



North Pacific Fisheries Commission

NPFC-2026-COM10-WP10

Submitted by Secretariat

Review of draft MOU with IATTC

Abstract

This working paper presents responses provided by United States and Canada to the draft MOU circulated in NPFC Circular 014-2026. Members are asked to agree on a set of edits to share with IATTC. Decisions required are:

- a. Whether Members agree with the proposed changes by IATTC
- b. Whether Members agree with the subsequent proposals by Canada and the United States
- c. Whether Members agree with the proposed signatories

Context

As decided at COM09, Members directed the Secretariat to develop a draft MOU with the Inter American Tropical Tuna Commission (IATTC):

117. The Commission endorsed the TCC08 recommendation to consider signing an MoU with IATTC and to task the Secretariat with drafting such an MoU and circulating the draft among Members for input prior to its submission to the IATTC annual meeting in August 2025.

A draft MOU was Circulated to Members in NPFC Circular 037-2025. The United States provided some edits and commented on the signatory (NPFC Chair with IATTC Director). These edits were circulated to Members in NPFC Circular 039-2025.

No further responses were received and this version was shared with IATTC. Due to their annual meeting time, their reply was delayed and their edits were shared with Members in Circular 014-2026 and Members were requested to review and provide comments.

Canada and the United States have provided comments and these are included in the attached draft that also includes the earlier edits made by the IATTC.

Decision

Members are asked to review the edits and agree on a revised version to be shared with IATTC for their consideration.



Memorandum of Understanding between the North Pacific Fisheries Commission (NPFC) and the Inter-American Tropical Tuna Commission (IATTC)

The North Pacific Fisheries Commission (hereafter NPFC) and the *Inter-American Tropical Tuna Commission* (hereafter IATTC):

Acknowledging that 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 Convention Area, as defined in its Article 4, while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur”;

Commented [US1]: Suggest deleting.

Acknowledging also that the objective of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and the Republic of Costa Rica (hereafter Antigua Convention) is “to ensure ~~through effective management,~~ the long-term conservation and sustainable use of the fish stocks covered by that Convention”, which comprise “tunas and tuna-like species and other species of fish taken by vessels fishing for tuna and tuna-like species in the Convention Area” ~~in the eastern Pacific ocean (that Convention Area being defined in Article 1 paragraph h);~~

Commented [ES2]: Edits in red or not assigned to USA or Canada are by the IATTC Secretariat.

Recognizing that Article XII of the Antigua Convention establishes among the functions of its Director arranging for cooperation with other organizations when needed for the performance of the functions of the Commission and coordinating the work of the Commission with that of organizations whose cooperation the Director has arranged;

Recognising that Article XXIV of the Antigua Convention calls upon the IATTC to establish relevant institutional arrangements to cooperate with other relevant subregional, regional, and global fishery organizations and arrangements and, as appropriate, to establish relevant institutional arrangements in agreement with such organizations or arrangements, with the goal of promoting the achievement of the objective of this Convention;

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 or in respect of fisheries resources not covered by this Convention, species belonging to the same ecosystem or dependent upon or associated with the target stocks, and that have objectives that are consistent with and supportive of the objective of this Convention”, and provides that “the Commission shall seek to develop cooperative working relationships...with international organizations that can contribute to its work and have competence for ensuring long-term conservation and sustainable use of living resources and their ecosystems”;

Commented [US3]: Suggest deleting

Conscious of the ~~fact that there is a~~ existence of a geographical area overlap ~~within~~ between the Convention Areas of both the NPFC and the IATTC;

Noting that provisions of both the NPFC Convention and the ~~IATTC—Antigua Conventions~~ address the conservation of 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 between IATTC and NPFC;

Therefore, NPFC and IATTC (hereinafter “the Commissions”) record the following understandings:

1. OBJECTIVE OF THIS MEMORANDUM

The objective of this MoU is to facilitate, where and as appropriate, cooperation between NPFC and IATTC ~~(“the Organisations”)~~ (the Organizations) in order to advance their respective objectives, particularly with respect to stocks or species which are within the mutual interest of both ~~Organisations~~ [Commissions] Organizations.

Commented [US4]: Suggests retaining the definition of Organizations in the brackets.

2. AREAS OF COOPERATION

(a) The [Commissions] Organizations ~~organisations~~ intend to establish and maintain consultation, cooperation and collaboration in respect of matters of common interest to both organizations, including but not limited to, the following areas:

Commented [US5]: Retain “Organizations”. We do not think that NPFC and IATTC should be referred to throughout as “the Commissions”. There are places where the commissions may be appropriate, but there are also some places below, which we have indicated, where we understand the intention is to extend the meaning to the entirety of the organizations and so we disagree that “commissions” can be substituted writ large across the MOU.

- i. exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the information sharing policies of each organisation;
- ii. exchange data and scientific information in support of the work and objectives of both [Commissions] Organizations, consistent with the confidentiality rules, information sharing policies and internal data security procedures of each organisation including, but not limited to, information on:

Commented [US6]: Retain organizations

- a) vessels authorised to fish in accordance with conservation and management measures adopted under the NPFC and Antigua Conventions;

- b) at the specific request of one of the ~~Organisations~~Commissions, transshipment activities of those vessels authorised to conduct transshipment in accordance with conservation and management measures adopted under the NPFC and Antigua Conventions, on a necessity basis; and,
 - c) vessels identified as having engaged in illegal, unreported and unregulated (IUU) fishing activity and the IUU Vessel Lists established by each ~~Organisation~~Commission.
- iii. collaborate, where and as appropriate, on research efforts relating to species and stocks of mutual interest, including non-target, associated and dependent species;
 - iv. cooperate where and as appropriate, on the implementation of conservation and management measures adopted under the NPFC Convention and under the Antigua Convention;
 - v. share best practices in areas of mutual interest, including but not limited to:
 - a) monitoring, control and surveillance policies and systems, including with respect to Vessel Monitoring Systems (VMS) and to any ~~Electronic Monitoring Schemes (EMS)~~;
 - b) administration, auditing, training and structure of observer programmes; and
 - c) ~~Compliance Monitoring Schemes, and~~ compliance and information management systems.
 - vi. exchange on expertise gained, lessons learned and use of best practices ~~between the~~ in their areas of activity, within each ~~[Commission]~~ Organization, ~~including its Organisations' Secretariats in their areas of activity.~~
 - vii. consistent with each Commission's Organisation's rules of procedure, grant reciprocal observer status to representatives of the respective ~~Organisations~~Commissions in relevant meetings of each ~~Organisation~~Commission, including those of ~~each Organisation's~~its subsidiary bodies.
- (b) [All] joint programs, projects, and actions [that may derive from the collaboration and cooperation referred to above] [shall] should be:
- i. defined with all the details required for their implementation through the development and adoption of specific agreements under terms of reference or project proposals.
 - ii. subject to the availability of the financial and human resources necessary for their implementation.

Commented [US7]: Suggest insertion

Commented [CAN8]: Canada feels it is important to include some reference to compliance here, as it is an important topic that could benefit from the exchange of best practices.

Commented [US9]: Retain Organization

Commented [CAN10]: Proposed edits for clarity

Commented [US11]: MOU is non-binding

3. CONSULTATIVE PROCESS

To facilitate effective development, implementation and enhancement of cooperation, the ~~Organisations~~Commissions 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' Commissions'~~ Secretariats are represented by appropriate staff.

4. MODIFICATION

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

3.5. LEGAL STATUS

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

This MoU does not alter the rights and obligations of members of either ~~Organisation~~ Commission under their respective Conventions, including the obligation to comply with the conservation and management measures adopted ~~under~~ by their respective ~~Conventions~~ Commission.

4.6. OTHER PROVISIONS

This MoU is intended to commence on the date of the second signature.

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

5.7. SIGNATURES

Signed on behalf of the North Pacific Fisheries Commission and the Inter-American Tropical Tuna Commission:

FOR THE NORTH PACIFIC FISHERIES
COMMISSION (NPFC)

FOR THE INTER-AMERICAN TROPICAL TUNA
COMMISSION (IATTC)

Shingo Ota
Chair

Arnulfo L. Franco
Director

Place:

Place:

Date:

Date: