

Comm-04-09

Memorandum of Understanding with CCAMLR

At its last meeting (19-30 October 2015), the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) adopted a draft Memorandum of Understanding (MoU) with SPRFMO to be considered by the SPRFMO Commission at its 2016 Meeting.

The MoU intends to facilitate the cooperation between the two Organisations, in particular the exchange of documents, data and scientific information including fishery data, the harmonisation of approaches in areas of mutual interest and concern including biological resources, VMS, research, mutual support of each other's CMMs etc. The MoU also proposes a consultative process between the two Secretariats.

Attached is the relevant communication received from the Executive Secretary from CCAMLR and the draft MoU as adopted by CCAMLR.

Johanne Fischer

From: Andrew Wright <andrew.wright@ccamlr.org>
Sent: Wednesday, 4 November 2015 1:54 p.m.
To: Johanne Fischer
Cc: CCAMLR
Subject: SPRFMO/CCAMLR collaborative arrangement
Attachments: SPRFMO-CCAMLR MoU [Draft Oct 2015].docx

Dear Johanne

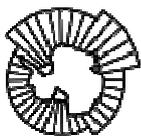
I am writing to convey the Draft MoU between CCAMLR and SPRFMO which was approved by CCAMLR-XXXIV (19-30 October 2015) for forwarding to SPRFMO for the consideration of its members at the next opportunity. The Report of CCAMLR-XXXIV on this matter reads:

Paragraph 10.19 The Secretariat tabled a proposal to establish a MoU with the South Pacific Regional Fisheries Organisation (SPRFMO) presented in CCAMLR-XXXIV/16. Noting that the next opportunity for SPRFMO to consider the draft MoU would be at its next annual meeting in January 2016 in Chile, the Commission endorsed the draft MoU, as amended, and agreed that it be conveyed to SPRFMO for its consideration.

The amendments to the draft MoU appended to CCAMLR-XXXIV/16 referred to in the Report were proposed by Australia and accepted by the Commission (attached).

Please don't hesitate to get back to me if there is anything additional that you think I might be able to provide to assist SPRFMO members in their consideration of this proposal.

All best
Drew



CCAMLR

Andrew Wright
Executive Secretary

Commission for the Conservation of Antarctic Marine Living Resources

andrew.wright@ccamlr.org | www.ccamlr.org

P: +61 (0)3 6210 1100 | M: +61 (0) 400 782869

181 Macquarie St, Hobart, TAS 7000, Australia

Arrangement between the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

The South Pacific Regional Fisheries Management Organisation (hereafter SPRFMO) and the Commission for the Conservation of Antarctic Marine Living Resources (hereafter CCAMLR):

Note 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;

Note further that the objective of the Convention on the Conservation of Antarctic Marine Living Resources (hereafter CAMLR Convention) is the conservation of Antarctic marine living resources;

Recognise that Article 31 of the SPRFMO Convention requires SPRFMO, *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;

Acknowledge that the Preamble to the CAMLR Convention recognises the desirability of establishing suitable machinery for recommending, promoting, deciding upon and coordinating the measures and scientific studies needed to ensure the conservation of Antarctic marine living organisms;

Note that Article II of the CAMLR Convention requires, *inter alia*, that any harvesting and associated activities in the area to which the Convention applies be conducted in accordance with principles of conservation which include preventing decrease in the size of any harvested population to levels below those which ensure its stable recruitment; the maintenance of the ecological relationships between harvested, dependent and related populations of Antarctic marine living resources and the restoration of depleted populations; and the prevention of changes or minimisation of the risk of changes in the marine ecosystem which are not potentially reversible over two or three decades;

Desire to put in place arrangements to promote and facilitate cooperation between SPRFMO and CCAMLR;

Therefore SPRFMO and CCAMLR record the following arrangements:

1. Objective of this Arrangement

The objective of this Arrangement is to facilitate, where appropriate, cooperation between SPRFMO and CCAMLR ('the Organisations') in order to advance their respective objectives, particularly with respect to stocks and species to which are within the competence and/or mutual interest of both organisations.

2. Areas of cooperation

The Organisations will establish and maintain consultation and cooperation in respect of matters of common interest to both organisations. In particular the Organisations will:

- i. exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the 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 information sharing policies 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 Convention and conservation measures adopted under the CAMLR Convention;
 - b) vessels suspected of illegal, unreported and unregulated (IUU) fishing activity and the IUU Vessel Lists established by each Organisation;
 - c) catch, bycatch and vessel information and/or data consistent with data use, access and confidentiality rules of each Organisation;
- iii. cooperate to harmonise approaches in areas of mutual interest and concern, including, but not limited to:
- iv. target species and bycatch of non-target, associated and dependent species (ecologically related species),
- v. monitoring, control and surveillance policies and systems, including with respect to Vessel Monitoring Systems;
- vi. where appropriate, collaborate on analyses and research efforts relating to species of mutual interest;
- vii. consider methods of recognising and supporting conservation and management measures adopted under the SPRFMO Convention and conservation measures adopted under the CAMLR Convention; and
- viii. consistent with each Organisation's rules of procedure, grant permanent reciprocal observer status to representatives of the respective Organisations in relevant meetings of each Organisation.

3. Consultative process

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

4. Modification

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

5. Legal status

This Arrangement does not create legally binding rights or obligations.

This Arrangement does not alter the obligations of members of either Organisation to comply with conservation and management measures adopted under the SPRFMO Convention and conservation measures adopted under the CAMLR Convention.

6. Others

This Arrangement will commence on the date of the second signature.

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

This Arrangement will operate for three (3) years. Before the end of the three year period, the Organisations will separately review the operation of this Arrangement to decide whether it should be renewed.

7. Signatures

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Gordon Neil (Australia)
Chair SPRFMO

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Dmitry Gonchar (Russian Federation)
Chair CCAMLR

Signed at thisday

of 2016

Signed at thisday

of 2016