

 <p>Agreement on the Conservation of Albatrosses and Petrels</p>	<p style="text-align: center;">Fifth Meeting of the Parties <i>Santa Cruz de Tenerife, Spain, 4 - 8 May 2015</i></p> <p style="text-align: center;">Memoranda of Understanding with Other Organisations</p> <p style="text-align: center;">Secretariat</p>
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SUMMARY

The Meeting of the Parties has previously authorised the Secretariat to enter into non-legally binding arrangements or Memoranda of Understanding (MoU) with other organisations. Three of these MoUs will expire in the period between MoP5 and MoP6. The approval of MoP5 is sought for the Secretariat to renew Memoranda of Understanding with these organisations, using the MoU template previously approved by MoP ([Resolutions 3.7](#) and [4.7](#)). The in-principle approval of MoP5 is also sought to commence negotiations for MoUs with the One Health Institute, School of Veterinary Medicine, University of California, Davis; and with the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC).

RECOMMENDATION

That the Meeting of the Parties authorise the Secretariat to renew MoU with the:

1. Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels in the CCAMLR Convention area;
2. Inter-American Tropical Tuna Commission (IATTC) to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels in the IATTC Convention area; and
3. Latin American Organization for Fisheries Development (OLDEPESCA) to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels in Latin American fisheries; and

That the Meeting of the Parties provides in-principle approval for the Secretariat to commence negotiations for the development of MoU with the:

4. One Health Institute, School of Veterinary Medicine, University of California, Davis; to assist in developing capacity for disease assessment and DNA analysis of bycaught seabirds; and

5. Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC), to facilitate cooperation in the development of complementary bycatch mitigations measures.

1. CURRENT STATUS OF MOU APPROVALS

At MoP3, Parties adopted a template ([Resolution 3.7](#)) to be used by the Secretariat in negotiating future MoU and authorised the Secretariat ([MoP3 Report](#), para. 7.7.6) to commence discussions with a number of organisations with a view to negotiating MoU with them on the basis of the template. At MoP4, Parties authorised the Secretariat to renew a number of MoU whose term had expired. **Annex 1** shows the current status of MoU approved by MoP.

2. PROPOSED ACTIONS IN REGARD TO EXISTING MOU

Three of the MoU that are currently in effect will cease to operate in the intersessional period between MoP5 and MoP6 and approval is sought to renew them. The proposed MoU with ICCAT has not yet become effective and the guidance of MoP5 is sought on what further action should be taken with it. The proposed MoU with the CCSBT is currently being progressed.

2.1. MoU with CCAMLR

The current MoU with CCAMLR encompasses the period 15 March 2013 to 14 March 2016. As this MoU will expire prior to MoP6, the approval of MoP5 is sought for the Executive Secretary to negotiate a renewal of the MoU. The template adopted by MoP3 in Resolution 3.7 would form the basis of the MoU.

2.2. MoU with IATTC

The current MoU with the IATTC encompasses the period 14 July 2011 to 13 July 2017. As this MoU will expire prior to MoP6, the approval of MoP5 is sought for the Executive Secretary to negotiate a renewal of the MoU. The template adopted by MoP3 in Resolution 3.7 would form the basis of the new MoU.

2.3. MoU with OLDEPESCA

The current MoU with OLDEPESCA encompasses the period 4 September 2009 to 3 September 2015. As this MoU will expire prior to MoP6, the approval of MoP5 is sought for the Executive Secretary to negotiate a renewal of the MoU. The template adopted by MoP3 in Resolution 3.7 would form the basis of the new MoU.

2.4. MoU with ICCAT

The proposed MoU with the International Commission for the Conservation of Atlantic Tunas (ICCAT) was submitted for the consideration of the 23rd session of the Commission, held in 2013. The Secretariat, ACAP Parties and non-Parties, and in particular the USA, vigorously supported the adoption of the MoU by ICCAT. However, a number of ICCAT Members did

not support the proposal and it was not approved by the Commission. The guidance of MoP5 is sought on what further action it would like taken in regard to the proposed MoU.

2.5. MoU with CCSBT

The proposed MoU with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) was first submitted for the consideration of its Commission in 2011, but it was not supported at that time. It has been submitted for the consideration/endorsement of the 11th Meeting of the Ecologically Related Species Working Group, which will be held from 3-6 March 2015. Subject to the outcomes from this meeting, it will then be forwarded for the consideration of the 22nd Annual Meeting of the CCSBT Commission, to be held from 12 – 15 October, 2015.

3. PROPOSALS FOR DEVELOPMENT OF NEW MOU

The in-principal approval of the Meeting of the Parties is sought for the Secretariat to commence negotiations for Memoranda of Understanding with the One Health Institute, School of Veterinary Medicine, University of California, Davis and with the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC).

3.1. Proposed MoU with One Health Institute

At the second meeting of the Population and Conservation Status Working Group (PaCSWG2) a recommendation was made to the Advisory Committee to consider endorsing the development of a MoU with the One Health Institute, of the University of California, Davis to facilitate the sharing of knowledge on health issues affecting ACAP species, as well as to assist with the analysis of DNA for disease assessment and to determine the provenance of bycatch seabirds. This recommendation was subsequently endorsed by AC8. The One Health Institute is active globally, with a stated aim of working at the interface of animals, people and the environment to solve complex problems that impact health and conservation.

Draft text for the proposed MoU has not been developed. If in-principle agreement is given for the development of a MoU, draft text will be developed by the Secretariat in consultation with the One Health Institute and forwarded to ACAP Parties for their consideration and approval.

3.1. Proposed MoU with the IAC

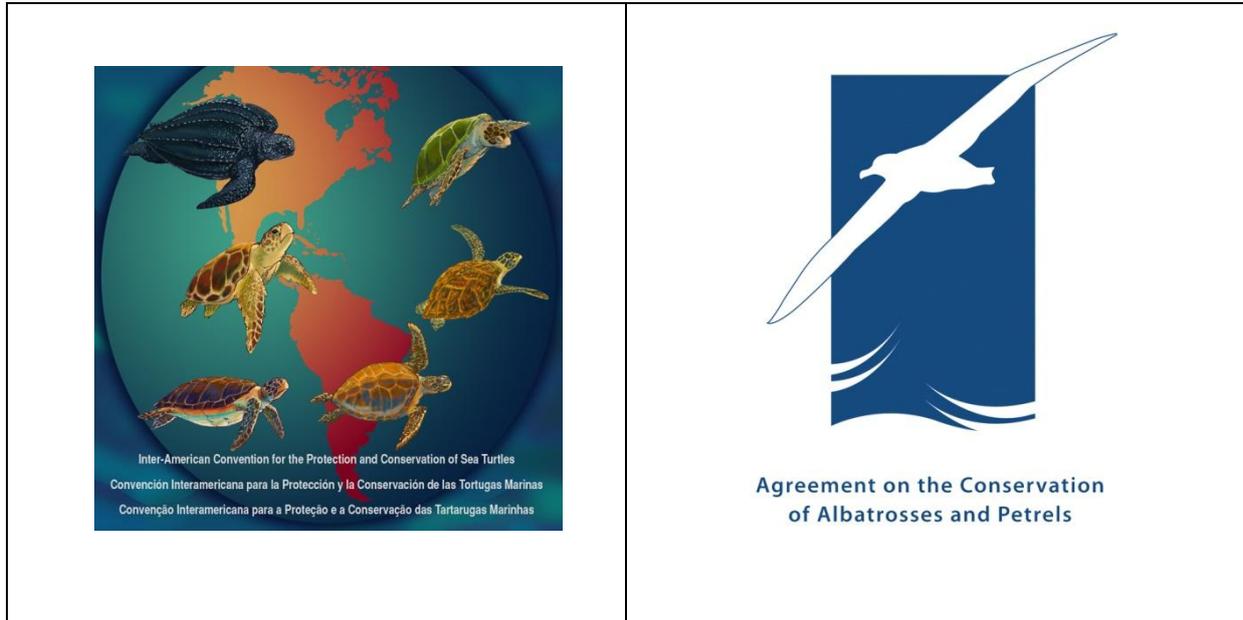
The in-principle agreement of MoP is also sought for the Secretariat to commence negotiations with the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC). The purpose of the MoU would be facilitate the exchange of information and cooperation between the IAC and the ACAP Secretariat with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels and sea turtles and in particular, to ensure that when developing solutions to reduce bycatch of one species, that this does not adversely affect other the bycatch of other species (refer [Seabird Bycatch Working Group Terms of Reference](#), ToR 2).

The text of a draft MoU with IAC is appended in **Annex 2** for the consideration of MoP5.

ANNEX 1. CURRENT STATUS OF MOUs

Name of Institution	Authority for MoU	Commenced	End Date	Comments
Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)	MoP4	15 March 2013	14 March 2016	It is recommended that MoP5 authorise a new MoU for a further three years to 14 March 2019.
Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	MoP3			Not entered into. Proposal submitted to CCSBT in 2011 but MoU not supported. Resubmitted for consideration at ERSWG11 in March 2015.
Indian Ocean Tuna Commission (IOTC)	MoP3	3 April 2009	2 April 2014	MoP4 authorised a new MoU for six years, ending 2 April 2020. To be submitted for consideration at the IOTC Commission meeting in April 2015.
Inter-American Tropical Tuna Commission (IATTC)	MoP3	14 July 2011	13 July 2017	Proposal for extension to be considered at MoP5.
International Commission for the Conservation of Atlantic Tunas (ICCAT)	MoP3			Not entered into. Proposal submitted to 2013 Commission meeting but not supported.
Latin American Organization for Fisheries Development (OLDEPESCA)	MoP3	4 September 2009	3 September 2015	Proposal for extension to be considered at MoP5.
South-East Atlantic Fisheries Organisation (SEAFO)	MoP3	-	-	Not entered into due to limited engagement with SEAFO to date.
South Pacific Regional Fisheries Management Organisation (SPRFMO)	MoP – Intersessional	28 October 2014	none	Ongoing
Department of Economic Development, Tourism and Arts (DEDTA)	MoP2 – Resolution 2.1	1 February 2013	31 January 2023	No action required at this stage.
Western and Central Pacific Fisheries Commission (WCPFC)	MoP – Intersessional	7 December 2007	none	Ongoing

ANNEX 2.



MEMORANDUM OF UNDERSTANDING

between

**THE SECRETARIAT *PRO TEMPORE* OF THE INTER-AMERICAN CONVENTION
FOR THE PROTECTION AND CONSERVATION OF SEA TURTLES**

and

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

The Secretariat *Pro Tempore* of the Inter-American Convention for the Protection and Conservation of Sea Turtles (hereafter IAC) 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 authorises 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 authorises 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 IAC is to promote the protection, conservation and recovery of sea turtle populations and the habitats on which they depend, based on the best available scientific evidence, taking into account the environmental, socio-economic and cultural characteristics of the Parties;

NOTING that Article XII of the IAC states that the IAC Parties shall promote bilateral and multilateral cooperative activities to further the objective of this Convention and, when they deem it appropriate, shall seek the support of relevant international organizations;

AWARE that sea turtles face threats such as incidental bycatch in fisheries similar to those of albatross and petrels;

CONSCIOUS that some members of IAC are Parties to ACAP;

RECOGNISING that the achievement of the objectives of IAC and ACAP will benefit from cooperation, with a view to strengthening the conservation measures adopted in respect of species of interest for both Organisations;

DESIRING to put into place arrangements and procedures to promote cooperation in order to enhance the conservation of the **species of interest for both Organisations**;

JOINTLY DECIDE as follows:

1. OBJECTIVE OF THIS MEMORANDUM

The objective of this Memorandum of Understanding ('MoU') is to facilitate cooperation between the IAC Secretariat **Pro Tempore** and the ACAP Secretariat ("the Participants") with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels and sea turtles.

2. AREAS OF COOPERATION

The IAC and the ACAP Secretariat may consult, cooperate and collaborate with each other on areas of common interest that are directly or indirectly relevant to the conservation, including the protection and management of albatrosses and petrels and sea turtles. In particular the exchange of scientific knowledge regarding techniques to mitigate interactions of albatross and petrel, and sea turtle populations with fishing operations and in particular to reduce the incidental mortality resulting from such interactions.

3. REVIEW AND AMENDMENT

This MoU may be reviewed or amended at any time by the mutual written consent of both Participants.

4. LEGAL STATUS

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

5. EFFECTIVE DATE AND TERMINATION

(a) This MoU will remain in effect for 6 years. At that stage the Participants will review the operation of the MoU and decide whether it will be renewed or amended.

(b) Either Participant may terminate this MoU by giving six months written notice to the other Participant.

(c) This MoU will come into effect on signature.

SIGNATURE

Signed atthisday of 2015

Secretary *Pro Tempore*
IAC Secretariat *Pro Tempore*

Executive Secretary
ACAP Secretariat