



Agreement on the Conservation of Albatrosses and Petrels

Third Meeting of Advisory Committee

Valdivia, Chile, 19 – 22 June 2007

Proposed Memorandum of Understanding with WCPFC

Author: **Secretariat**

MEMORANDUM OF UNDERSTANDING

between

THE WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION
and

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

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPFC) and the Agreement on the Conservation of Albatrosses and Petrels (hereafter the ACAP);

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 authorizes 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 empowers 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 for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPF Convention) 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;

ACKNOWLEDGING FURTHER that the WCPFC Convention also makes provisions for the conservation of non-target, associated or dependent species which belong to the same ecosystem as the target species, including albatrosses and petrels;

CONSCIOUS that some members of the WCPFC are Parties to ACAP;

NOTING that Article 22 of the WCPFC Convention calls upon the WCPFC to make suitable arrangements for consultation, cooperation and collaboration with other relevant organizations;

RECOGNIZING that the achievement of the objectives of the WCPFC Convention and ACAP will benefit from cooperation, with a view to harmonising 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;

NOW THEREFORE the WCPFC and ACAP record the following understandings:

1. OBJECTIVE OF THIS AGREEMENT

The objective of this Memorandum of Understanding is to facilitate cooperation between the WCPFC and ACAP with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels listed in Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels within the WCPFC Convention Area.

2. AREAS OF COOPERATION

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

- a) development of systems for collecting and analysing data, and exchanging information concerning the incidental by-catch of seabirds in the WCPFC 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 seabird by-catch mitigation measures relevant to fishing operations in the WCPFC 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 the WCPFC Convention Area and
- g) reciprocal participation in relevant meetings of each organisation.

3. REVIEW, MODIFICATION AND AMENDMENT

This Memorandum of Understanding is subject to modification and amendment by the mutual consent of both organisations.

3. LEGAL STATUS

The parties acknowledge that this Memorandum of Understanding is not legally binding between them.

4. ENTRY INTO FORCE AND TERMINATION

This Memorandum of Understanding shall enter into force upon the signatures of the Chair of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the Chair of the Agreement on the Conservation of Albatrosses and Petrels

Either organisation may terminate this Memorandum of Understanding by giving six months notice of intention to terminate to the other organisation.

ARTICLE 5: 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 Agreement on the Conservation of Albatrosses and Petrels

_____/ /
Chair
WCPFC

_____/ /
Chair
ACAP