



MEMORANDUM OF UNDERSTANDING
Between
THE WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION
and
THE SECRETARIAT OF THE PACIFIC REGIONAL ENVIRONMENT
PROGRAMME

PREAMBLE

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPFC) and the Secretariat of the Pacific Regional Environment Programme (hereafter SPREP);

ACKNOWLEDGING that the Agreement establishing the South Pacific Regional Environment Programme (hereafter the SPREP Convention) as an intergovernmental organisation, seeks to promote co-operation in the South Pacific region and to provide assistance in order to protect and improve its environment and to ensure sustainable development for present and future generations;

TAKING NOTE of Article 2 of the SPREP Convention which requires SPREP to co-ordinate regional activities addressing the environment; monitor and assess the state of the environment in the region including the impacts of human activities on the ecosystems of the region and encourage; promote and develop programmes, including research programmes, to among other things, protect coastal and marine ecosystems and species, while ensuring ecologically sustainable utilisation of resources; strengthen national and regional capabilities and institutional arrangements; increase and improve training, educational and public awareness activities; and promote integrated legal, planning and management mechanisms;

ACKNOWLEDGING that the objectives of the Convention on the Conservation of Nature in the South Pacific, done at Apia on 12 June 1976, is to achieve the conservation, utilization and development of the resources of South Pacific region, including marine living resources, through careful planning and management for the benefit of present and future generations;

ACKNOWLEDGING FURTHER that the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and related Protocols, done at Noumea, on 24 November 1986 is aimed at the protection of the environment of the South Pacific region, including the marine environment and the harmonization of policies at the regional level;

TAKING NOTE of the various Action Plans and Strategies developed by SPREP to achieve its objectives, including the Avifauna Conservation Strategy for the Pacific Region, 2000, the marine species programme framework 2003-2007 including the Marine Turtle Action Plan, 2003 – 2007, the Whale and Dolphin Action Plan, 2003 – 2007, the Strategic Action Programme for the International Waters of Pacific Small Island Developing States, 1997, and, in association with other organisations in the Pacific Islands region, the Pacific Islands Regional Ocean Policy (2002) and Framework for Integrated Strategic Action.

ACKNOWLEDGING that the objective of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPFC Convention) is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific ocean;

ACKNOWLEDGING FURTHER that the WCPFC Convention also requires the adoption of measures and policies to protect and conserve marine biodiversity, including conservation of non-target, associated or dependent species which belong to the same ecosystem as the target species;

NOTING that Article 22 of the WCPFC Convention calls upon the WCPFC to make suitable arrangements for consultation, cooperation and collaboration with other relevant organizations;

NOTING FURTHER that Article 7 of the SPREP Convention requires the SPREP Secretariat to co-ordinate and establishes working arrangements with relevant national, regional and international organisations;

RECOGNISING the areas of shared responsibility and membership of the WCPFC and SPREP and the desirability of co-operation between the WCPFC and SPREP in order to ensure coordination and co-operation in efforts to protect marine biodiversity and the long term conservation and sustainable use of marine living resources in the Pacific Islands region;

NOW THEREFORE the WCPFC and SPREP (the Parties) record the following understandings:

1. OBJECTIVE OF THIS MEMORANDUM OF UNDERSTANDING

The objective of this Memorandum of Understanding is to facilitate cooperation between the Parties with a view to protecting the marine environment of the Pacific Islands region, in particular, the development and implementation of ecosystem principles and measures and the conservation of marine biodiversity, including conservation of endangered marine ecosystems, marine species and seabirds;

2. MANNER OF COOPERATION

The Parties agree to establish and maintain consultation, co-operation and collaboration in respect of matters of common interest to the two organizations, including, but not limited to, the following areas:

- a) development of systems for collecting and analysing data, and exchanging information concerning the incidental by catch of seabirds in the Pacific Islands Region;
- b) exchange of information regarding marine biodiversity and ecosystem management approaches;
- c) design and implementation of mitigation measures relevant to fishing operations in the Pacific Islands Region;
- e) development of training programmes on conservation techniques and measures to mitigate the impact of fishing for target species on dependent and associated species in the Pacific Islands Region;

- f) active and regular exchange of relevant meeting reports, information, research data and results, project plans, documents, and publications regarding matters of mutual interest;
- g) reciprocal participation in relevant meetings of each organization, including those of each organization's subsidiary bodies, and
- i) raising awareness among each organization's constituents and stakeholders of the work of the other organization in respect of matters of mutual interest.

3. REVIEW, MODIFICATION AND AMENDMENT

This Memorandum of Understanding may be modified or amended by the mutual consent in writing of both Parties.

4. LEGAL STATUS

The Parties acknowledge that this Memorandum of Understanding is not legally binding between them.

5. ENTRY INTO FORCE AND TERMINATION

This Memorandum of Understanding shall enter into force upon the signatures of the authorised representative of each Party. Either Party may terminate this Memorandum of Understanding by giving six months notice of intention to terminate to the other Party.

6. SIGNATURE

Signed on behalf of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the Secretariat of the Pacific Regional Environment Programme.

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Glenn Hurry
Chairman, WCPFC
Date: _____


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Asterio Takesy
Director, SPREP
Date: 1/5/08