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## LETTER OF AGREEMENT

between the

**Secretariat of the Pacific Regional Environment Programme (SPREP)**

and the

**Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications (MEIDECC)**

relating to

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

This LETTER OF AGREEMENT is made between the **Secretariat of the Pacific Regional Environment Programme (SPREP)** and **Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications (MEIDECC)** relating to **Bycatch and Integrated Ecosystem Management (BIEM) Initiative, Key Result Area 5 of the Pacific European Union Marine Partnership Programme.**

SPREP and MEIDECC signed an MoU on 26 July 2019 that provides a framework for collaborative activities. This Letter of Agreement is provided for through Clause 4 of the MoU and provides further detail on the intention to collaborate on the implementation of the BIEM Initiative in the Kingdom of Tonga. It is now further agreed that:

#### 1. Context

SPREP is the executing agency for Key Result Area 5, the By-catch and Integrated Ecosystem Management (BIEM) Initiative, of the EDF 11 funded Pacific European Union Marine (PEUMP) Programme<sup>1</sup>. 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 Kingdom of Tonga deliver its priorities in the sustainable management of Tonga's coastal resources and marine biodiversity, focusing on three integrated key result areas (KRAs):

KRA 5.4: Assessment of by-catch of endangered species and extinction risk evaluated.

KRA 5.5: Development and implementation of by-catch mitigation strategies.

KRA 5.8 Capacity development on Non-Detrimental Findings process for CITES partners.

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

As the executing agency, the Initiative will be implemented in accordance with SPREP procedures, as required by the contract between SPREP and the EU.

#### 2. BIEM Initiative activities to be undertaken with MEIDECC:

The Parties will collaborate to implement the following activities under each Key Result Area that were approved by Mr. Paula Pouvalu Ma'u, Chief Executive Officer, MEIDECC and Dr. Tu'ikolongahau Halafih, Chief Executive Officer, Ministry of Fisheries (MoF), in August 2020 as set out in Table 1.

**Table 1: BIEM Initiative approved activities:**

Approved activity	Total budget available (USD)	Status
<b>5.4: Assessment of by-catch of marine endangered species and extinction risk evaluated</b>		
Survey of marine turtle use by communities and turtle nesting habitat monitoring in the Kingdom of Tonga	20,000	Initiated through a SPREP Partnership Agreement with Vava'u Environmental Protection Association (VEPA) on 11 November 2020
<b>5.5: Development and implementation of by-catch mitigation strategies</b>		
Training of fishing crews on how to reduce by-catch of turtles and sharks	41,000	To be initiated following the development of training materials.

<sup>1</sup> For further information visit: <https://peump.dev/index.php/>



using mitigation measures and training on identification, handling and safe release of captured animals.		
<p>Implement an awareness raising campaign for the length of the PEUMP Programme in all populated islands through radio, TV, media and school activities to:</p> <ul style="list-style-type: none"> <li>ensure communities are aware of the legislation regarding the catch, consumption and sale of turtles in Tonga;</li> <li>build an understanding of the importance of turtles and threats to them in the Kingdom of Tonga and throughout the Pacific;</li> <li>highlight the need to report turtle nesting and unintended capture of turtles;</li> <li>engage church leaders to raise their awareness about the threatened status of turtles and encourage them to stop serving them at conferences; and</li> <li>develop a system to ensure data is shared between MoF and Police Department to help build the full picture of illegal take.</li> </ul>	20,000	To be initiated following the completion of the Survey of marine turtle use and turtle nesting habitat monitoring in the Kingdom of Tonga under KRA 5.4.
<b>5.8: Capacity development on Non-Detrimental Findings process for CITES partners:</b>		
Virtual workshop and support to develop Annex II teatfish NDF preparation by TRAFFIC prior to 28 August 2020 deadline	(Centrally funded)	Complete
Attendance at a virtual regional workshop on the preparation of NDFs for other Annex II species	(Centrally funded)	To be arranged by TRAFFIC in 2021
NDF development for CITES listed sharks, coral and cultured giant clams.	24,000	Advertised twice. No bids received. Alternative options being explored.

### 3. Institutional roles and responsibilities

#### a. MEIDECC will:

- i) Actively participate in the BIEM Initiative to approve the planning, implementation and reporting of BIEM activities, including financial and contractual arrangements.
- ii) Commit sufficient staff time, skills and expertise to engage in agreed activities throughout the implementation and reporting period.
- iii) Provide guidance and support to the BIEM Initiative team to enable them to coordinate the development and implementation of the agreed activities.

#### b. SPREP will:

- i) Work proactively to support MEIDECC deliver its obligations and priorities where there is clear alignment with the implementation of BIEM Initiative KRAs.



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- ii) Be responsible for directly funding activities identified in Section 2 of this MoU line with SPREP's Procurement Policy. No funds will be provided to Kingdom of Tonga Government Ministries unless granted through a formal contractual process.
- iii) Require all raw and processed data and reports generated through the Initiative to be shared with the Government of Tonga and promote its availability through appropriate information platforms.

#### 4. Governance of the BIEM Initiative:

As approved by Mr. Paula Pouvalu Ma'u, Chief Executive Officer, MEIDECC, and Dr. Tu'ikolongahau Halafihi, Chief Executive Officer, MoF in August 2020, MEIDECC will be the focal Ministry for the BIEM Initiative, with MoF being the implementing partner.

BIEM Initiative focal points:

- MEIDECC: Atelaita Lupe Matoto, Director, Department of Environment.  
Dorothy Kwansing Foliaki, Senior Environmental Analyst, Department of Environment.
- MoF: Poasi Fale Ngaluafae, Deputy CEO Fisheries Compliance Division.
- SPREP: Jamie Davies, BIEM Initiative Manager for SPREP.  
Anissa Lawrence, (TierraMar Ltd) will provide the technical point of contact for the MoF throughout the Initiative as she is contracted by SPREP to coordinate the by-catch mitigation and species conservation components of the BIEM Initiative.

To ensure MoF and MEIDECC have a leading role in the design, management and evaluation of the work undertaken the following process will be implemented to finalise the scope, timing and budget dedicated to the activities listed in Section 2:

- a. SPREP will develop terms of reference (ToR) in collaboration with MEIDECC and MoF that set out the:
  - i) scope and objectives of activities.
  - ii) location and partners to be involved.
  - iii) costed workplan, setting out planned timetable of activities and proposed budget.
- b. MEIDECC and MoF will comment on and approve the ToR for finalisation by SPREP.
- c. SPREP will advertise for external contractors to submit tenders for the work in accordance with SPREP procedures.
- d. SPREP, MoF and MEIDECC will evaluate tenders and determine the successful applicant.
- e. SPREP will contract and manage services in line with the approved ToR and SPREP procedures.
- f. The Ministries are updated on progress and provided with draft and final reports as set out in the ToR.

#### 5. Visibility and Communication arrangements:

SPREP and the MEIDECC will work collaboratively to positively promote the BIEM Initiative throughout Tonga. All media, reports and other visibility products will be approved by MEIDECC and the MoF in line with the PEUMP Programme Communications and Visibility Strategy, SPREP style guidelines and BIEM Initiative Guidance Notes for BIEM Partners and Contractors on Communications and Visibility.

SPREP will fund the production of communications and visibility outputs approved by the Ministries.

Media releases and communications outputs will be approved through the following process:

- a. SPREP, MEIDECC, MoF or service provider draft media release/output, within input from SPREP Communications contractor.



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- b. Director/Principle Officer MEIDECC, MoF and BIEM Initiative Manager approve text, logo line up and design.
  - c. SPREP Communications contractor submits to PEUMP Programme Management Unit (PMU) for approval.
  - d. Following approval, PEUMP PMU submits to EU Delegation for approval.
  - e. Publication of media/output.
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6. SPREP and MEIDECC shall co-operate to carry out the obligations in this Agreement in good faith.
  7. SPREP and MEIDECC may request each other to make variations to this Agreement. Requests for variations shall not be unreasonably withheld.

Easter Chu Shing  
Acting Director General  
SPREP

Date: 25/2/2021

Mr. Paula Pouvalu Ma'u  
Chief Executive Officer  
MEIDECC - Tonga

Date: 11/3/2021