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# MoP-08-18

8th Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (MoP8)

5-9 July 2021 (online)

# LETTER OF INTENT Between THE INDIAN OCEAN TUNA COMMISSION and the SOUTHERN INDIAN OCEAN FISHERIES AGREEMENT

*Relates to agenda item: 12.3* Working paper ** Info paper

IOTC

**Abstract**

## This document presents the letter of intent between IOTC and SIOFA prepared by IOTC and adopted during its 25th Session in June 2021.

**Recommendations *(working papers only)***

## The MoP to consider the Letter of Intent.

 

**LETTER OF INTENT**

**Between**

**THE INDIAN OCEAN TUNA COMMISSION**

**and the**

**MEETING OF THE PARTIES TO THE SOUTHERN INDIAN OCEAN FISHERIES AGREEMENT INCLUDING ITS SUBSIDIARY BODIES**

The Indian Ocean Tuna Commission (hereafter IOTC) and the Meeting of the Parties to the Southern Indian Ocean fisheries Agreement including it subsidiary bodies (hereafter MOP to SIOFA):

**NOTING** that the objectives of the Southern Indian Ocean Fisheries Agreement (hereinafter the SIOF Agreement) are to ensure the long-term conservation and sustainable use of the fishery resources in the Area through cooperation among the Contracting Parties, and to promote the sustainable development of fisheries in the Area, taking into account the needs of developing States bordering the Area that are Contracting Parties to the Agreement, and in particular the least developed among them and small-island developing States;

**NOTING ALSO** that the SIOF Agreement covers resources of fish, molluscs, crustaceans and other sedentary species within the Area, but excluding highly migratory species listed in Annex I of the 1982 United Nations Convention on the Law of the Sea and sedentary species subject to the fishery jurisdiction of coastal states pursuant to Article 77(4) of the 1982 United Nations Convention on the Law of the Sea;

**NOTING FURTHER** that the Agreement for the Establishment of the Indian Ocean Tuna Commission (hereafter IOTC Agreement) seeks to promote cooperation with a view to ensuring, through appropriate management, the conservation and optimum utilization of tuna and tuna-like species and to and encourage the sustainable development fisheries based on such stocks;

**RECOGNISING** that Article 16 of the SIOF Agreement calls upon the contracting parties to cooperate closely with other international fisheries and related organizations in matters of mutual interest, in particular with the South West Indian Ocean Fisheries Commission and any other regional fisheries management organizations with competence over high seas waters adjacent to its Area of competence;

**RECOGNISING FURTHER** that Article XV of the IOTC Agreement calls on the IOTC to cooperate and make appropriate arrangements with other intergovernmental organization, especially those active in the fisheries sector, which might contribute to the work and further the objectives of the Commission. In particular, with any intergovernmental organization or institution dealing with tunas in the area of competence of the IOTC and to seek to promote complementarity and to avoid duplication and conflict;

**NOTING** that the IOTC Agreement and SIOF Agreement areas of competence partially overlap;

**CONSCIOUS** that some members of the IOTC are also Contracting Parties to SIOF Agreement;

**AWARE** that there are stocks and species respectively covered by the IOTC Agreement and the SIOF Agreement that migrate through their shared / respective geographic area of competence;

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**DESIRING** to put into place arrangements and procedures to promote and facilitate the cooperation called for by the IOTC Agreement and the SIOF Agreement in order to enhance the conservation and sustainable use of species which are within their mutual competence;

**DESIRING FURTHER** to promote complementarity between the IOTC and the MOP to SIOFA;

**NOW THEREFORE** record the following understanding’

### AREAS OF COOPERATION

The IOTC and the MOP to SIOFA agree to establish and maintain consultation, co-operation and collaboration in respect of matters of common interest to both the IOTC and the MOP to SIOFA , including but not limited to, the following areas:

1. exchange of data and information consistent with their information-sharing policies;
2. collaboration on research efforts relating to stocks and species of mutual interest, including stock assessments; and
3. conservation and management measures for stocks and species of mutual interest.

### MANNER OF COOPERATION

Cooperation between the IOTC and the MOP to SIOFA should include:

1. reciprocal participation as observers in relevant meetings of the IOTC and the MOP to SIOFA, including those of relevant subsidiary bodies;
2. information sharing about stocks and species of mutual interest;
3. clear definition of the species of interest of each organization for management purposes (e.g., pelagic sharks);
4. development of processes to promote harmonization and compatibility of conservation and management measures where relevant; and
5. exchange of relevant meeting reports, information, technologies, research data and results, project plans, documents, and publications regarding matters of mutual interest.

### MODIFICATION, AMENDMENT

This Letter of Intent may be modified at any time by the mutual written consent of both the IOTC and the MOP to SIOFA.

### LEGAL STATUS

This Letter of Intent does not create or alter legally binding rights and obligations.

 

### COMING INTO EFFECT AND TERMINATION

This Letter of Intent will continue to operate for five years from the date of signature. At that stage both sides will review the operation of the Letter of Intent and decide whether it will be renewed or modified.

* 1. Either side may terminate this Letter of I ntent by giving six months prior written notice to the other side.
  2. This Letter of Intent will come into effect on the day of both signatures.

Signed on behalf of the Indian Ocean Tuna Commission and the Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement including its subsidiaries bodies:

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| --- | --- |
| **Date:** | Name  **The Chairperson of the MoP to the SIOF Agreement**  **Date:** |