

8TH MEETING OF THE SPRFMO COMMISSION

Port Vila, Vanuatu, 14 to 18 February 2020

COMM 8 – Prop 20

Secretariat

- Amend
 Create

Memorandum of Understanding between SPRFMO and IATTC

Submitted by: Secretariat

Summary of the proposal:

At the 7th Commission meeting in 2019, the Commission decided to “*prioritise enhancing cooperation with the North Pacific Fisheries Commission (NPFC), the Western and Central Pacific Fisheries Commission (WCPFC) and the Inter-American Tropical Tuna Commission (IATTC)*”. ([SPRFMO COMM7-Report](#) Para 184).

The Secretariat therefore made an initial approach to the IATTC Secretariat (DC60-2019, 30 April 2019) showing the interest of the SPRFMO Commission to engage with IATTC.

The Secretariat drafted an MoU which was circulated (R06-2019, 28 May 2019) to Heads of Delegation, the Chairperson of the Commission and of its subsidiary bodies.

A new draft MoU including the inputs received from Members was then shared with the IATTC Secretariat. Subsequently, the IATTC Secretariat revised the draft with only a few adjustments (the ones still highlighted in tracked changes in COMM8-Prop 20) in October 2019.

The IATTC Secretariat does not need to consult with their members before signing this general memorandum of understanding, which may be adopted pursuant to the article of the Antigua Convention on cooperation.

This MoU addresses relevant cooperation in areas of mutual interest such as: monitoring and control, administration and structure of observer programmes, exchange of scientific data, etc.

Objective of the proposal:

The objective of this MoU is to facilitate, where appropriate, consultation, cooperation and collaboration between SPRFMO and IATTC in order to advance their respective objectives, particularly with respect to matters of common interest.

Has the proposal financial impacts or influence on the Secretariat work?

- Yes
 No

Ref: **COMM8-PROP20**

Received on: 26 December 2019



Memorandum of Understanding between the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Inter-American Tropical Tuna Commission (IATTC)

The South Pacific Regional Fisheries Management Organisation (hereafter SPRFMO) and the Commission for the Inter-American Tropical Tuna Commission (hereafter IATTC):

Acknowledging that the objective of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (hereafter SPRFMO Convention) is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to ensure the long-term conservation and sustainable use of fishery resources and, in so doing, to safeguard the marine ecosystems in which these resources occur;

Acknowledging also that the objective of the Antigua Convention is to ensure the long-term conservation and sustainable use of the fish stocks covered by the Antigua Convention, in accordance with the relevant rules of international law;

Recognising that Article XXIV of the Antigua Convention calls upon the IATTC to cooperate with subregional, regional, and global fishery organizations and arrangements and, as appropriate, to establish relevant institutional arrangements such as consultative committees, in agreement with such organizations or arrangements, with the goal of promoting the achievement of the objective of the Antigua Convention, obtaining the best available scientific information, and avoiding duplication with respect to their work;

Recognising further that Article XXIV of the Antigua Convention also provides that, where the Convention Area overlaps with an area under regulation by another fisheries management organization, the IATTC shall cooperate with such other organization in order to ensure that the objective of the Antigua Convention is reached. To this end, through consultations or other arrangements, the IATTC shall strive to agree with the other organization on the relevant measures to be taken, such as ensuring the harmonization and compatibility of the conservation and management measures adopted by the IATTC and the other organization, or deciding that the IATTC or the other organization, as appropriate, avoid taking measures in respect of species in that area which are regulated by the other;

Recognising also that Article 31 of the SPRFMO Convention requires the SPRFMO Commission, *inter alia*, to cooperate, as appropriate, with other relevant organisations on matters of mutual interest and to seek to make suitable arrangements for consultation, cooperation and collaboration with such other organisations;

Conscious of the fact that there is a geographical area that falls within the purview of both the SPRFMO Convention and the Antigua Convention;



Noting that both the SPRFMO and the Antigua Conventions establish conservation and management principles and approaches addressing non-target, associated or dependent species which belong to the same ecosystem as the target species;

Aware of the relevant developments relating to the international governance of the seas and oceans, their living resources and ecosystems and the related institutional and legal framework;

Desiring to put in place a mechanism to promote and facilitate cooperation between SPRFMO and IATTC;

HAVE AGREED to enter into the following Memorandum of Understanding (MoU):

1. OBJECTIVE OF THIS MEMORANDUM

The objective of this MoU is to facilitate, where appropriate, consultation, cooperation and collaboration between SPRFMO and IATTC ('the Organisations') in order to advance their respective objectives, particularly with respect to matters of common interest.

2. AREAS OF COOPERATION

The Organisations should establish and maintain consultation and cooperation in respect of matters of common interest. In particular the Organisations intend to:

- i. exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the confidentiality rules and information sharing policies of each Organisation;
- ii. exchange data and scientific information in support of the work and objectives of both Organisations, consistent with the confidentiality rules, information sharing policies and internal data security procedures of each Organisation including, but not limited to, information on:
 - a) vessels authorised to fish in accordance with conservation and management measures adopted under the SPRFMO and Antigua Conventions;
 - b) vessels suspected of illegal, unreported and unregulated (IUU) fishing activity and the IUU Vessel Lists established by each Organisation;
 - c) relevant stocks and species consistent with data use, access and confidentiality rules of each Organisation;
 - d) relevant physical and ecological data consistent with data use, access and confidentiality rules of each Organisation;
 - e) identifying scientific cooperation synergies between the SPRFMO multiannual scientific work plan and the IATTC research plans, and where appropriate co-sponsoring existing/new scientific research on mutual interest.
- iii. Cooperate and collaborate in areas of mutual interest and concern, with a view at coordination and harmonisation of their respective approaches in these areas including, but not limited to:
 - a) addressing and ensuring the long-term conservation of marine biodiversity in the areas under their respective conventions, including through addressing the impacts of fishing activities on targeted species and non-target, associated and dependent species (ecologically related species) and their ecosystems;
 - b) promoting and facilitating the implementation of an ecosystem approach to fisheries management in each Organization, as appropriate;
 - c) monitoring, control and surveillance policies and systems, including with respect to Vessel Monitoring Systems;



- d) administration and structure of observer programmes including information management policies;
 - e) compatibility of the conservation and management measures adopted by the two Organisations.
- iv. consider methods of recognising and supporting conservation and management measures adopted under the SPRFMO Convention and the Antigua Convention;
- v. consistent with each Organisation's rules of procedure, grant reciprocal observer status to representatives of the respective Organisations in relevant meetings of each Organisation, including those of each Organisation's subsidiary bodies;
- vi. exchange on expertise gained, lessons learned and use of best practices between the Organisations Secretariats' in their areas of activity.

3. CONSULTATIVE PROCESS

To facilitate effective development, implementation and enhancement of cooperation, the Organisations may establish a consultative process between their respective Secretariats that includes telephone, email and any other means of communication. The consultative process may also proceed in the margins of meetings at which both Organisations' Secretariats are represented by appropriate staff.

4. MODIFICATION

This MoU may be modified at any time by the mutual written consent of both Organisations.

5. LEGAL STATUS

This MoU does not create legally binding rights or obligations. Each Organisation should cover their own costs related to the implementation of this MoU.

This MoU does not alter the obligations of members of either Organisation to comply with the conservation and management measures adopted under their respective Convention.

6. OTHERS

This MoU shall enter into force on the date of the second signature.

Either Organisation may terminate this MoU by giving six months' prior written notice to the other Organisation.

This MoU should remain in force for three (3) years. No later than six months before the end of the three year period, the Organisations will separately review the operation of this MoU to decide whether it should be renewed. In the absence of any notification to the contrary by either Organisation to the other, this MoU shall be renewed automatically for a period of three (3) years.

Either Organisation may discontinue this MoU by giving six months' prior written notice to the other Organisation.

7. AUTHENTIC TEXT

This MoU is signed in duplicate with the English and Spanish versions being equally authentic and valid.

8. SIGNATURES



Signed on behalf of the South Pacific Regional Fisheries Management Organisation and the Inter-American Tropical Tuna Commission:

FOR THE SOUTH PACIFIC REGIONAL FISHERIES
MANAGEMENT ORGANISATION (SPRFMO)

FOR THE INTER-AMERICAN TROPICAL TUNA
COMMISSION (IATTC)

Sebastián Rodríguez Alfaro
Executive Secretary

Guillermo A. Compeán
Director

Place:

Place:

Date:

Date: