

Revised 3.29.05

Draft
Memorandum of Understanding Between
The Commission for the Conservation and Management of Highly Migratory
Fish Stocks in the Western and Central Pacific Ocean

and

The Interim Scientific Committee for Tuna and Tuna-like Species
in the North Pacific Ocean

Recognizing that, inter alia, the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereinafter referred to as “the WCPF Commission”):

- Adopts measures to ensure long-term sustainability of highly migratory fish stocks in the Convention Area and promote the objective of their optimum utilization;
- Ensures that such measures are based on the best scientific evidence available and are designed to maintain or restore stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors, including the special requirements of developing States in the Convention Area, particularly small island developing States, and taking into account fishing patterns, the interdependence of stocks and any generally recommended international minimum standards, whether subregional, regional, or global;
- Assesses the impacts of fishing, other human activities and environmental factors on target stocks, non-target species, and species belonging to the same ecosystem or dependent upon or associated with the target stocks;
- Collects and shares, in a timely manner, complete and accurate data concerning fishing activities on, inter alia, vessel position, catch of target and non-target species and fishing effort, as well as information from national and international research programs;
- Shall establish a committee, which shall be called the Northern Committee, to make recommendations on the implementation of such conservation and management measures as may be adopted by the Commission for the area north of the 20 parallel of north latitude and on the formulation of such measures in respect of stocks which occur mostly in this area;
- May enter into administrative and financial arrangements to utilize scientific services for the purpose of providing information and advice on the fishery resources covered by its Convention and related matters that may be relevant to the conservation and management

of those resources and, in order to carry out its functions in a cost-effective manner, shall, to the greatest extent possible, utilize the services of existing regional organizations and shall consult, as appropriate, with any other fisheries management, technical or scientific organization with expertise in matters related to the work of the Commission; and

- Adopted the FINAL REPORT OF THE PREPARATORY CONFERENCE FOR THE ESTABLISHMENT OF THE COMMISSION FOR THE CONSERVATION OF HIGHLY MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN ON ALL MATTERS WITHIN MANDATE PURSUANT TO PARAGRAPH 9 OF RESOLUTION I in which the need to develop a Memorandum of Understanding to clarify the relationship between the ISC and the Commission was addressed.

Recognizing that the Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific (hereinafter referred to as “the ISC”):

- Was established to enhance scientific research and cooperation for conservation and rational utilization of the species of tuna and tuna-like fishes which inhabit the North Pacific Ocean during a part or all of their life cycle;
- Was established to create the scientific groundwork, if at some point in the future, it is decided to create a multilateral regime for the conservation and rational utilization of these species in this region;
- Is establishing a central database to support the scientific research of the Committee and continues to consider establishing a permanent Secretariat;
- Concluded at its 2004 annual meeting that providing scientific advice from a ^{North} ~~part~~-Pacific perspective on resources within its sphere of competence is an appropriate role for the Committee given the existence of the Inter-American Tropical Tuna Commission in the Eastern Pacific Ocean and the WCPF Commission in the Western and Central Pacific Ocean.

The WCPF Commission and the ISC, the Parties to this Memorandum of Understanding (“MOU”), have therefore reached the following understanding.

Part I: Provision of scientific advice

- The WCPFC Northern Committee may adopt a request to the ISC for scientific information and advice regarding fish stocks (generally those stocks occurring mostly north of the 20° parallel of north latitude; see Annex 1) for response prior to the next meeting of the Northern Committee. This formal request will be transmitted expeditiously to the ISC. The WCPF Commission will, if requested, provide data necessary for the scientific analysis to be conducted by the ISC.

- The ISC will provide its normal reports prepared under rule C4 of the Rules and Procedures for the Conduct of the ISC Committee and Subsidiary Bodies directly to the WCPFC Northern Committee, the WCPF Commission and the WCPFC Scientific Committee.
- The ISC will, in addition to the normal reports, provide requested scientific information and advice in accordance with this MOU one (1) month before the annual meetings of the WCPFC Northern Committee. ISC will also provide the requested scientific information and advice to the WCPF Commission and the WCPFC Scientific Committee. This scientific information and advice will follow the standard presented in Annex 2 for standard (recurring) requests or as mutually agreed upon for special requests.
- The ISC will provide its Working Group reports, prepared under rules W5 and W6 of the Rules and Procedures for the Conduct of the ISC Committee and Subsidiary Bodies, including relevant background reports, directly to the WCPFC Northern Committee, the WCPF Commission, and the WCPFC Scientific Committee.
- Scientific information and advice may be presented at the annual meeting of the WCPFC Northern Committee and Commission by the chair of the ISC, or a designate, and advisors from the ISC Working Groups, as appropriate.

Part II: Framework for Mutual cooperation

Parties to this MOU will:

- Encourage reciprocal consultations and regular contacts on matters of common interest regarding scientific research on highly migratory tuna and tuna-like fish resources;
- Regularly exchange relevant meeting reports, information, project plans, documents, and publications regarding matters of mutual interest;
- Routinely exchange fishery data, in accordance with the rules and procedures for data confidentiality adopted by each organization, to minimize duplicative data collection efforts and enhance fishery monitoring and stock assessment; and
- Strive to develop compatible data codes and data standards to facilitate data exchange, to the extent practicable.

The WCPF Commission, including the WCPFC Northern Committee and Scientific Committee, will be invited to observe the plenary meetings of the ISC and its Working Groups. The ISC will be invited to observe the annual meetings of the WCPF Commission and meetings of the WCPFC Northern Committee and Scientific Committee, as well as other subsidiary bodies, as appropriate.

Part III: Finance

- ISC agrees to provide its normal reports and the reports of its Working Groups, as well as standard (recurring) scientific information and advice, without cost to the WCPF Commission.
- WCPF Commission agrees to pay, as mutually agreed, costs for special scientific advice, particularly those requests requiring the fielding of special data collection or research programs.

Part IV: General Administrative Arrangements

- This MOU becomes effective upon the date of signature of the responsible representatives in both the WCPF Commission and ISC.
- This MOU may be modified by written agreement of both WCPF Commission and ISC and signed by the responsible representative in each organization. The modified MOU becomes effective upon the date of signature of both the responsible representatives of the WCPF Commission and ISC.
- If any dispute should arise between the WCPF Commission and ISC on the operation of this MOU, both will make every effort to resolve the dispute themselves, or if necessary, by utilizing a mutually agreeable arbiter.
- Either WCPF Commission or ISC may terminate this MOU by providing 30 days written notice to the other of its intention to withdraw from this MOU. Upon termination of the MOU, any funds provided for special scientific advice shall be refunded to the WCPF Commission (see Part III above).
- A full review of the terms and operation of the MOU and its Annexes will be conducted as soon as practicable after the first full 12 months of operation following its signature by the WCPF Commission and the ISC and subsequently every three years.

Part V: Signature

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 Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean:

Signed: _____

Executive Director
Commission for the Conservation and
Management of Highly Migratory Fish
Stocks in the Western and Central Pacific

Signed: _____

Chair
Interim Scientific Committee for
Tuna and Tuna-like Species
in the North Pacific

Annex 1

Provisional list of species stocks in the North Pacific for which WCPFC may request standard (recurring) advice from the ISC

- Albacore
- Pacific bluefin tuna
- Swordfish

• By-catch species ~~will~~ *include*

Other species may be added to the list with the mutual concurrence of the Parties to this MOU.

Annex 2

Standard (recurring) advice required from ISC by WCPFC