



**FOURTH REGULAR SESSION**

Tumon, Guam, USA

3-7 December 2007

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**New Zealand – Proposed revision of Attachment H of WCPFC4-2007/18**

**WCPFC4-2007/DP25**

**5 December 2007**

ARRANGEMENT

Deleted: MEMORANDUM OF  
UNDERSTANDING

between

**THE WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION**

and

**THE SECRETARIAT FOR THE AGREEMENT ON THE CONSERVATION  
OF ALBATROSSES AND PETRELS**

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPFC) and **the Secretariat** for the Agreement on the Conservation of Albatrosses and Petrels (hereafter the ACAP Secretariat);

**ACKNOWLEDGING** that The *Agreement on the Conservation of Albatrosses and Petrels* (hereafter ACAP), developed under the auspices of the *Convention on the Conservation of Migratory Species of Wild Animals*, is a multilateral agreement which seeks to achieve and maintain a favourable conservation status for albatrosses and petrels by coordinating international activity to mitigate known threats to albatross and petrel populations.

**NOTING** that Article X(d) of ACAP authorizes the ACAP Secretariat to liaise with non-Party Range States and regional economic integration organisations and to facilitate coordination between Parties and non-Party Range States, and international and national organisations and institutions whose activities are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels;

**NOTING FURTHER** that Article XI of ACAP empowers the ACAP Secretariat to consult and cooperate, where appropriate, with the secretariats of other relevant conventions and international instruments in respect of matters of common interest and to enter into arrangements, with the approval of the Meeting of Parties, with other organisations and institutions as may be appropriate and to consult and cooperate with such organisations and institutions in exchanging information and data;

**ACKNOWLEDGING** that the objective of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPFC Convention) is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific ocean;

**ACKNOWLEDGING FURTHER** that the WCPFC Convention also makes provisions for the conservation of non-target, associated or dependent species which belong to the same ecosystem as the target species, including albatrosses and petrels;

**CONSCIOUS** that some members of the WCPFC are Parties to ACAP;

**NOTING** that Article 22 of the WCPFC Convention calls upon the WCPFC to make suitable arrangements for consultation, cooperation and collaboration with other relevant organizations;

**RECOGNIZING** that the achievement of the objectives of the WCPFC Convention and ACAP will benefit from cooperation, with a view to harmonising the conservation measures adopted in respect of albatrosses and petrels;

**DESIRING** to put into place arrangements and procedures to promote cooperation in order to enhance the conservation of albatrosses and petrels;

**NOW THEREFORE** the WCPFC and the ACAP Secretariat record the following understandings:

### 1. OBJECTIVE OF THIS ARRANGEMENT

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The objective of this Arrangement is to facilitate cooperation between the WCPFC and the ACAP Secretariat (“the Participants”) with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels listed in Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels within the WCPFC Convention Area.

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### 2. AREAS OF COOPERATION

The Participants may establish and maintain consultation, co-operation and collaboration in respect of matters of common interest, including, but not limited to, the following areas:

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- a) development of systems for collecting and analysing data, and exchanging information concerning the incidental by-catch of seabirds in the WCPFC Convention Area;
- b) exchange of information regarding management approaches relevant to the conservation of albatrosses and petrels;
- c) implementation of education and awareness programmes for fishers who operate in areas where albatrosses and petrels may be encountered;
- d) design, testing and implementation of seabird by-catch mitigation measures relevant to fishing operations in the WCPFC Convention Area;
- e) development of training programmes on conservation techniques and measures to mitigate threats affecting albatrosses and petrels; and
- f) exchange of expertise, techniques and knowledge relevant to the conservation of albatrosses and petrels in the WCPFC Convention Area and
- g) reciprocal participation in relevant meetings.

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### 3. REVIEW, MODIFICATION AND AMENDMENT

This Arrangement may be amended at any time by the mutual written consent of both participants.

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**4. LEGAL STATUS**

The Participants acknowledge that this Arrangement is not legally binding between them.

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**5. ENTRY INTO FORCE AND TERMINATION**

(a) Either Participant may terminate this Arrangement by giving six months prior written notice to the other Participant.

**Deleted:** This Memorandum of Understanding shall enter into force upon the signatures of the Chair of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the Chair Executive Secretary of the Agreement on the Conservation of Albatrosses and Petrels¶

(b) This arrangement will come into effect on signature.

**SIGNATURE**

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**Deleted:** Signed on behalf of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels¶

Signed at .....this .....day of .....2007

\_\_\_\_\_/ /  
Chair  
WCPFC

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Executive Secretary  
ACAP Secretariat