



CCSBT-EC/1510/19

Activities with Other Organisations

Purpose

To agree on the CCSBT observers to attend meetings of other RFMOs during 2016, and to consider arrangements with ACAP¹ and CCAMLR².

(1) CCSBT Observers at non-CCSBT meetings

CCSBT Members act as the CCSBT observer at RFMO meetings of interest (e.g. tuna RFMOs and CCAMLR), and the observing Member provides a report back to the CCSBT on matters of relevance in order to improve coordination with other RFMO's. The following Members were nominated at CCSBT 21 to observe the next series of RFMO's annual meetings:

- Korea to observe meetings of WCPFC³;
- Australia to observe meetings of CCAMLR;
- Indonesia to observe meetings of IOTC⁴;
- Japan to observe meetings of ICCAT⁵; and
- Taiwan to observe meetings of IATTC⁶.

These CCSBT observers may have matters of relevance to report back to the CCSBT.

The EC should confirm which Members will act as CCSBT observers to the next series of RFMO annual meetings.

It should be noted that CCAMLR has already invited the CCSBT to participate as an observer at its Thirty-fourth annual meetings of the Commission and Scientific Committee, from 19 to 30 October 2015. After CCSBT 22, the Secretariat will advise CCAMLR of the CCSBT observer that will attend CCAMLR.

(2) Consideration of arrangements with ACAP and CCAMLR

The 2015 meeting of the ERSWG⁷ strongly supported a proposed Memorandum of Understanding (MoU) with ACAP. Also, the CCSBT's arrangement with CCAMLR is scheduled to be reviewed during 2015 to determine whether it should be renewed.

¹ Agreement on the Conservation of Albatrosses and Petrels.

² Commission for the Conservation of Antarctic Marine Living Resources.

³ Western and Central Pacific Fisheries Commission.

⁴ Indian Ocean Tuna Commission.

⁵ International Commission for the Conservation of Atlantic Tunas.

⁶ Inter-American Tropical Tuna Commission.

⁷ Ecologically Related Species Working Group.

Cooperation between two organisations does not necessarily require a formal arrangement. However, the existence of a formal arrangement is a useful demonstration of the commitment of both organisations to collaborate in areas of common interest for mutual benefit.

(a) MoU between the CCSBT and ACAP

A proposal for an MoU between the CCSBT and ACAP was discussed at CCSBT 17 (2010). The EC concluded that:

“Although some Members considered an Arrangement would be beneficial to allow sharing of information and expertise, no consensus was reached on entering into an arrangement with ACAP. However the meeting noted that an Arrangement might be possible once progress on ERS matters starts to be made within the next ERSWG.”

The ERSWG has made considerable progress since that time, particularly in relation to seabirds. In addition, ACAP has been a regular participant to CCSBT ERSWG meetings and has been an important contributor to these meetings.

At the ERSWG’s March 2015 meeting, ACAP presented a paper which proposed an MoU between the CCSBT and ACAP Secretariats. The ERSWG commented on the considerable benefits already obtained through close collaboration with ACAP and the high importance of ACAP’s contributions to the ERSWG. The ERSWG therefore endorsed and strongly supported the proposed MoU.

The proposed MoU between the CCSBT and ACAP Secretariats is provided at **Attachment A** for consideration by the EC.

(b) Renewal of the Arrangement between CCSBT and CCAMLR

At CCSBT 19 (2012), the CCSBT agreed to the details of an Arrangement between the CCSBT and CCAMLR. The Arrangement was subsequently executed on 7 November 2012, and it is due for review and a decision by both Commissions in 2015 on whether the Arrangement will be renewed.

Areas of collaboration between the CCSBT and CCAMLR under the current Arrangement have included:

- a CCSBT report to CCAMLR covering the global stock assessment of southern bluefin tuna and the latest southern bluefin tuna catch data classified by ocean, gear and catching country;
- a CCAMLR report to CCSBT detailing catches (by flag and gear) of southern bluefin tuna from vessels fishing within the CAMLR Convention Area;
- communications with CCSBT regarding IUU fishing in the CCAMLR Convention Area;
- technical discussions between Secretariat staff on data management systems;
- assistance with the CCAMLR CDS Review;
- exchanges of relevant information between the Secretariats on a broad range of secretariat-administrative matters; and
- exchanges of information on monitoring, control and surveillance-related systems and processes.

An amended draft of the Arrangement with CCAMLR is provided at **Attachment B** for consideration by the EC. The amendments to the two footnotes simply reflect the current situation in the CCSBT. The only other change in the Arrangement is addition of an area of cooperation which is useful for the Secretariats and which is already starting to occur.

MEMORANDUM OF UNDERSTANDING
between
THE SECRETARIAT OF THE COMMISSION FOR THE CONSERVATION OF
SOUTHERN BLUEFIN TUNA
and
THE SECRETARIAT FOR THE AGREEMENT ON THE CONSERVATION
OF ALBATROSSES AND PETRELS

The Secretariat of the Commission for the Conservation of Southern Bluefin Tuna (hereafter the CCSBT Secretariat) 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 Commission for the Conservation of Southern Bluefin Tuna (hereafter CCSBT) is to ensure, through appropriate management, the conservation and optimum utilisation of southern bluefin tuna;

ACKNOWLEDGING FURTHER that that the Preamble to the 2008 CCSBT Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna identifies that CCSBT is determined to mitigate incidental harm to ecologically related species caused by fishing for southern bluefin tuna;

CONSCIOUS that some members of CCSBT are Parties to ACAP;

NOTING that Article 12 of the Convention for the Conservation of Southern Bluefin Tuna requires CCSBT to collaborate with other inter-governmental organisations which have related objectives to, among other things, obtain the best available information including scientific information to further the attainment of the objective of the Convention and seek to avoid duplication with respect to the work of the other organisations;

RECOGNISING that the achievement of the goals of CCSBT 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 the CCSBT Secretariat 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 caused by fishing for southern bluefin tuna.

2. AREAS OF COOPERATION

The CCSBT Secretariat 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 caused by fishing for southern bluefin tuna;
- (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 southern bluefin tuna fishing operations;
- (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 when fishing for southern bluefin tuna and
- (g) reciprocal participation with observer status at the relevant meetings of ACAP and CCSBT.

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 20

Executive Secretary
CCSBT

Executive Secretary
ACAP

**[Draft] Arrangement between
The Commission for the Conservation of Southern Bluefin Tuna
and
The Commission for the Conservation of Antarctic Marine Living Resources**

The Commission for the Conservation of Southern Bluefin Tuna (hereafter CCSBT) and the Commission for the Conservation of Antarctic Marine Living Resources (hereafter CCAMLR);

NOTING that the objective of the Convention for the Conservation of Southern Bluefin Tuna (hereafter CSBT Convention) is to ensure, through appropriate management, the conservation and optimum utilisation of southern bluefin tuna;

NOTING FURTHER that the objective of the Convention for the Conservation of Antarctic Marine Living Resources (hereafter CAMLR Convention) is the conservation of Antarctic marine living resources, which includes rational use;

RECOGNISING that Article 12 of the CSBT Convention requires the CCSBT to collaborate with other inter-governmental organisations which have related objectives to, among other things, obtain the best available information including scientific information to further the attainment of the objective of the Convention and seek to avoid duplication with respect to the work of the other organisations.

CONSIDERING that the Preamble to the CAMLR Convention recognises that it is desirable for CCAMLR to establish suitable machinery for recommending, promoting, deciding on and co-ordinating the measures and scientific studies needed to ensure the conservation of Antarctic marine living organisms;

NOTING that provisions of the CAMLR Convention address the conservation of non-target, associated or dependent species which belong to the same ecosystem as the target species;

NOTING FURTHER that the Preamble to the 2008 CCSBT Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna identifies that the CCSBT is determined to mitigate incidental harm to ecologically related species caused by fishing for southern bluefin tuna;

DESIRING to put into place arrangements and procedures to promote cooperation in order to enhance the conservation and rational use of stocks and species which are within the competence and/or mutual interest of both organisations so as to avoid duplication or conflict between the activities of the two organisations;

NOW THEREFORE the CCSBT and CCAMLR record the following arrangements:

1. OBJECTIVE OF THIS ARRANGEMENT

The objective of this Arrangement is to facilitate, where appropriate, cooperation between the CCSBT and CCAMLR ('the Commissions') with a view to enhancing the conservation and rational use of stocks and species which are of interest to both Commissions.

2. AREAS OF COOPERATION

The Commissions will establish and maintain consultation and cooperation in respect of matters of common interest to both organisations. In particular, the Commissions will:

- (i) exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the information sharing policies of each Commission;
- (ii) exchange data and scientific information in support of the work and objectives of both Commissions, consistent with the information sharing policies of each Commission including, but not limited to information on:
 - (a) vessels authorised to fish in accordance with the Commissions' conservation measures;
 - (b) illegal, unreported and unregulated (IUU) fishing vessels¹;
 - (c) catch, bycatch and vessel information and/or data²;
 - (d) an annual CCSBT report to CCAMLR covering the global stock assessment of southern bluefin tuna for that year; and the latest southern bluefin tuna catch data classified by ocean, gear and catching country; and
 - (e) an annual CCAMLR report to CCSBT detailing any catches (by flag and gear) of southern bluefin tuna from vessels fishing within the CAMLR Convention area.
- (iii) cooperate to harmonise approaches in areas of mutual interest and concern, most notably on bycatch of non-target, associated and dependent species (ecologically related species);
- (iv) where appropriate, collaborate on analyses and research efforts relating to species of mutual interest;
- (v) consider methods of recognising and cooperating with each other's conservation and management measures; and
- (vi) consistent with each Commission's rules of procedure, grant permanent reciprocal observer status to representatives of the respective Commissions in relevant meetings of each Commission.

~~¹ Noting that the CCSBT does not currently maintain an IUU vessel list and therefore has no information to share until such time as the CCSBT adopts a resolution to maintain such a list.~~

² Noting that publicly available CCSBT bycatch data is currently limited to information provided in reports to the CCSBT; that the confidentiality classification of bycatch data exchanged between CCSBT Members any future detailed data may prevents its release without explicit approval of the Members providing the data together with a signed confidentiality agreement; and that catch data relating to individual vessels is classified as confidential.

(vii) encourage cooperation between the Secretariats in areas of common interest such as information management, compliance evaluation, CDS, website developments, data modelling and infrastructure, database development, data exchange protocols and secretariat-administrative matters.

3. CONSULTATIVE PROCESS

To facilitate effective development, implementation and enhancement of cooperation, the Commissions may establish a consultative process between the two respective Secretariats that includes, telephone, email and similar means of communications. The consultative process may also proceed in the margins of meetings at which both Commissions' Secretariats are represented by appropriate staff.

4. MODIFICATION

This Arrangement may be modified at any time by the mutual written consent of both Commissions.

5. LEGAL STATUS

This Arrangement does not create legally binding rights or obligations.

This Arrangement does not alter the obligations of members of either body to comply with the management and conservation measures of those bodies.

6. OTHERS

- (i) This Arrangement will commence on the date of signature.
- (ii) Either Commission may terminate this Arrangement by giving six months prior written notice to the other Commission.
- (iii) This Arrangement will continue to operate for three (3) years. At that stage the Commissions will review the operation of the Arrangement and decide whether it will be renewed.

7. SIGNATURE

Signed at thisday of[Year]

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Chair CCSBT

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Chair CCAMLR