



TECHNICAL AND COMPLIANCE COMMITTEE

Sixth Regular Session

30 September - 5 October 2010

Pohnpei, Federated States of Micronesia

COOPERATION WITH OTHER ORGANISATIONS

WCPFC-TCC6-2010/33

2 September 2010

Paper prepared by the Secretariat

Introduction

1. Article 22 of the Convention requires the Commission to collaborate with other relevant Intergovernmental organizations, particularly those which may contribute to the attainment of the objective of the Convention. The UN Food and Agriculture Organization (FAO), the Commission for the Conservation of Antarctic Marine Living Resources (CCALMR), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Inter-American Tropical Tuna Commission (IATTC), the Indian Ocean Tuna Commission (IOTC), the Secretariat of the Pacific Community (SPC) and the Pacific Islands Forum Fisheries Agency (FFA) are identified as organizations, among others, that the Commission may enter into relationship agreements with for the purposes of collaboration, cooperation, consultation and avoiding duplication.

2. A summary of the status of relations with other organizations has been presented at each meeting of the Commission and its subsidiary bodies to date. The reports have included an overview of relations between WCPFC and the following organisations:

- Secretariat of the Pacific Community (SPC);
- Commission for the Conservation for Southern Bluefin Tuna (CCSBT);
- International Scientific Committee for Tunas and Tuna-like Species in the North Pacific Ocean (ISC);
- Inter-American Tropical Tuna Commission (IATTC);
- Pacific Islands Forum Fisheries Agency (FFA);
- UN Food and Agriculture Organisation (FAO);
- Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR);
- Indian Ocean Tuna Commission (IOTC);
- Secretariat of the Pacific Regional Environment Programme (SPREP);
- Commission for the Conservation of Atlantic Tunas (ICCAT); and
- Agreement for the Conservation of Albatross and Petrels (ACAP).

3. On the direction of the Commission, agreements on cooperation, coordination and consultation have been formalized with SPC, FFA, CCSBT, IATTC, IOTC, ISC, SPREP and ACAP. The Agreements with each of these organizations can be found on <http://wcpfc.int/relations-with-other-organisations>.

Existing arrangements

The Secretariat of the Pacific Community (SPC)

4. Based on Article 13 of the Convention, the Secretariat negotiated a Memorandum of Understanding (MoU) with the Secretariat of the Pacific Community relating to collaboration between the two organizations (through the Oceanic Fisheries Programme (OFP) on behalf of SPC) and the provision of data management and scientific services to the Commission. The MoU was finalized and signed following WCPFC2.

5. Consistent with the provisions of paragraph 29 of the Commission's *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*, an agreement for the exchange of data with the SPC was adopted at WCPFC5.

6. On the basis of recommendations from the *Independent Review of Interim Arrangements for Science Structure and Function* adopted at the Fifth Regular Session of the Commission (WCPFC5), 6-10 December 2008, the Secretariat drafted a 3-year umbrella arrangement for the provision of data administration and science services with the SPC-OFP. The draft, approved by the Fifth Regular Session of the Scientific Committee when it met 10-21 August 2009, Port Vila, Vanuatu was approved at the annual Commission meeting at Papeete, French Polynesia in December 2009.

7. Consistent with the WCPFC Convention Article 28, paragraphs 5 and 6 and the MOU between the Pacific Community and the Commission, the issue of the flow of ROP data is ongoing, as noted in the ROP Annual Report.

The Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

8.. A copy of the existing MoU between WCPFC and CCSBT, signed following the endorsement of the Second Regular Session of the Commission, 12-16 December 2005 at Pohnpei, Federated States of Micronesia.

International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC)

9. On the basis of recommendations from the *Independent Review of Interim Arrangements for Science Structure and Function* adopted at the Fifth Regular Session of the Scientific Committee, 6-10 December 2008, the Secretariat prepared a draft revised Memorandum of Understanding (MoU) with ISC. The revised draft, however, was not

accepted by the Northern Committee and the current MOU will be retained without amendment until review at WCPFC7.

The Inter-American Tropical Tuna Commission (IATTC)

10. A MoU was executed by representatives of the IATTC and WCPFC following its endorsement by WCPFC3 at Apia, Samoa in December 2006.

11. The two Secretariats attempt to meet at least once annually to consult on issues and developments of mutual interest. The last such meeting was held on the occasion of the KOBE II discussions in Barcelona, Spain in June 2010 to discuss the joint arrangement for Cross Certification of Observers whereupon a final agreed draft between Secretariats has been concluded to present to Members of both Commissions. This Draft is being presented to the IATTC members in early September and to WCPFC at TCC6. The Draft MOU for Cross Certification of Observers between the WCPFC and IATTC is attached (Attachment A).

12. IATTC80 considered a draft data exchange agreement to support the exchange of data between the two Commissions. The initial draft, prepared by the WCPFC Secretariat, was based on Appendix 4 of the *Rules and Procedures for the Protection of, Access to, and Dissemination of Data Compiled by the Commission*. IATTC80 proposed some refinements to that draft which was presented, approved by WCPFC6 and signed by the two parties at the end of the Commission meeting at Papeete, French Polynesia in December 2009.

13. An ongoing issue to be addressed are the operations by vessels of IATTC in the overlap of Convention Areas around French Polynesia without regard for the WCPFC CMMs. TCC6 is invited to provide direction to the Secretariat based on the reading of Paragraphs 3 and 4 of Article 22 of the WCPFC Convention.

The Pacific Islands Forum Fisheries Agency (FFA)

14. As directed by the Fourth Regular Session of the Commission a MoU between the two secretariats was finalized.

15. There is also a service level agreement (SLA) between the FFA and the Commission for VMS services consistent with paragraph 5 of Article 15 of the Convention. This Agreement has recently been the subject of discussion between the agencies as noted in the VMS Annual Report.

The Agreement for the Conservation of Albatross and Petrels (ACAP)

16. The Fourth Regular Session of the Commission adopted a MoU with ACAP.

The Secretariat of the Pacific Regional Environment Programme (SPREP)

17. The Fourth Regular Session of the Commission adopted a MoU with SPREP.

The Indian Ocean Tuna Commission (IOTC)

18. The Fourth Regular Session of the Commission adopted a MoU with IOTC.

The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

19. WCPFC5 adopted an Arrangement with CCAMLR. The Arrangement was signed by the Chair of CCAMLR on 12th January 2009.

North Pacific Anadromous Fish Commission (NPAFC)

20. WCPFC5 recommended that efforts commence to establish a formal relationship with the North Pacific Anadromous Fish Commission (NPAFC). A draft MoU was developed by the two Secretariats and approved by WCPFC 6 at Papeete, French Polynesia in December 2009, and is currently in the process of final signing (Attachment B).

General

21. All of these memoranda of understanding or arrangements, with the exception being the SLA, will be posted on the WCPFC website so that they will no longer need to be reproduced for each session of the Commission and its subsidiary bodies.

Other potential arrangements

The UN Food and Agriculture Organization (FAO)

22. The Fourth Regular Session of the Commission decided that there is no urgency to develop a MoU with FAO.

The International Convention for the Conservation of Atlantic Tunas (ICCAT)

23. Regular dialogue is maintained with the ICCAT directly and through the tuna-RFMO network. There are no developments to report in respect of formalizing an arrangement for consultation, cooperation and collaboration with ICCAT during 2010.

Tuna Regional Fisheries Management Organisations (t-RFMOs)

24. The Secretariat is actively engaged in an initiative of the Secretariat's of the regional fisheries management organizations with a principle interest in tuna to promote collaboration, information exchange and consultation (www.tuna-org.org). The Secretariat and several of the WCPFC members, cooperating non-members and participating territories were represented at the four meetings of the tuna-RFMOs in 2010 which were held in pairs at Barcelona, Spain in May/June 2010 and Brisbane, Australia

in June/July 2010 respectively. SC6 and TCC6 will be addressing the recommendations from these meetings.

The North Pacific Marine Science Organization (PICES)

25. PICES is an intergovernmental scientific organization that was established in 1992 to promote and coordinate marine research in the northern North Pacific and adjacent seas. Its present members are Canada, Japan, People's Republic of China, Republic of Korea, the Russian Federation, and the United States of America. PICES continues to invite WCPFC to participate in its annual meetings. The Secretariat has responded that funding and staffing constraints prevented participation, but that it looked forward to close cooperation in future years.

Issues arising from SC6, Nuku'alofa, Kingdom of Tonga, 9-19 August 2010

26. The Sixth Regular Session of the Scientific Committee:

- (a) The Members requested a review of the proposed IATTC Agreement for Cross endorsement of Observers at TCC6.
- (b) The Kobe II meeting recommendations and SC6 responses are submitted to TCC6 for consideration and completion of Management and MCS Sections.

Issues for TCC6

27. The Sixth Regular Session of the Technical and Compliance Committee is invited to:

- (a) review, amend as necessary, and endorse the MOU with IATTC on the cross certification of observers between the WCPFC and IATTC to the Commission for final approval (Attachment A);
- (b) note the MOU with NPAFC (Attachment B);
- (c) provide advice to the Commission as to the steps to address the management issues with respect to fishing by parties of WCPFC and IATTC in the overlap area;
- (d) consider the issues from SC6.

**MEMORANDUM OF COOPERATION (MOC) ON THE CROSS-ENDORSEMENT OF WCPFC
AND IATTC APPROVED OBSERVERS WHEN OBSERVING ON THE HIGH SEAS OF THE
CONVENTION AREAS OF BOTH ORGANIZATIONS**

between

**THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY
MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

and

THE INTER-AMERICAN TROPICAL TUNA COMMISSION

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) and the Inter-American Tropical Tuna Commission (IATTC):

UNDERSTANDING the value of undertaking cooperative efforts to facilitate the operation of vessels that fish in both Convention Areas during the same fishing trip;

CONSIDERING the Memorandum of Understanding between WCPFC and IATTC signed in 2006 and the Memorandum of Cooperation signed in 2009;

CONFIRM the following conditions for the cross-endorsement of approved observers to operate on authorized vessels that undertake fishing operations in the convention areas of both organizations:

1. Vessels with observers may fish in the IATTC Convention Area only if they are included on the IATTC Regional Vessel Register, and may fish in the WCPFC Convention Area only if they are included on the WCPFC Record of Fishing Vessels.
2. Cross-endorsement for an observer will be given only when the IATTC and WCPFC Secretariats agree that the observer has met the necessary training requirements for operating on vessels that fish in both Convention Areas.
3. It is understood that the data and information requirements of each Commission will be met by the authorized observers when the vessel in question is in its Convention Area.
4. All data and information collected by observers operating on trips that extend into the Convention Area of the other organization will be provided to both the IATTC and WCPFC Secretariats.
5. Each Secretariat will identify the data and information required for its Commission and will ensure that observers will be able to meet all such requirements with respect to vessels fishing within that Commission's Convention Area.
6. The Secretariats shall cooperate in observer training, with a view towards developing a core group of observers from the observer program of each organization who may be assigned to vessels operating in both Convention Areas to meet the requirements of both IATTC and WCPFC with respect to observers.
7. The provisions of this MOC may also apply to specified areas of either organisation which are not high seas, in accordance with relevant approval procedures of each Commission, and when so advised by the Secretariat of the relevant Commission to the other Secretariat.

8. This MOC is subject to periodic review, and may be modified as agreed by both Commissions. Either Commission may terminate this MOC with three months' notice of such intention to the other Commission.

Signed on behalf of the WCPFC and the IATTC:

..... Chairman, WCPFC Director, IATTC
Date:	Date:

MEMORANDUM OF COOPERATION

Between

THE NORTH PACIFIC ANADROMOUS FISH COMMISSION

and

THE WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION

The North Pacific Anadromous Fish Commission (NPAFC) and the Western and Central Pacific Fisheries Commission (WCPFC);

RECALLING that objective of the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean is to promote the conservation of anadromous stocks in the Convention Area and that the Commission established by this Convention may consider matters related to the conservation of ecologically related species in the Convention Area;

AWARE that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean 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;

NOTING Article IX of the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean which requires the NPAFC to cooperate, as appropriate, with relevant international organizations, *inter alia*, to obtain the best available information, including scientific advice, to further the attainment of the objectives of this Convention;

FURTHER NOTING Article 22 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean which requires the WCPFC to cooperate with other organizations;

DESIRING to put in place an arrangement to implement Article IX of the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean and Article 22 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

record the following understandings:

1. AREAS OF COOPERATION

The WCPFC and the NPAFC will establish and maintain consultation, co-operation and collaboration in respect to matters of common interest to the two organizations, including, but not limited to, the following areas:

- i. exchange of data and information consistent with the information-sharing policies of each Commission;

- ii. collaboration on research efforts relating to stocks and species of mutual interest, including stock assessments; and
- iii. conservation and management measures for stocks and species of mutual interest.

2. MANNER OF COOPERATION

Cooperation between the WCPFC and the NPAFC will include:

- i. reciprocal participation as observers in relevant meetings of each Commission, including those of each Commission's subsidiary bodies;
- ii. information sharing about stocks and species of mutual interest;
- iii. development of process to promote harmonization and compatibility of conservation and management measures as relevant, including measures relating to monitoring, control, surveillance and enforcement; and
- iv. active and regular exchange of relevant meeting reports, information, research data and results, project plans, documents, and publications regarding matters of mutual interest.

3. MODIFICATION

The contents of this Memorandum of Cooperation may be modified by the mutual consent of both Commissions.

4. OTHERS

Either commission may terminate the cooperation under this Memorandum of Cooperation by giving six months notice of such intention to the other commission.

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 North Pacific Anadromous Fish Commission:

Ambassador Satya Nandan
Chairman, WCPFC

Dr. James Balsiger
President, NPAFC

Date: _____

Date: _____