



CCSBT-EC/1010/17

Activities with Other Organisations

Purpose

To consider the CCSBT's relationship with CCAMLR and ACAP, and to brief the Extended Commission on interactions with other organisations during 2010 and proposals for 2011.

Relationship with CCAMLR

(a) Invitation to the 29th session of CCAMLR

The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) has invited CCSBT to participate as an Observer in the Twenty-ninth Meetings of the CCAMLR Commission and Scientific Committee (Hobart, 25 Oct. – 5 Nov. 2010). It would be useful for CCSBT to nominate one of its Members that will be attending CCAMLR to act as the official "observer" on CCSBT's behalf. That Member could report relevant outcomes from CCAMLR's meeting to the Extended Commission in 2011.

(b) Formalising the arrangement between CCSBT and CCAMLR

Discussion of this matter has been underway within the CCSBT and between the CCSBT and CCAMLR since CCSBT12 (October 2005). This matter was considered by CCSBT 16, which reported that:

- “71. The Executive Secretary presented CCSBT-EC/0910/19 which provided an update on intersessional progress on the relationship with The Commission for Conservation of Antarctic Marine Living Resources (CCAMLR), and with other organisations. This paper included a draft arrangement between CCSBT and CCAMLR.
72. The Meeting noted that the relationship with CCAMLR had been a long standing issue that had been underway since 2005, and reaffirmed its commitment to formalising an arrangement between the two organisations.
73. After some discussion on the content of the draft arrangement, the Extended Commission agreed that further revision of the arrangement would take place intersessionally, with a view to formalising this as soon as practicable.”

Unfortunately, there has been little intersessional progress on the arrangement since then. A summary of the intersessional discussion is as follows:

- In December 2009, Australia provided a revised version of the Arrangement with CCAMLR;
- Members were requested to provide comments on Australia's revision. The comments were polarised, with Taiwan and Japan preferring the draft presented in CCSBT-EC/0910/19 for CCSBT 16 (provided at **Attachment A**¹), and New Zealand considering Australia's modifications (together with changes from the European Union) as provided at **Attachment B** to be an improvement over the version presented to CCSBT 16.
- Many of the differences in the two versions of the Arrangement were different small improvements to an earlier common draft and in most cases were not incompatible. However, the differences in Section 2 of the Arrangements were of a fundamental nature. To help find a solution, on 2 February 2010, the Secretariat asked Members to

¹ This attachment includes intersessional changes suggested by Taiwan.

provide the rationale behind their views for their preferences to the content of Section 2. The Secretariat circulated the views of Japan, Taiwan and Korea on this, but has not progressed the matter further because both Australia and New Zealand have advised that they are working on the matter and that their consultations are still continuing.

Relationship with ACAP

The Agreement on the Conservation of Albatrosses and Petrels (ACAP) has expressed interest in negotiating a Memorandum of Understanding (MOU) with the CCSBT with a view to facilitate cooperation between the Secretariats and to support efforts to minimise the incidental by-catch of albatrosses and petrels. Development of an MOU with ACAP is consistent with recommendation 13 of the joint tuna RFMO workshop on management issues relating to bycatch (see Attachment C of CCSBT-EC/1010/10) to:

“Actively develop collaborations between relevant fishing industry, IGOs and NGOs, universities and others as appropriate, and RFMOs to assess the impact of bycatch on the five taxa, study the effectiveness of bycatch mitigation measures, and further the understanding of population dynamics of species of conservation concern.”

During November 2009, ACAP provided a template for an MOU to the CCSBT Secretariat, which has since been modified by the Secretariat to incorporate intersessional comments it requested from CCSBT Members. The draft arrangement is provided at **Attachment C**. However, there has been no discussion within the CCSBT regarding the desirability of establishing an MOU with ACAP. The CCSBT would need to agree to development of an arrangement with ACAP before considering the details of the attached draft arrangement.

Activities with other organisations in 2010

Participation by the Secretariat in meetings of other organisations was described in the Report from the Secretariat (CCSBT-EC/1010/04) and in the Report from the 2010 joint tuna RFMO workshops (CCSBT-EC/1010/10).

In addition, the Secretariat is in regular contact with the Secretariats of the other tuna RFMOs on matters of mutual interest, including MCS measures (transshipment, VMS), the global register of tuna vessels and other matters on an ad-hoc basis.

Proposed activities with other organisations for 2011

Known meetings of interest to the Extended Commission are:

- 29th session of the FAO Committee of Fisheries² (COFI) (31 Jan. - 4 Feb. 2011).
- 3rd meeting of the Regional Secretariat's Network (RSN) (7-9 Feb. 2011).
- Meeting of the tuna Secretariat's database experts to facilitate the development of a unique vessel identifier (UVI) for the global list of tuna vessels³ (February 2011).
- Third Joint Meeting of Tuna Regional Fisheries Management Organisations (Kobe 3) (11-15 Jul. 2011).
- Annual meetings of other tuna regional bodies.
- CCAMLR annual meeting.

² A meeting of tuna Secretariats is likely to be held in the margins of COFI or the following RSN meeting.

³ Travel of participants to be funded by the International Seafood Sustainability Foundation (ISSF).

It is proposed to continue the practice of deciding whether to attend meetings of interest on the basis of the specific interests of the CCSBT in the agendas.

The budget prepared for 2011 provides for participation of the Executive Secretary at COFI (and the associated Regional Secretariat's Network meeting) and Kobe 3. In addition, it is proposed that the Database Manager attend the meeting of Secretariat database experts on development of a UVI, but through funding by ISSF not the Extended Commission.

Arrangement with CCAMLR presented to CCSBT 16 in CCSBT-EC/0910/19 and further modified to include intercessional comments from Taiwan

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 on the Conservation of Antarctic Marine Living Resources (hereafter CAMLR Convention) is the conservation of Antarctic marine living resources, which includes rational use;

RECOGNISING that under the CSBT Convention, CCSBT claims competence over southern bluefin throughout its migratory range;

NOTING that Article 12 of the CSBT Convention 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 CSBT Convention and seek to avoid duplication with respect to the work of the other organisations;

NOTING FURTHER 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;

CONSIDERING that Article II of the CAMLR Convention requires that any harvesting and associated activities in the CAMLR Convention Area shall be conducted in accordance with that Convention's provisions and with the specified principles of conservation which include, *inter alia*, maintenance of the ecological relationship between harvested, dependent and related populations of Antarctic marine living resources;

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 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 of mutual interest of both organisations so as to avoid duplication or conflict between the activities of the two organisations;

NOW THEREFORE CCSBT and CCAMLR record the following understandings:

1. OBJECTIVE OF THIS ARRANGEMENT

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

2. COMPETENCE

The Commissions understand that:

- (i) CCSBT is the appropriate body to develop and implement conservation and management measures for southern bluefin tuna;
- (ii) Within the CAMLR Convention area, CCAMLR is the appropriate body to develop and implement conservation and management measures for all other marine living resources that fall within the CAMLR Convention; and
- (iii) While CCSBT has competence of southern bluefin tuna throughout its migratory range, vessels of CCSBT members will pay due regard to CCAMLR's conservation and management measures in the CAMLR Convention Area.

3. AREAS OF COOPERATION

The Commissions will establish and maintain consultation and cooperation in respect of matters of common interest, in the following areas:

- (i) Exchange of meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the information sharing policies of each Commission.
- (ii) Exchange of data and scientific information of common interest, consistent with the information sharing policies of each Commission. In addition:
 - CCSBT will provide a report each year to CCAMLR covering the 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
 - CCAMLR will provide a report to CCSBT each year detailing any catches (by flag and gear) of southern bluefin tuna from vessels fishing under CCAMLR's jurisdiction.
- (iii) Where appropriate, collaborating on analyses and research efforts relating to species of mutual interest.
- (iv) Consideration on methods of recognising and cooperating with each other's conservation and management measures.
- (v) Consistent with each Commission's rules of procedure, granting of permanent reciprocal observer status to representatives of the Commissions in relevant meetings of each Commission respectively.

4. 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 the Commissions' Secretariats are represented by appropriate staff.

5. MODIFICATION

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

6. LEGAL STATUS

This Arrangement does not create any legally binding rights or obligations.

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

7. OTHERS

- (i) The cooperation under this Arrangement will commence on the date of signature.
- (ii) Either Commission may end the cooperation under this Arrangement by giving six months prior written notice to the other Commission.
- (iii) The cooperation under 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.

8. SIGNATURE

Signed at thisday of[Year]

.....
Chair CCSBT

.....
Chair CCAML

Modified Arrangement with CCAMLR suggested by Australia, including intersessional changes suggested by the European Union

**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 under the CSBT Convention, CCSBT claims competence over southern bluefin throughout its migratory range;

NOTING 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.

NOTING FURTHER 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;

CONSIDERING that Article II of the CAMLR Convention requires that any harvesting and associated activities in the CAMLR Convention Area shall be conducted in accordance with that Convention's provisions and with the specified principles of conservation which include, *inter alia*, maintenance of the ecological relationship between harvested, dependent and related populations of Antarctic marine living resources;

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 understandings:

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. JURISDICTION

The Commissions understand that:

- (i) In cases where setting a total allowable catch (TAC) for southern bluefin tuna within the CAMLR Convention area should be necessary, CCAMLR and CCSBT should cooperate to establish the TAC;
- (ii) Fishing for southern bluefin tuna within the CAMLR Convention area will be limited to CCSBT authorised fishing vessels which are also vessels licensed to fish under CCAMLR;
- (iii) The CCSBT is the appropriate body to develop and implement conservation and management measures for southern bluefin tuna outside the CAMLR Convention area;
- (iv) Within the CAMLR Convention area, CCAMLR is the appropriate body to develop and implement conservation and management measures for all marine living resources that fall within its convention, including southern bluefin tuna; and
- (v) Vessels licensed to fish under CCAMLR and CCSBT authorised fishing vessels fishing for southern bluefin tuna in the CAMLR Convention Area will comply with all CCSBT conservation and management measures and all CCAMLR conservation and management measures.

3. 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 fishing vessels;
 - (c) all catch, bycatch and vessel data;
 - (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.

4. 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.

5. 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 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]

.....
Chair CCSBT

.....
Chair CCAML

Draft

DRAFT ARRANGEMENT
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 Arrangement 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 Arrangement may be reviewed or amended at any time by the mutual written consent of both Participants.

4. LEGAL STATUS

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

5. COMING INTO EFFECT AND TERMINATION

- (a) This Arrangement will remain in effect for 6 years. At that stage the Participants will review the operation of the Arrangement and decide whether it will be renewed or amended.
- (b) Either Participant may terminate this Arrangement by giving six months written notice to the other Participant.

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

SIGNATURE

Signed atthisday of 20

Executive Secretary
CCSBT

Executive Secretary
ACAP

DRAFT