
AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 6.7

Authority of the Secretariat to Enter into Arrangements with Relevant International Organisations

Adopted by the Sixth Session of the Meeting of the Parties, Skukuza, South Africa,
7 -11 May 2018

Recalling that Article X (d) of the Agreement calls upon the Secretariat to, *inter alia*, liaise with international organisations and institutions whose activities are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels;

Aware that Article XI (1) of the Agreement calls upon Parties to, *inter alia*, promote the objectives of this Agreement and develop and maintain coordinated and complementary working relationships with all relevant international, regional and sub-regional bodies, including those concerned with the conservation and management of seabirds and their habitats and other marine living resources;

Further recalling that Articles XI (3) authorise the Secretariat enter into arrangements, with the approval of the Meeting of Parties, with other organisations and institutions as may be appropriate;

Further recalling Resolution 3.7 of the Third Session of the Meeting of the Parties on the Authority of the Secretariat to Enter into Arrangements with Relevant International Organisations, which includes a template and modalities for such arrangements;

Further recalling that Resolution 3.7 states that any substantive derogation from the template that is more than merely editorial must be approved by the Parties; and

Further recalling that Resolution 3.7 states that any proposed amendments of a substantive nature must be approved by the Parties.

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides that:

1. The Secretariat may renew or negotiate the Memoranda of Understanding between ACAP and the following bodies and organisations:

- a) the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels;
- b) the Indian Ocean Tuna Commission (IOTC), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels; and
- c) the Southern Indian Ocean Fisheries Agreement (SIOFA), following the approval already granted by Parties in [Resolution 5.7](#), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels.

2. The template set out in Resolution 3.7 will be used in respect of the arrangements referred to in paragraph 1(a) and 1 (b) above; and that

3. The Secretariat may commence negotiations for the development of Memorandum of Understanding with the South-East Atlantic Fisheries Organisation (SEAFO) following the same template approved in Resolution 3.7 (APPENDIX A).

RESOLUTION 6.7 APPENDIX A

Text proposed for the MoU between SEAFO and ACAP Secretariat

MEMORANDUM OF UNDERSTANDING

between

THE SOUTH EAST ATLANTIC FISHERIES ORGANISATION

and

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

The South East Atlantic Fisheries Organisation (hereafter SEAFO) and the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (hereafter 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 the Convention on the Conservation and Management of Fisheries Resources in the South East Atlantic Ocean is to ensure the long term conservation and sustainable use of the fishery resources in the Convention Area;

ACKNOWLEDGING FURTHER that Article 3(c) of the SEAFO Convention requires the contracting parties to apply the provisions of this Convention relating to fishery resources, taking due account of the impact of fishing operations on ecologically related species such as seabirds, cetaceans, seals and marine turtles; Conservation Measure 25/12: On Reducing Incidental By-catch of Seabirds in the SEAFO Convention Area was adopted in December 2012.

CONSCIOUS that some members of SEAFO are Parties to ACAP;

NOTING that Article 18 of the SEAFO Convention requires SEAFO to cooperate, as appropriate, with other relevant organisations on matters of mutual interest and shall seek to make suitable arrangements for consultation, cooperation and collaboration with such other organisations;

RECOGNISING that the achievement of the objectives of SEAFO and ACAP will benefit from cooperation, with a view to strengthening 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;

JOINTLY DECIDE as follows:

1. OBJECTIVE OF THIS MEMORANDUM

The objective of this Memorandum of Understanding ('MoU') is to facilitate cooperation between SEAFO 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 ACAP within SEAFO Convention Area.

2. AREAS OF COOPERATION

SEAFO 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, including:

- a) development of systems for collecting and analysing data, and exchanging information concerning the bycatch of albatrosses and petrels in SEAFO 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 albatross and petrel bycatch mitigation measures relevant to fishing operations in SEAFO 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 SEAFO Convention Area and
- g) reciprocal participation with observer status at the relevant meetings of ACAP and SEAFO.

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. COMING INTO EFFECT 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 2018

Chair
SEAFO

Executive Secretary
ACAP Secretariat