
**REVISED MEMORANDUM OF UNDERSTANDING
BETWEEN
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 COMMUNITY**

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereinafter referred to as “the Western and Central Pacific Fisheries Commission” or “the Commission”) and the Secretariat of the Pacific Community (hereinafter referred to as “the SPC”):

Recognizing that the Commission is required to, *inter alia*:

- adopt measures to ensure long-term sustainability of highly migratory fish stocks in its Convention Area and promote the objective of their optimum utilization;
- ensure that such measures are based on the best scientific evidence available and are designed to maintain or restore stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors, including the special requirements of developing States in the Convention Area, particularly small island developing States, and taking into account fishing patterns, the interdependence of stocks and any generally recommended international minimum standards, whether subregional, regional, or global;
- assess the impacts of fishing, other human activities and environmental factors on target stocks, non-target species, and species belonging to the same ecosystem or dependent upon or associated with the target stocks;
- adopt measures to minimize waste, discards, catch by lost or abandoned gear, pollution originating from fishing vessels, catch of non-target species, both fish and non-fish species (hereinafter referred to as non-target species) and impacts on associated or dependent species, in particular endangered species and promote the development and use of selective, environmentally safe and cost-effective fishing gear and techniques;
- protect biodiversity in the marine environment;
- take measures to prevent or eliminate over-fishing and excess fishing capacity and to ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of fishery resources;
- collect and share, in a timely manner, complete and accurate data concerning fishing activities on, *inter alia*, vessel position, catch of target and non-target species and fishing effort, as well as information from national and international research programs;
- obtain for its consideration the best scientific information available from the Scientific Committee through review of research results, encouraging and promoting cooperation in scientific research and assessing status of target or non-target stocks of interest;
- obtain advice and recommendations on conservation and management measures from the Technical and Compliance Committee, in collaboration with the Scientific Committee; and
- obtain recommendations from the Northern Committee on the formulation of such conservation and management measures as may be adopted by the Commission in respect of stocks which occur mostly in the area north of 20° north parallel and on the implementation of such measures for the area north of 20° north parallel;

Noting also that the Commission:

- may engage the services of scientific experts to provide information and advice on the fishery resources covered by its Convention and related matters that may be relevant to the conservation and management of those resources;

- may enter into administrative and financial arrangements to utilise scientific services for this purpose; and
- in order to carry out its functions in a cost-effective manner, shall, to the greatest extent possible, utilise the services of existing regional organizations and shall consult, as appropriate, with any other fisheries management, technical or scientific organizations with expertise in matters related to the work of the Commission;

Recognizing that the SPC, through the work of its Oceanic Fisheries Programme (hereinafter referred to as “the OFP”), seeks to:

- ensure that regional and national fisheries management authorities in its region of competence have access to high-quality scientific information and advice on the status of, and fishery impacts on, stocks targeted or otherwise impacted by regional oceanic fisheries;
- ensure that regional and national fisheries management authorities within its region of competence have access to accurate and comprehensive scientific data on fisheries targeting the region’s resources of tuna, billfish and other oceanic species including non-target species; and
- improve the understanding of pelagic ecosystems in the western and central Pacific Ocean, with a focus on the western tropical Pacific;

Noting also that the OFP, in pursuing these objectives, has, over a long period of time:

- developed and maintained a comprehensive database of catch, effort, size composition and other biological data from the oceanic fisheries of the western and central Pacific Ocean;
- conducted biological and ecological research on the target and non-target species impacted by the fisheries and their ecosystem;
- conducted regular stock assessments and associated analyses for highly migratory stocks of interest;
- provided a forum for the exchange of knowledge of oceanic fisheries in the western and central Pacific Ocean through the precursor to the Scientific Committee, the Standing Committee on Tuna and Billfish, and thus has an established international and regional network of scientific collaborators; and
- assisted SPC Member countries that are also Members of the Commission in the management of oceanic fisheries through the implementation of fishery monitoring and data management systems, the provision of scientific advice and the provision of national capacity building;

Have agreed as follows:

General cooperation

The Commission and the SPC agree to establish and maintain cooperation in respect of matters of common interest to the two organizations. In particular, the Commission and the SPC will:

- i. encourage reciprocal participation in relevant meetings of each organization;
- ii. encourage the collaboration of national scientists in the scientific work undertaken by, or on behalf of, the Commission;
- iii. actively and regularly exchange relevant meeting reports, information, project plans, documents, and publications regarding matters of mutual interest, up to the limits allowed by the information-sharing policies agreed by each organization’s members; and
- iv. consult on a regular basis to enhance cooperation and minimize duplication.

Provision of Scientific Services to the Commission by the SPC OFP

The SPC OFP will provide scientific services, in cooperation with other scientists, as appropriate, including those from Members of the Commission, as agreed in triennial Service Agreements, specific services of which shall be reviewed on an annual basis. Services may include, *inter alia*, the following:

- i. data management services, including, as appropriate, the collection, compilation and dissemination of fisheries data according to agreed principles and procedures established by the Commission, data processing, and database development and maintenance, taking full account of the procedures and policies of both organizations relating to the confidentiality, disclosure and publication of data;
- ii. data summaries and analyses that the Commission may routinely require to carry out its functions;
- iii. other data summaries and analyses that the Commission may require from time to time;
- iv. regional stock assessments of key target and non-target species;
- v. ecosystem analyses, including developing ecosystem modelling and application to management, ecological risk assessment and related work;
- vi. implementation of the Shark Research Plan as approved by WCPFC7;
- vii. scientific evaluation of potential management options, agreed conservation and management measures and related work;
- viii. scientific advice in relation to the implementation of the Commission's vessel monitoring system, regional observer programme or other initiatives relating to fishing gear and technology, as appropriate; and
- ix. design and implementation of biological, ecological or stock assessment research programmes requested by the Commission, including collaborative research programmes with other regional fishery management organizations.

Provision of Assistance to Commission Members

In support of Article 30 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, the SPC will provide assistance to its Pacific Island Members to enhance their participation in the work of the Commission. Assistance may include, *inter alia*:

- i. assistance in monitoring the fishing activities of national fleets and foreign fleets fishing within Pacific Island exclusive economic zones;
- ii. assistance in data management, and in particular in satisfying the data reporting obligations to the Commission;
- iii. auditing of national fishery monitoring and data management systems;
- iv. assistance in the interpretation of scientific information being provided to the Commission;
- v. scientific advice for the management of national fisheries consistent with the objectives of the Commission; and
- vi. assistance in the implementation of management measures adopted by the Commission.

Financial Support

The Commission will provide financial support for the provision of scientific services and for the provision of assistance to Commission Members as agreed in this Service Agreement.

In respect of assistance to Pacific Island Commission Members, such assistance will normally be provided by SPC funding sources, or from the Commission's Special Requirements Fund, subject to procedures agreed by the Commission governing the use of that Fund and to the Commission's strategy for capacity building and operationalizing Article 30 of the Convention. Where assistance is to be funded from the Commission's Special Requirements Fund, this shall be included in the Service Agreement. In special circumstances, assistance may also be requested for non-Pacific Island Commission Members. Such assistance will be funded by the Commission (in which case it will be detailed in the Service Agreement) or directly by the countries concerned.

General Administrative Arrangements

- i. This MOU becomes effective upon the date of signature of the responsible representatives of both Parties.
- ii. This MOU may be modified by written consent of the responsible representatives of both Parties. The modified MOU becomes effective upon the date of signature of such consent.
- iii. If any dispute should arise between the Parties on the operation of this MOU, the Parties will make every effort to resolve the dispute themselves, or if necessary, by utilizing a mutually-acceptable arbiter.
- iv. Either Party may terminate this MOU by providing written notice to the other of its intention to withdraw from the MOU. Termination shall be effective on 31 December of the year in which such notice is given, or 90 days following such notice, whichever is later. Upon termination of the MOU, any uncommitted funds provided for scientific services and assistance shall be refunded to the Commission.
- v. A full review of the terms and operation of this MOU and its Annexes will be conducted in concert with any review of the scientific structure and functions of the Commission.

Signature

Signed on behalf of the Western and Central Pacific Fisheries Commission and the Secretariat of the Pacific Community:

Professor Glenn Hurry
Executive Director, WCPFC
Date: 25 March 2013

Dr Jimmie Rodgers
Director-General, SPC
Date: 25 March 2013

ANNEX I
Agreement for the Provision of Scientific Services to the
Commission and Assistance to Members by the Secretariat of the Pacific Community

I. Period Covered by this Agreement

The second three-year period covered by this Agreement is 1 January 2013 to 31 December 2015. However, Sections IV and below in this Agreement will be reviewed annually to be extended by one calendar year.

II. Areas for Triennial Scientific Services to be Provided

The scientific services to be provided to the Commission by the SPC OFP during 1 January 2013 to 31 December 2015 are as follows:

1. Data management, statistical analyses and related services
 - a) Data management
 - b) Compilation of catch and effort estimates
 - c) Statistical analyses for catch estimates
 - d) Rules and procedures of the Commission's data
 - e) Data gaps
 - f) Assistance to WPEA OFM Project
 - g) Dissemination of data
2. Stock assessment and related analytical services
 - a) Stock assessment
 - b) CPUE standardization
 - c) Sensitivity analysis
 - d) Model refinement
3. Management analyses and CMM performance monitoring
 - a) Assistance to management related matters
 - b) Management options
 - c) Appraisal and monitoring of the conservation benefit of proposed and implemented CMMs
4. Implementation of Shark Research Plan
 - a) Implementation of the Shark Research Plan, including stock assessment of key shark species
 - b) Refinement of the Shark Research Plan as needed
5. Capacity building of small island developing States
6. Research services
7. Other advisory and technical services

III. Assistance to Commission Members

The SPC OFP will provide services to its membership to assist them to fulfil their responsibilities as Commission Members. These services include assistance in the implementation of fishery monitoring programmes, data management systems and the provision of scientific advice for EEZ-based management. The majority of these services will be provided from existing SPC OFP funding sources.

IV. Specific Services and Terms of Reference for the Provision of Scientific Services for 2013

This section will be reviewed and revised annually according to the requests from the Commission and its subsidiary bodies.

Period Covered by this Agreement

The period covered by this Agreement is 1 January 2013 to 31 December 2013.

Scientific Services to be Provided

The scientific services to be provided to the Commission by the SPC OFP during the period of this Agreement are as follows:

Activity	Description of Service	Specific Outputs	Timing	Performance
Core SPC services				
<i>Data management, statistical analyses and related services</i>				
i.	<i>Data Management</i>			
ii.	<i>Compilation of catch and effort estimates</i>			
iii.	<i>Data dissemination</i>			
iv.	<i>Technical / policy advice</i>			
v.	<i>Support of other data-related projects of the Commission</i>			
<i>Stock assessment and related analytical services</i>				
vi.	<i>Target species stock assessments and auxiliary analyses</i>			
vii.	<i>Implementation of the shark research plan</i>			
viii.	<i>Model development and refinement</i>			
<i>Management analyses and CMM performance monitoring</i>				
ix.	<i>Conservation and Management Measure performance monitoring</i>			
x.	<i>Analyses to support development of Conservation and Management Measures</i>			

<i>Other advisory and technical services</i>				
xi.	<i>Other advisory and technical services</i>			

Financial Support to be provided by the Commission

The financial support to be provided by the Commission to the SPC OFP for the services outlined above is as follows:

Item	Cost basis	USD
Data management, stock assessment, and other advisory and technical services	Costs based on SPC costs of scientific staff positions, administration costs, travel to SC, TCC and WCPFC annual sessions, and computer support.	
Total Commission funding		

Schedule for Payments and Bank Details for Payment

The schedule of payments shall be as follows:

15 April 2013 (or before)	USD	Name of Bank	Banque de Nouvelle-Caledonie
30 April 2013 (or before)		Address	25 av Henri Lafleur Victoire, Noumea, New Caledonia
30 June 2013 (or before)		Account name	Secretariat General de la Communaute du Pacifique
30 September 2013 (or before)		Account Number	14889 00081 01461716025 31

Professor Glenn Hurry
Executive Director,
WCPFC

Date : 25 March 2013

Dr John Hampton
OFP Manager, SPC

Date : 25 March 2013