



SPREP
Secretariat of the Pacific Regional
Environment Programme



10th Pacific Islands Conference

**NATURE CONSERVATION
AND PROTECTED AREAS**

Nature Conservation Action for a Resilient Pacific

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING (MOU)

between

Ministry of Agriculture, Livestock, Forestry, Fisheries and Biosecurity (MALFFB),
Government of Vanuatu

and

The Secretariat of the Pacific Regional Environment Programme (SPREP)

(together the Parties)

MALFFB is the Ministry in Vanuatu with responsibility for Agriculture, Livestock, Forestry, Fisheries and Biosecurity.

SPREP is a regional, intergovernmental organisation comprising 26 members consisting of 21 Pacific Island Countries and Territories and 5 developed countries with direct interests in the Pacific Islands region. SPREP's mandate is to promote co-operation in the Pacific Islands region and to provide assistance in order to protect and improve its environment and to ensure sustainable development for present and future generations.

Whereas

The Parties have mutual interests in relation to the protection of the environment and developing and strengthening systems, institutions, organisations and individuals concerned with environmental protection in Vanuatu as well as the Pacific Islands region.

The Parties agree as follows:

1. Purpose

This MOU recognises the intent of SPREP and Vanuatu to work together on environmental issues.

The purpose of this MOU is to provide a framework of cooperation between the Parties in the fields of climate change and resilience, biodiversity, waste management and environmental governance in Vanuatu and more widely in the Pacific Islands region.

2. Objectives

The objective of this MOU is to develop a partnership between MALFFB and SPREP that will, as far as possible, and without limitation:

- 1) Enhance climate change resilience;



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- 2) Enhance the conservation and management of biodiversity;
- 3) Enhance waste management and pollution control;
- 4) Enhance environmental governance processes and systems;
- 5) Promote and strengthen environmental networks within the Pacific Islands region; and
- 6) Develop and implement projects and programmes as appropriate to meet the above objectives 1 - 5.

3. Collaborative activities

The Parties agree, to the extent possible, to collaborate in those areas identified in Section 2 above, to:

- 1) Implement joint activities and projects where SPREP has been funded by donors to manage or implement projects;
- 2) Invite each other to participate in relevant project steering committees, technical advisory panels and other project related meetings;
- 3) Actively engage and assist the implementation of all donor funded projects which MALFFB is participating in, providing logistical and jurisdictional support where required;
- 4) Collect and manage data in accordance with agreed data strategies and standards;
- 5) Share information and resources that will improve the effectiveness of both Parties and the wider Pacific Islands region;
- 6) Collaborate on, participate in and support special events at regional and global levels relating to the above;
- 7) Collaborate to enhance capacity and promote best practice in environmental policies and their implementation in Vanuatu and in the Pacific Islands region to ensure international, regional and national environmental objectives and commitments are met; and
- 8) Cooperate in such other fields as the Parties may agree to add.

4. Annexes

- 1) Specific work once agreed to may be attached as an Annex to this MOU.
- 2) Such Annexes shall form an integral part of this MOU and, unless expressly provided otherwise, a reference to this MOU includes a reference to any such Annex.
- 3) Specific collaborative work, and especially donor-funded project activities, shall, once agreed, be implemented through service level agreements, letters of agreement or other instruments or modalities as may be agreed by the Parties.

5. Nature of the MOU

- 1) This MOU constitutes an expression of shared commitment of the Parties to achieve their shared objectives relating to the protection of the environment and strengthening the capacity of systems, institutions, organisations and individuals concerned with environmental protection in the Pacific Islands region.
- 2) Unless otherwise agreed, each Party's actions under this MOU shall be considered to be that Party's sole and separate action for all purposes, including liability, and neither Party shall claim to be acting on behalf of, or as agent for, the other Party to this MOU.



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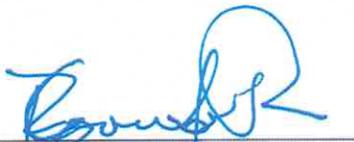
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- 3) This MOU is not governed by international or domestic law and does not constitute, nor is it intended to be a legally binding arrangement, contract or relationship. It does not create any legally binding or enforceable obligations, express or implied. It serves only as a record of each Party's separate intention pending execution of specific agreements governing the undertaking of activities as contemplated by this MOU.
- 4) This MoU constitutes an expression of mutual good faith by the Parties who commit to carrying out their responsibilities to the best of their abilities. Nothing in this MoU shall render either Party liable for any debts or obligations incurred by the other. Neither Party may make representations on behalf of the other.

6. Operational Provisions

- 1) This MOU shall enter into force on the date the last Party signs.
- 2) This MOU may be amended by agreement in writing between the Parties.
- 3) This MOU shall endure until such time as amended or terminated by the Parties.
- 4) Any dispute, controversy or difference as to the interpretation of this MOU will be settled amicably by mutual consent between the Parties.
- 5) Either Party may terminate this MOU by giving three months' written notice to the other.
- 6) Termination of this MOU will not incur liability for either Party and will not affect any separate agreements or other legally binding arrangements in place between the Parties.
- 7) Each Party will name, and keep updated, focal points to co-ordinate the cooperation called for in this MOU and its Annexed projects.



Roger Cornforth
Acting Director General
SPREP

Date: 19/1/2021



Moses John Amos Tinapua
Director General
MALFFB

Date: 25.01/2021

**Annex 1 to MOU between SPREP and MALFFB, Government of Vanuatu, dated
14.01.2020**

**Bycatch and Integrated Ecosystem Management Initiative, Key Result Area 5 of
the Pacific European Union Marine Partnership Programme.**

Introduction:

SPREP is the executing agency for Key Result Area 5, the By-catch and Integrated Ecosystem Management (BIEM) Initiative, of the Pacific European Union Marine (PEUMP) Programme. The purpose of the Initiative is to reduce the by-catch of threatened species in Pacific islands' fisheries and to improve the health of coastal ecosystems through an integrated approach to coastal management and ecosystem-based adaptation to climate change.

Through the BIEM Initiative SPREP will work to support the Government of Vanuatu deliver its priorities in the sustainable management of Vanuatu's coastal resources and marine biodiversity, focusing on six integrated key result areas (KRAs):

1. Integrated 'ridge to reef' ecosystem strategies and coastal zone management planning
2. Development and integration of climate change adaptation strategies into coastal community plans
3. Assessment of by-catch of endangered species and extinction risk evaluated
4. Development and implementation of by-catch mitigation strategies
5. Support for community monitoring and protection of endangered species
6. Capacity development on Non-Detrimental Findings process for CITES partners

The implementation of the BIEM Initiative in Vanuatu will run through to December 2022, with all reports related to the Initiative due for submission to the EU Delegation by March 2023.

Governance of the BIEM Initiative:

In response to a request from Government of Vanuatu Departments', the Vanuatu Bycatch and Integrated Ecosystem Management Initiative Steering Committee (SC) has been established.

In accordance with the SC Terms of Reference, the SC will serve as an advisory body and will be responsible for the overall governance of the BIEM Initiative in Vanuatu. Its primary role will be to provide strategic oversight and direction for the Initiative including the activities being delivered by SPREP and contracted delivery partners.

Detailed costed Annual Activity Plans and other associated documentation will be commissioned and approved through the SC and not be duplicated in this Annex.

BIEM Initiative activities to be undertaken with the Vanuatu Fisheries Department:

1. The Parties will collaborate to:
 - a. Determine and implement priority activities relating to the following KRAs:
 - i. 5.4: Assessment of by-catch of marine endangered species and extinction risk evaluated
 - ii. 5.5: Development and implementation of bycatch mitigation strategies
 - iii. 5.6: Capacity development through research grant
 - iv. 5.7: Support for community monitoring and protection of endangered marine species
 - v. 5.8: Capacity development on Non-Detrimental Findings process for CITES partners
 - b. Establish, participate in and support proactive teams that involve other Government Ministries and Departments, community representatives, Provincial Governments, contractors, NGOs and academia to realise BIEM Initiative's objectives and publish agreed outputs related to the following KRAs in the selected coastal areas and associated watersheds on Malekula and Pentecost Islands:
 - i. Integrated 'ridge to reef' ecosystem strategies and coastal zone management planning

- ii. Development and integration of climate change adaptation strategies into coastal community plans
2. VFD will:
- a. Actively participate in the Vanuatu Bycatch and Integrated Ecosystem Management Steering Committee to oversee the planning, implementation and reporting of BIEM activities, including financial and contractual arrangements in line with the Steering Committee Terms of Reference.
 - b. Commit sufficient staff time, skills and expertise to engage actively in fisheries and marine resource relevant BIEM Initiative activities throughout the implementation and reporting period.
 - c. Provide guidance and support to the BIEM Initiative Country Coordinator to enable them to coordinate the development and implementation of the Annual Activity Plans agreed by the Vanuatu Bycatch and Integrated Ecosystem Management Steering Committee.
3. SPREP will:
- a. Work proactively to support VFD deliver its obligations and priorities where there is clear alignment with the implementation of BIEM Initiative KRAs listed in 1.
 - b. Be responsible for directly funding activities agreed in the Annual Activity Plan in line with SPREP's Procurement Policy. No funds will be provided to Vanuatu Government Ministries unless granted through a formal contractual process.
 - c. Require all raw and processed data and reports generated through the Initiative to be shared with the Vanuatu Government and promote its availability through appropriate information platforms.
4. BIEM Initiative Focal Points:
- SPREP: Jamie Davies, BIEM Initiative Manager
VFD: William Naviti, Director
June Brian Molitaviti, Manager, Research Division

BIEM activities to be undertaken in Vanuatu with the Department of Forestry (DoF):

5. The Parties will collaborate to:
- a. Establish, participate in and support proactive teams that involve other Government Ministries and Departments, community representatives, Provincial Governments, contractors, NGOs and academia to realise BIEM Initiative's objectives and publish agreed outputs related to the following KRAs:
 - iii. In the selected coastal areas and associated watersheds on Malekula and Pentecost Islands:
 - Integrated 'ridge to reef' ecosystem strategies and coastal zone management planning
 - Development and integration of climate change adaptation strategies into coastal community plans
 - iv. Nationally:
 - Support for community monitoring and protection of endangered species, recognising the impacts of climate change on species populations.
6. DoF will:
- a. Commit sufficient staff time, skills and expertise to engage actively in forestry relevant BIEM Initiative activities throughout the implementation and reporting period.
 - b. Actively participate in the Vanuatu Bycatch and Integrated Ecosystem Management Steering Committee to oversee the planning, implementation and reporting of BIEM activities, including financial and contractual arrangements in line with the Steering Committee Terms of Reference.
7. SPREP will:
- a. Work proactively to support DoF deliver its obligations and priorities where there is clear alignment with the implementation of BIEM Initiative KRAs listed in 1.c.
 - b. Be responsible for directly funding activities agreed in the Annual Activity Plan in line with SPREP's Procurement Policy. No funds will be provided to Vanuatu Government Ministries unless granted through a formal contractual process.

- c. Require all raw and processed data and reports generated through the Initiative to be shared with the Vanuatu Government and promote its availability through appropriate information platforms.

8. BIEM Initiative Focal Points:

SPREP: Jamie Davies, BIEM Initiative Manager
DoF: Rexon Viranamangga, Director