



**SCIENTIFIC COMMITTEE  
NINETEENTH REGULAR SESSION**

Koror, Palau  
16 – 24 August 2023

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**Memorandum of Understanding (MOU) between WCPFC and NPFC**

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**WCPFC-SC19-2023/GN-WP-04**

**Paper by the Secretariat**

**Purpose**

1. The purpose of this paper is to provide the Scientific Committee with a draft Memorandum of Understanding (MOU) on cooperation between WCPFC and the North Pacific Fisheries Commission (NPFC) for its consideration and recommendation to WCPFC20 in Rarotonga.

**Background**

2. Article 22 of the WCPFC Convention calls upon the WCPFC to make suitable arrangements for consultation, cooperation and collaboration with other relevant intergovernmental organizations, especially those with related objectives. To this end, WCPFC has a number of MOUs which provide for cooperation between WCPFC and other RFMOs, including the Inter-American Tropical Tuna Commission (IATTC), Indian Ocean Tuna Commission (IOTC), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and the South Pacific Regional Fisheries Organisation (SPRFMO).

3. The North Pacific Fisheries Commission (NPFC) has a geographical scope which overlaps with that of WCPFC. The NPFC Commission has recognised the potential value of cooperation with neighbouring and overlapping RFMOs, including WCPFC, and collaboration with WCPFC is considered a priority. Although NPFC and WCPFC have different priority stocks, they face a similar need for scientific understanding of the marine ecosystem and activities, such as IUU fishing and transshipment, that might occur in the overlap area.

**Preparation of draft MOU and submission to SC19**

4. Discussions were initiated several years ago between the Secretariats of NPFC and WCPFC on potential collaboration. These were postponed as a result of limited bandwidth in both organisations due to COVID-19 but were reinvigorated this year. The text of the MOU between WCPFC and SPRFMO signed in August 2020 was used as the model for a draft MOU on cooperation between WCPFC and NPFC. This was considered at the NPFC Commission meeting in March 2023, which tasked the NPFC Executive Secretary with coordinating the execution of the MOU with the WCPFC Executive Director.

5. The draft text is attached. The draft suggests that the MOU be signed by the respective Executive Directors of the organisations, whereas WCPFC's practice is to have its MOUs signed by the respective Chairs. The WCPFC Secretariat suggests that the usual WCPFC practice should be followed.

6. The objective of the MOU is to facilitate, where appropriate, consultation, cooperation and collaboration between WCPFC and NPFC in order to advance their respective objectives, particularly with respect to matters of common interest such as exchange of scientific information, monitoring and control, and administration and structure of observer programmes. Data sharing is to be consistent with the respective confidentiality rules of the organisations.

7. Following approval by the WCPFC Commission, the draft text of the MOU will be submitted to NPFC for finalisation and execution.

### **Recommendation**

<p>8. SC19 is invited to recommend to the Commission the conclusion of an MOU between WCPFC and NPFC on the basis of the attached text.</p>
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## Memorandum of Understanding between the North Pacific Fisheries Commission (NPFC) and the Western and Central Pacific Fisheries Commission (WCPFC)

The North Pacific Fisheries Commission (hereafter NPFC) and the Western and Central Pacific Fisheries Commission (hereafter WCPFC):

**Acknowledging** that the objective of the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean 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;

**Acknowledging also** that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPF 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;

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

**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;

**Conscious** of the fact that there is a geographical area overlap within the Convention Areas of both the NPFC and the WCPFC;

**Noting** that provisions of both the NPFC and the WCPF Conventions address the conservation of 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 WCPFC and NPFC;

Therefore, NPFC and WCPFC record the following understandings:

## 1. OBJECTIVE OF THIS MEMORANDUM

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

## 2. AREAS OF COOPERATION

The Organisations will establish and maintain consultation, cooperation and collaboration in respect of matters of common interest to both organisations, including but not limited to, the following areas:

- i. exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the information sharing policies of each organization;
- 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 NPFC and WCPFC Conventions;
  - b) at the specific request of one of the Organisations, transshipment activities of those vessels authorised to conduct transshipment in accordance with conservation and management measures adopted under the NPFC and WCPFC Conventions, on a necessity basis; and,
  - c) vessels identified as having engaged in illegal, unreported and unregulated (IUU) fishing activity and the IUU Vessel Lists established by each Organisation.
- iii. collaborate, where appropriate, on research efforts relating to species and stocks of mutual interest, including non-target, associated and dependent species;
- iv. cooperate where appropriate, on the implementation of conservation and management measures adopted under the NPFC Convention and under the WCPFC Convention;
- v. share best practices in areas of mutual interest, including but not limited to:
  - a) monitoring, control and surveillance policies and systems, including with respect to Vessel Monitoring Systems;
  - b) administration, auditing, training and structure of observer programmes; and
  - c) Compliance Monitoring Schemes, and information management systems.
- vi. exchange on expertise gained, lessons learned and use of best practices between the Organisations' Secretariats in their areas of activity.
- vii. 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;

## 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 with 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 Conventions.

#### 6. OTHER PROVISIONS

This MoU will 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.

#### 7. SIGNATURES

Signed on behalf of the North Pacific Fisheries Commission and the Western and Central Pacific Fisheries Commission:

FOR THE NORTH PACIFIC FISHERIES COMMISSION  
(NPFC)

FOR THE WESTERN AND CENTRAL PACIFIC  
FISHERIES COMMISSION (WCPC)

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Robert Day  
Executive Secretary

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Rhea Moss-Christian  
Executive Director

Place:

Date:

Place:

Date: