



SEVENTH REGULAR SESSION
6-10 December 2010
Honolulu, Hawaii, USA

RELATIONS WITH OTHER ORGANIZATIONS

WCPFC7-2010/12
21 October 2010

Paper prepared by the Secretariat

Issue:

Relationships with other organisations

1. There are four items to be discussed and decided in this paper. They include:
 - 1 MoU on Cross Endorsement of IATTC and WCPFC Observers
 - 2 The development of a joint management agreement for the overlap area between WCPFC and IATTC
 - 3 SPC Access to WCPFC Non Public Domain VMS data
 - 4 The MoU with NPAFC

Advice and Recommendations:

1 – MOU on Cross Endorsement of IATTC and WCPFC Regional Observers

2. Members of the IATTC and WCPFC are interested in Cross Endorsement of Regional Observers to permit one observer to work both Convention Areas. A draft MOU is under consideration in both Commissions. The EU is leading a small working group to provide a revised MOU. WCPFC7 is invited to consider this revised MOU and direct the Secretariat as to minimum standards acceptable to the Commission.

- 3 It is recommended that WCPFC7 consider that as a minimum:
 - ROP data can be used for prosecutions,
 - the higher existing standards of the ROPs of the two Commissions would form the core certification requirements,
 - certification of observers has to be endorsed by both Commission ROP Coordinators.

2 – Joint Management Agreement for the IATTC and WCPFC Overlap Area

4. This issue was created by the establishment of the WCPFC boundaries over the existing boundaries of IATTC. Vessels of Members of WCPFC and IATTC are operating in the overlap area of the IATTC and WCPFC Convention Areas without complying with the rules of WCPFC. TCC6 has recommended that the Heads of the Secretariats meet to develop a Joint Management Scheme. WCPFC7 is invited to provide guidance to the Executive Director as to minimum criteria for the joint management scheme.
5. It is recommended that WCPFC7 consider that the highest existing standards for reporting and compliance would form the base for the joint management scheme.

3 – SPC Access to WCPFC Non Public Domain VMS data

6. SPC is the Commission's Science Data Provider. Under existing Agreements and the Commission Rules for Access to data, the SPC cannot access non-public domain VMS data to cross check logbooks or positions where tags are retrieved for scientific purposes. One way forward would be to amend an existing MOU with SPC to recognise SPC as the same entity as a CCM for purposes of Access to Non Public Domain Data for Scientific Purposes.
7. WCPFC7 is invited to review and recommend approval of the attached amendment to the MOU (Attachment A) between WCPFC and SPC on data sharing. This amendment is in accordance with the Commission's Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes.

MOU with NPAFC

8. The MOU (attachment B) is waiting final signing by the NPAFC.

Introduction

9. Article 22 of the Convention requires the Commission to collaborate with other Intergovernmental organizations 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 some of the organizations that the Commission may enter into agreements for collaboration, cooperation, consultation and avoiding duplication.

Status of Relations

10. 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).

11. 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>.

North Pacific Anadromous Fish Commission (NPAFC)

12. 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 A).

The Secretariat of the Pacific Community (SPC)

13. 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.

Other Existing arrangements

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

14. 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)

15. 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)

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

17. 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.

The Pacific Islands Forum Fisheries Agency (FFA)

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

19. 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)

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

The Secretariat of the Pacific Regional Environment Programme (SPREP)

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

The Indian Ocean Tuna Commission (IOTC)

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

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

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

General

24. 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)

25. 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)

26. 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)

27. 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)

28. 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.

DATA EXCHANGE AGREEMENT

Between
The Western and Central Pacific Fisheries Commission
And
The Secretariat of the Pacific Community

This data exchange agreement is made between the Western and Central Pacific Fisheries Commission (WCPFC or the Commission) and the Secretariat of the Pacific Community (SPC) pursuant to paragraph 29 of the *Rules and Procedures for the Protection, Access to and Dissemination of Data Compiled by the Commission (RAP)*.

The data to be exchanged are:

- The WCPFC will provide the SPC with aggregated catch and effort data as per paragraph 2, Appendix 4 of the RAP.
- The WCPFC will provide the SPC with non-public domain data on request in accordance with the data security standards established by the Commission.
- The SPC will, at the request of SPC members, provide the WCPFC with aggregated catch and effort data for the fleets of SPC members in accordance with their WCPFC data provision obligations.

For the purposes of this Agreement, the SPC shall be considered as a CCM for the provision of non-public domain data for scientific purposes, and the rules of access and security set by the Commission shall apply for the nominated MCS Entity at SPC.

The data exchanged under this agreement will be used by each organization in accordance with their mandated work programmes and will be maintained in a manner consistent with the data security standards established by the Commission.

This agreement represents a standing arrangement for annual data exchange, with the schedule for exchanges being consistent with the data acquisition arrangements of both organizations.

Signed on behalf of WCPFC Signed on behalf of SPC

Ambassador Satya Nandan
WCPFC Chair

John Hampton
Oceanic Fisheries Programme Manager

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 Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (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 Fish 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 Fish 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

2.1 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.

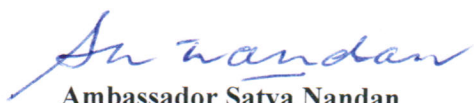
3. MODIFICATION

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

Date: 10/21/2010

Dr. James Balsiger
President, NPAFC

Date:
