

8TH MEETING OF THE SPRFMO COMMISSION

Port Vila, Vanuatu, 14 to 18 February 2020

COMM 8 – Prop22_rev1

Secretariat

<input checked="" type="checkbox"/> Amend	Memorandum of Understanding between SPRFMO and NPFC
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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 NPFC Secretariat (DC58-2019, 30 April 2019) showing the interest of the SPRFMO Commission to engage with the NPFC.

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 NPFC Secretariat (COMM8-Prop22). Subsequently, the MoU proposal was considered at the 5th NPFC Commission (July 2019). The NPFC determined ([NPFC-2019-COM05-Final Report](#) Para 46) that “it requires more information about SPRFMO before it can make a decision on whether or not to enter into an MOU. The Commission requested any Member who also participates in SPRFMO to represent NPFC as an observer at SPRFMO meetings and provide a report to the next Commission meeting”.

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 NPFC 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Memorandum of Understanding between the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the North Pacific Fisheries Commission (NPFC)

The South Pacific Regional Fisheries Management Organisation (hereafter SPRFMO) and the North Pacific Fisheries Commission (hereafter NPFC):

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 the objective of the Convention on the North Pacific Fisheries Commission (hereafter NPFC Convention) is to ensure the long-term conservation and sustainable use of the fisheries resources in the Convention Area while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur;

Recognising that Article 21 of the NPFC Convention requires to cooperate, as appropriate, on matters of mutual interest with relevant regional organizations or arrangements, especially with those regional fisheries management organizations or arrangements with responsibility for fisheries in marine areas near or adjacent to the NPFC Convention Area;

Recognising further that Article 21 of the NPFC Convention calls upon the NPFC to take into account the conservation and management measures or recommendations adopted by regional fisheries management organizations and arrangements and other relevant intergovernmental organizations that have competence in relation to areas adjacent to the NPFC Convention;

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 the areas that fall within the purviews of the SPRFMO Convention and NPFC Convention are geographically adjacent to each other;

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

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

Intend 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 NPFC ('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 NPFC Conventions;
 - b) vessels identified as having engaged in 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) identifying scientific cooperation synergies between the SPRFMO multiannual scientific work plan and the NPFC research plans, and where appropriate co-sponsoring existing/new scientific research on mutual interest.
- iii. cooperate to harmonise approaches in areas of mutual interest and concern, including, but not limited to:
 - a) bycatch of non-target, associated and dependent species (ecologically related species);
 - b) monitoring, control and surveillance policies and systems, including with respect to Vessel Monitoring Systems;
 - c) administration and structure of observer programmes including information management policies;
 - d) compatibility of the conservation and management measures adopted by the Organisations.
- iv. consider methods of recognising and supporting conservation and management measures adopted under the SPRFMO Convention and the NPFC Convention;
- v. cooperate to strengthen the compliance review procedures in accordance with each Organisation's Compliance and Monitoring Scheme;
- vi. 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;
- vii. 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 respective Conventions.

6. OTHERS

This MoU should commence on the date of the second signature.

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

This MoU should operate for three (3) years. 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.

7. SIGNATURES

Signed on behalf of the South Pacific Regional Fisheries Management Organisation and the North Pacific Fisheries Commission:

FOR THE SOUTH PACIFIC REGIONAL FISHERIES
MANAGEMENT ORGANISATION (SPRFMO)

FOR THE NORTH PACIFIC FISHERIES
COMMISSION (NPFC)

Sebastián Rodríguez Alfaro
Executive Secretary

Dae-Yeon Moon
Executive Secretary

Place:

Place:

Date:

Date: