

Draft Memorandum of Understanding between the International Commission for the Conservation of Atlantic Tunas and the Secretariat of the Sargasso Sea Commission

The International Commission for the Conservation of Atlantic Tunas (hereafter ICCAT) and the Secretariat of Sargasso Sea Commission (hereafter SSC); hereafter jointly called “the Participants”:

WHEREAS ICCAT is a regional fisheries management organization established in 1966 by the International Convention for the Conservation of Atlantic Tunas (the Convention);

ACKNOWLEDGING that the objective of ICCAT is to maintain populations of tuna and tuna-like species in the Atlantic Ocean and its adjacent seas at levels that will permit the maximum sustainable catch for food and other purposes;

RECALLING Article IV (1) of the Convention, which provides that the Commission shall, inter alia, be responsible for the study of the populations of tuna and tuna-like fishes and that such study shall include research on the abundance, biometry and ecology of the fishes; the oceanography of their environment; and the effects of natural and human factors upon their abundance;

NOTING that under Article XI of the Convention, ICCAT Contracting Parties agree that there should be co-operation between the Commission and other international fisheries commissions and scientific organizations which might contribute to the work of the Commission and that ICCAT may enter into agreements with such commissions and organizations;

WHEREAS the 2014 Hamilton Declaration on Collaboration for the Conservation of the Sargasso Sea has now been signed by the Governments of the Azores, Bahamas, Bermuda, British Virgin Islands, Cayman Islands, Canada, Dominican Republic, Monaco, United Kingdom, and United States of America and conscious that some ICCAT Parties are also Signatories to the 2014 Hamilton Declaration;

WHEREAS the members of the SSC are appointed by the Government of Bermuda in consultation with the other government signatories of the Hamilton Declaration, pursuant to paragraph 6 of the Hamilton Declaration;

AWARE that the SSC is a legal entity under Bermudian law; is composed of “distinguished scientists and other persons of international repute committed to the conservation of high seas ecosystems” that serve in their personal capacity; has no management authority; and that its mandate is to exercise a stewardship role for the Sargasso Sea and keep its health, productivity, and resilience under continual review, in collaboration with all who share a vision for the protection of the marine ecosystems of the Sargasso Sea;

WHEREAS the SSC has been seeking to promote collaboration to secure the effective conservation of the high seas ecosystem of the Sargasso Sea and, toward that end, it seeks, wherever appropriate, to cooperate with competent international or regional organizations;

RECOGNIZING that both Participants have their respective roles and responsibilities, and both desire to put in place this Memorandum of Understanding to promote cooperation in areas of mutual interest;

The Participants intend to cooperate with each other, as follows:

1. Objective of this Memorandum

The objective of this Memorandum of Understanding (hereafter Memorandum) is to facilitate cooperation between ICCAT and the SSC Secretariat to support efforts to enhance the conservation and sustainable management of the ecosystem of the Sargasso Sea, which falls entirely within the ICCAT Convention area.

2. Areas of cooperation

ICCAT and the SSC intend to consult, cooperate, and collaborate within their respective areas of competence and in accordance with their respective procedures, on areas of common interest that are directly or indirectly relevant to enhancing the conservation and sustainable management of the ecosystem of the Sargasso Sea, including, as appropriate, the following:

- a) Exchange of expertise, techniques, and knowledge relevant to an ecosystem approach to fisheries management in relation to ICCAT fisheries;
- b) Development of approaches for exchanging and analyzing data on fisheries, habitats, and related species relevant to ICCAT and the Sargasso Sea, with a view to supporting the development of ecosystem indicators and the monitoring of fisheries impacts and ecosystem management;
- c) Reciprocal participation with observer status at the relevant meetings of ICCAT and the SSC, as appropriate; and
- d) Coordination between the Participants on issues of mutual interest relating to public announcements, the modalities for the mutual use of logos in appropriate circumstances, and similar issues.

3. Financial implications

Any collaborative activities undertaken by either Participant, in furtherance of this Memorandum, will not involve any financial responsibility for the other Participant unless agreed otherwise in advance and in writing.

4. Legal status

The Participants acknowledge that this Memorandum is not legally binding.

5. Effective date and discontinuation

- a) This Memorandum is to remain operative for six years. Prior to its expiration, the Participants intend to review the operation of the Memorandum and decide whether to renew or modify it or to allow its expiration.
- b) Either Participant may discontinue this Memorandum prior to its expiry date by giving six months written notice to the other Participant.
- c) This Memorandum becomes operative as of the last date of signature.

Signed on the [date to inserted] in [six] originals, in English, French and Spanish, all texts being equally authoritative.