development of the mechanism.

With regard to the section on the EC's work on sharks, the US stated that the document was a draft, thus it should be recognized rather than adopted, with some calling for more neutral language. Following EU member interventions emphasizing the opportunity for the meeting to make contributions to its regional action plan, participants agreed to insert text proposed by Belgium on bringing the outcomes of this meeting to the attention of the EC.

Following Argentina's proposal to highlight its national action plan, plenary agreed to also insert language highlighting country efforts to develop national plans of action such as developing country efforts related to the IPOA-Sharks.

With regard to next steps, the plenary agreed to note that "good" rather than "remarkable" progress was made in Seychelles, and that an "interim steering group" would be set up to prepare a first draft of the instrument before the Bonn meeting. Australia, Chile, Costa Rica, Morocco, New Zealand and Seychelles volunteered to be part of this group. EU members agreed to communicate with the EC on the need for a regional representative. In response to participants' inquiries, CMS Executive Secretary Hepworth said this work would be undertaken primarily via e-mail and conference calls.

Participants adopted the statement without further comment.

**Final Statement:** The general statement on the purpose and process of the meeting (Concluding Statement No. 1, as orally revised) states the objective of the meeting as reflected in its title, noting that the meeting is a direct response to CMS Recommendation 8.16 and Resolution 8.5. It describes the process of the meeting, and then reflects six separate concluding statements.

The section on IUCN states that:

- 48% of all migratory and potentially migratory ray and shark species are threatened according to the IUCN Red List criteria, compared with 19% of the non-migratory species assessed to date;
- the primary threat to CMS-listed species is excessive mortality in fisheries, both as a targeted and as a utilized by-catch;
- these threats need to be addressed by an Instrument for International Cooperation on Sharks;
- species not listed on CMS that are in most urgent need of conservation management are exposed to the same threats; and
- the CMS Scientific Council has agreed that threatened species are of unfavorable conservation status under CMS criteria and qualify for consideration for listing on the appendices.

The section on FAO states that:

- the meeting regretted that a representative from FAO was unable to attend the meeting;
- it is recognized that fishing has a major impact on the sustainability of migratory shark species;
- FAO, in its role as a peak body on global fisheries issues, is well-placed to provide input on the impact of fishing on migratory shark species; and

- given the linkages with IPOA-Sharks, it is vital that FAO representation will be possible at future meetings of the CMS dealing with the development of the mechanism.

The section on CITES states that CITES objective – protection of endangered species through regulation of international trade – has strong complementarities and synergies with actions taken to protect migratory shark species listed on the CMS appendices and thus should be recognized as adding value to CMS initiatives.

The section on RFMOs states that the CMS Executive Secretary will inform RFMOs of the process engaged by CMS, inquire how the RFMOs might contribute towards the objectives of the process and invite them to collaborate by providing appropriate management measures, accompanied by measures for control and enforcement. It also states that the RFMOs should be engaged in time for their respective decision-making bodies to respond by the end of 2008.

The section on the EC states that the meeting:

- noted the work of some countries regarding the elaboration and implementation of their national plans of action in relation to IPOA-Sharks;
- noted the publication of the consultation paper for a European action plan on sharks; and
- decided to bring the outcomes of this meeting to the attention of the EC, trusting that they will constitute a valuable contribution to the European plan of action.

The section on next steps states that the meeting:

- noted that good progress had been made, and that a series of elements have been agreed upon for the instrument;
- agreed to set the ambitious target of having a final version of the instrument available by CMS COP9;
- welcomed the offer of the CMS Secretariat to have a second meeting in Bonn, prior to COP9;
- urges parties to make available financial resources for this meeting; and
- agreed that an interim steering group would make a first draft of the instrument before the Bonn meeting, with the Secretariat taking the lead.

Lastly, the statement announces that the full report of the meeting will be made available on the CMS website in early 2008.

#### STATEMENT ON THE OUTCOME OF THE MEETING

**AGREED BY PARTICIPANTS:** On Thursday, participants discussed and agreed on a draft statement on the outcome of the meeting, drafted by the Secretariat.

The main discussion centered on components that shark conservation and management should include, and aspects for further consideration. Fuelled by an underlying assumption that elements for “further consideration” would not be given priority, plenary agreed to add to the main list of shark conservation and management components: targeted fishery quota efforts and other restrictions; restrictions of shark by-catch in non-directed fisheries; and enforcement and compliance measures. Also, in response to recurrent discussion about the importance of “range states” to the process, plenary agreed to a more general reference that would include major fishing countries and those with interests in sharks.

Other agreed amendments concerned: adding references to CMS Articles III (endangered migratory species: Appendix I) and IV (migratory species to be subject to the Agreement: Appendix II) as also underpinning the framework of the instrument; subsuming ecotourism into the non-consumptive uses; adding capacity building, awareness building, and engagement with local communities to the conservation components; referring to the ecosystem approach, in addition to the precautionary approach; asking the CMS Executive Secretary to also include the large shark fishing countries in the follow-up activities; and stating that the draft CMS agreement prepared by the intersessional steering group would be circulated to delegations by the first half of 2008.

**Final Statement:** The statement (Concluding Statement No. 2, as orally revised) contains ten paragraphs, which state that:

- the agreement, developed under CMS Articles III, IV and V (guidelines for agreements), would add value to the current global shark conservation and management efforts; aims to achieve and maintain a favorable conservation status for migratory sharks; and is expected to be finalized at or before CMS COP9 in December 2008;
- deliberations focused on the elements considered to be essential irrespective of the precise form of the instrument, namely geographic scope, species covered, fundamental principles, shark conservation/management components, and cooperation with other bodies;
- participants agreed to a global scope, with an opportunity to incorporate regional or species-specific initiatives as required;
- there was consensus to focus on the three species listed in the CMS appendices, and an enabling mechanism built into the agreement to allow parties to add species to the agreement;
- the three fundamental principles address the need: to address the broad range of measures dealing with shark conservation and management; to use the precautionary and ecosystem approaches in shark conservation; for cooperation and immediate engagement with the fisheries industry, FAO, and RFMOs; and for the CMS instrument to integrate the IPOA-Sharks into the instrument;
- shark conservation and management options should cover issues of developing country capacity building, shark habitats and migration routes, a standardized species-specific global shark database, stock assessments and research, non-consumptive uses, shark finning, cooperation with fisheries industries, species in the two CMS appendices, shark by-catch in non-directed fisheries, enforcement and compliance, targeted fishery quota efforts and other restrictions, and shark aggregation, including their behavior, breeding grounds and ecology;
- further consideration should be given to provisions promoting shark conservation and wise use, reporting structure on compliance measures taken, and reducing pollution, marine debris and ship strikes;
- the new instrument should establish a technical and advisory body that includes CITES, IUCN, FAO and RFMOs, and that CMS Executive Secretary approach RFMOs individually by letter to follow-up the meeting, as well as deliver a message on the meeting’s behalf to FAO and the EC;



- the intersessional steering group should use existing bodies and mechanisms to carry out its work and consider the institutional structure and funding issues relating to the agreement, which outputs need to be agreed at the second meeting and CMS COP9; and that
- the text of a draft CMS agreement incorporating the conclusions reached, and prepared by the CMS Secretariat in consultation with the intersessional steering group, be circulated in the first half of 2008 to all participants and interested organizations for consideration, including at the follow-up meeting to be hosted by the CMS Secretariat in Bonn, Germany, subject to the availability of resources.

### CLOSING PLENARY

John Hilborn, CMS Secretariat, reported that the Credentials Committee had found 21 out of 33 credentials letters fully acceptable. He noted that prior to the next meeting on a future sharks instrument, the Secretariat will draft a guidance document on submitting credentials.

The US pointed out that the UN General Assembly, in progress concurrently with the Seychelles meeting, was expected to give the global community a greater mandate with regard to sharks conservation and management. She said US priorities include capacity building and working with RFMOs. ICCAT reiterated its commitment as an RFMO to working closely together with CMS, acknowledging the potential role of CMS in addressing the conservation of sharks. Costa Rica expressed support for the future instrument. Seychelles expressed satisfaction with the outcomes achieved, and commended participants on the warm and friendly atmosphere during the meeting. He hoped that the momentum built during the meeting will be used fruitfully.

CMS Executive Secretary Hepworth congratulated participants on progress made and reaffirmed the commitment of the CMS Secretariat to the process of developing an instrument on sharks.

Chair Payet stressed the ecological importance of sharks as top predators, highlighting increasing threats to the global ecosystem, including climate change. He expressed hope that the follow-up meeting in 2008 will allow the negotiation of a successful global agreement that engages all actors. He called for serious commitments and stressed the need to consider moving beyond voluntary measures.

Chair Payet closed the meeting at 1:15 pm.

### UPCOMING MEETINGS

#### A CHANGE IN CLIMATE FOR WHALES: IS THERE A COMMON WAY FORWARD? – SECOND PEW-

**SPONSORED WHALE SYMPOSIUM:** This meeting, to be held on 30-31 January 2008, in Tokyo, Japan, follows the first Pew Whale Symposium held in New York in April 2007, and will precede a special meeting of the International Whaling Commission (IWC) on the future of the whale conservation regime at the end of February. For more information, contact: Pew Whale Symposium Secretariat; tel: +34-637-557-357; e-mail: [whales@pewtrusts.org](mailto:whales@pewtrusts.org); internet: <http://www.pewwhales.org/tokyosymposium/>

#### SECOND MEETING OF THE CBD AD HOC OPEN-ENDED WORKING GROUP ON PROTECTED AREAS:

The second meeting of the CBD *Ad Hoc* Open-ended Working Group on Protected Areas will take place from 11-15 February 2008, in Rome, Italy. This meeting will consider future action on the Programme of Work on Protected Areas, including country reports on implementation and recommendations from a series of workshops. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@cbd.int](mailto:secretariat@cbd.int); internet: <http://www.cbd.int/doc/meeting.aspx?mtg=WGPA-02>

#### 4TH MEETING OF THE ASCOBANS JASTARNIA

**GROUP:** The Jastarnia Group, a group of experts from the environment and fisheries sectors of the countries surrounding the Baltic Sea, will meet from 25-27 February 2008 in Kolmården, Sweden, to discuss progress made and further implementation priorities for the Jastarnia Plan – the Recovery Plan for the Baltic Harbour Porpoise. This plan, finalized in 2002, was endorsed in 2003 by the parties to the CMS Agreement on the Conservation of Small Cetaceans in the Baltic and North Seas (ASCOBANS). For more information, contact: ASCOBANS Secretariat; tel: +49-228-815-2416; fax: +49-228-815-2440; e-mail: [ascobans@ascobans.org](mailto:ascobans@ascobans.org); internet: <http://www.ascobans.org>

#### 2ND SIGNATORY MEETING OF THE CMS MOU ON

**WEST AFRICAN MARINE TURTLES:** This meeting is scheduled to take place from 5-7 March 2008, in Dakar, Senegal. For more information, contact: CMS Secretariat; tel: +49-228-815-2401/02; fax: +49-228-815-2449; e-mail: [secretariat@cms.int](mailto:secretariat@cms.int); internet: <http://www.cms.int>

**FOURTH GLOBAL CONFERENCE ON OCEANS, COASTS AND ISLANDS:** This Conference, which is scheduled to be held from 7-11 April 2008, in Hanoi, Vietnam, will review progress achieved (or lack thereof) in advancing ecosystem management and integrated coastal and ocean management by 2010 at national and regional levels, and in areas beyond national jurisdiction, and on the goals of reducing marine biodiversity loss by 2010 and of establishing networks of marine protected areas by 2012. For more information, contact: Dr. Miriam Balgos, University of Delaware; tel: +1-302-831-8086; fax: +1-302-831-3668; e-mail: [mbalgos@udel.edu](mailto:mbalgos@udel.edu); internet: <http://www.globaloceans.org/globalconferences/2008/index.html>

#### 23RD MEETING OF THE CITES ANIMALS

**COMMITTEE:** The CITES Animals Committee will meet from 19-24 April 2008, in Geneva, Switzerland. It will be preceded by the 17th meeting of the CITES Plants Committee from 15-19 April and a joint meeting of the Animals and Plants Committees on 19 April. For more information, contact: CITES Secretariat; tel: +41-22-917-8139/40; fax: +41-22-797-3417; e-mail: [info@cites.org](mailto:info@cites.org); internet: <http://www.cites.org/eng/com/AC/23/index.shtml>

#### BIODIVERSITY RESEARCH – SAFEGUARDING THE

**FUTURE:** This scientific meeting, to be held from 12-16 May 2008, in Bonn, Germany, immediately prior to CBD COP-9, aims to channel results and needs of biodiversity research into the political discussion at the COP. It will consist of three symposia on: acceleration of biodiversity assessment and inventorying; functions and uses of biodiversity; and biodiversity change – the

2010 target and beyond. For more information, contact: Jobst Pfaender; tel: +49-228-9122-277; fax: +49-228-9122-212; e-mail: precop9@uni-bonn.de; internet: <http://www.precop9.org>

**CBD COP-9:** The ninth Conference of the Parties to the Convention on Biological Diversity will be held from 19-30 May 2008, in Bonn, Germany. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: [secretariat@cbd.int](mailto:secretariat@cbd.int); internet: <http://www.cbd.int/doc/meeting.aspx?mtg=COP-09>

## SECOND MEETING TO IDENTIFY AND ELABORATE AN OPTION FOR INTERNATIONAL COOPERATION ON MIGRATORY SHARKS UNDER THE CONVENTION ON MIGRATORY SPECIES:

This meeting, organized by the CMS Secretariat, will take place mid-2008 in Bonn, Germany, at a date to be announced. For more information, contact: CMS Secretariat; tel: +49-228-815-2401/02; fax: +49-228-815-2449; e-mail: [secretariat@cms.int](mailto:secretariat@cms.int); internet: <http://www.cms.int>

## IUCN 4TH WORLD CONSERVATION CONGRESS:

IUCN's 4th World Conservation Congress is scheduled to take place from 5-14 October 2008, in Barcelona, Spain. The first half of the Congress will be the World Conservation Forum, from 6-9 October. For more information, contact: IUCN Secretariat; tel: +41-22-999-0000; fax: +41-22-999-0002; e-mail: [congress@iucn.org](mailto:congress@iucn.org); internet: <http://www.iucn.org/congress/2008/congress.htm>

**AEWA MOP-4:** The fourth Meeting of the Parties to the CMS Agreement on the Conservation of African-Eurasian Waterbirds (AEWA) will meet from 23-27 November 2008, in Antananarivo, Madagascar. For more information, contact: AEWA Secretariat; tel: +49-228-815-2414; fax: +49-228-815-2450; e-mail: [aewa@unep.de](mailto:aewa@unep.de); internet: <http://www.unep-aewa.org>

**CMS COP9:** The ninth Conference of the Parties to CMS is to be held from 1-5 December 2008 in Rome, Italy. For more information, contact: CMS Secretariat; tel: +49-228-815-2401/02; fax: +49-228-815-2449; e-mail: [secretariat@cms.int](mailto:secretariat@cms.int); internet: <http://www.cms.int>

## GLOSSARY

CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on Migratory Species
COP	Conference of the Parties
FAO	United Nations Food and Agriculture Organization
ICCAT	International Commission for the Conservation of Atlantic Tunas
IOTC	Indian Ocean Tuna Commission
IPOA-Sharks	FAO International Plan of Action on the Conservation and Management of Sharks
IUCN	World Conservation Union
MoU	Memorandum of Understanding
RFMO	Regional Fisheries Management Organization
UNCLOS	United Nations Convention on the Law of the Sea
UNFSA	United Nations Fish Stocks Agreement
WSSD	World Summit on Sustainable Development



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