



Memorandum of Understanding between the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the North Pacific Fisheries Commission (NPFC)

The South Pacific Regional Fisheries Management Organisation (hereafter SPRFMO) and the North Pacific Fisheries Commission (hereafter NPFC):

Acknowledging that the objective of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (hereafter SPRFMO Convention) is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to ensure the long-term conservation and sustainable use of fishery resources and, in so doing, to safeguard the marine ecosystems in which these resources occur;

Acknowledging also the objective of the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (hereafter NPFC Convention) is to ensure the long-term conservation and sustainable use of the fisheries resources in the North Pacific Ocean and in so doing safeguard the marine ecosystems in which these resources occur;

Recognising that Article 21 of the NPFC Convention requires the NPFC to cooperate, as appropriate, on matters of mutual interest with relevant regional organizations or arrangements, especially with those regional fisheries management organizations or arrangements with responsibility for fisheries in marine areas near or adjacent to the NPFC Convention Area;

Recognising further that Article 21 of the NPFC Convention calls upon the NPFC to take into account the conservation and management measures or recommendations adopted by regional fisheries management organizations and arrangements and other relevant intergovernmental organizations that have competence in relation to areas adjacent to the NPFC Convention Area;

Recognising also that Article 31 of the SPRFMO Convention requires the SPRFMO Commission, *inter alia*, to cooperate, as appropriate, with other relevant organisations on matters of mutual interest and to seek to make suitable arrangements for consultation, cooperation and collaboration with such other organisations;

Conscious of the fact that the areas that fall within the purviews of the SPRFMO Convention and NPFC Convention are geographically adjacent;

Noting that both the SPRFMO and the NPFC have conservation and management principles and approaches addressing non-target, associated, or dependent species which belong to the same ecosystem as the target species;

Desiring to put in place a mechanism to promote and facilitate cooperation, SPRFMO and NPFC enter into the following Memorandum of Understanding (MoU):

1. OBJECTIVE OF THIS MEMORANDUM

The objective of this MoU is to facilitate, where appropriate, consultation, cooperation, and collaboration between SPRFMO and NPFC ('the Organisations') in order to advance their respective objectives, particularly with respect to matters of common interest.

2. AREAS OF COOPERATION

The Organisations should establish and maintain consultation and cooperation in respect of matters of common interest. In particular, the Organisations intend to:

- i. exchange meeting reports, information, documents, and publications regarding matters of mutual interest, consistent with the confidentiality rules and information sharing policies of each Organization;
- ii. exchange data and scientific information in support of the work and objectives of both Organisations, consistent with the confidentiality rules, information sharing policies, and internal data security procedures of each Organisation including, but not limited to, information on:
 - a) vessels authorised to fish in accordance with conservation and management measures adopted under the SPRFMO and NPFC Conventions;
 - b) vessels identified and listed as having engaged in illegal, unreported, and unregulated (IUU) fishing activity and the IUU Vessel Lists established by each Organisation;
 - c) relevant stocks and species
- iii. cooperate, where appropriate, on research efforts relating to species and stocks of mutual interest, including non-target, associated and dependent species.
- iv. share best practices in areas of mutual interest and concern, including, but not limited to:
 - a) addressing bycatch of non-target, associated, and dependent species (ecologically related species);
 - b) monitoring, control, and surveillance policies and systems, including with respect to Vessel Monitoring Systems;
 - c) administration and structure of observer programmes, including information management policies;
 - d) compatibility of the conservation and management measures adopted by the Organisations.
- v. consider methods of supporting conservation and management measures adopted under the SPRFMO Convention and the NPFC Convention;
- vi. exchange on recommending methods to strengthen the compliance review procedures in accordance with each Organisation's Compliance and Monitoring Scheme;
- vii. consistent with each Organisation's rules of procedure and other relevant policies, grant reciprocal observer status to representatives of the respective Organisations in relevant meetings of each Organisation, including those of each Organisation's subsidiary bodies;
- viii. exchange expertise gained, lessons learned, and use of best practices between the Organisations' Secretariats in their areas of activity.

3. CONSULTATIVE PROCESS

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

4. MODIFICATION

This MoU may be modified at any time by the mutual written consent of both Organisations.

5. LEGAL STATUS

This MoU does not create legally binding rights or obligations. Each Organisation should cover their own costs related to the implementation of this MoU.

This MoU does not alter the obligations of members of either Organisation to comply with the conservation and management measures adopted under respective Conventions.

6. OTHERS

This MoU should commence on the date of the second signature.

Either Organisation may discontinue this MoU by giving six months' prior written notice to the other Organisation.

This MoU should operate for three (3) years. Before the end of the three-year period, the Organisations will separately review the operation of this MoU to decide whether it should be renewed.

7. SIGNATURES

Signed on behalf of the South Pacific Regional Fisheries Management Organisation and the North Pacific Fisheries Commission:

FOR THE NORTH PACIFIC FISHERIES
COMMISSION (NPFC)

FOR THE SOUTH PACIFIC REGIONAL FISHERIES
MANAGEMENT ORGANISATION (SPRFMO)



Robert Day
Executive Secretary



Craig Loveridge
Executive Secretary

Place: Tokyo, Japan

Place: Wellington, New Zealand

Date: 12 July 2023

Date: 12 July 2023