

STATEMENT ON THE OUTCOME OF THE MEETING

1. The second official inter-governmental meeting concerning international co-operation on migratory sharks under the Convention on Migratory Species (CMS) took place on 6-8 December 2008 at FAO, Rome, and was convened by the CMS Secretariat.
2. 51 representatives of shark Range States attended the meeting, together with other relevant bodies including FAO, RFMOs, IUCN Species Survival Commission, NGOs, and advisers such as the Chairman of the CMS Scientific Council (ScC) and the CMS Appointed Councillor for Fish (ScC). Chile was elected as Chair of the meeting, and Philippines as Vice-Chair.
3. Following presentations by IUCN and FAO, and a summary report of progress made at the first meeting in the Seychelles (11-13 December 2007), the meeting considered possible texts for a CMS instrument on sharks under Article IV of the Convention, which had been refined in an inter-sessional group.
4. The main progress made in negotiations was as follows:
 - (i) there was a consensus amongst states present that the shark instrument should be a Memorandum of Understanding, in non-binding form;
 - (ii) two states did support a binding agreement but agreed to work with the other participants towards a non-binding Memorandum of Understanding within the next year;
 - (iii) the MoU should definitely apply to the 3 species of the Basking, Great White and Whale Sharks. Four further species listed on Appendix II of the Convention at CMS COP9 should also be considered for inclusion in the MoU. A final decision on this will be taken at the next negotiating meeting (“SHARKS III”);
 - (iv) new wording was tentatively agreed for the objective of the MoU: *“The objective of this Memorandum of Understanding is to achieve and maintain a favourable conservation status¹ for migratory sharks² and their habitats, based on the best scientific evidence, taking into account the socio-economic and other values of these species for the people of the Signatory states.”*;
 - (v) a contact group prepared revised text for the Fundamental Principles of the MoU. A final decision to confirm, omit or amend this text will be taken at SHARKS III;
 - (vi) a contact group concluded that the text on Conservation and Management Measures should be transferred to act as the framework for the Action Plan, now named “Conservation and Management Plan”(CMP). This is subject to confirmation at SHARKS III;
 - (vii) a series of amendments was also made to other paragraphs of the draft MoU;
 - (viii) the meeting established an open-ended Inter-Sessional Drafting Group under the chairmanship of the USA to prepare a draft CMP by the end of July 2009, in liaison with other bodies such as FAO, IUCN and the CMS Scientific Council;
 - (ix) the meeting accepted an offer by the Philippines to host further meetings of the Inter-Sessional Drafting Group and SHARKS III in 2009;
 - (x) the common objective is to complete an instrument on migratory sharks so that it can be opened for signature before the end of 2009.

¹ As defined in this Memorandum of Understanding (MoU).

² i.e. those sharks covered by the MoU; see paragraph 4) (iii) above.