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**PROPOSED ARRANGEMENT WITH  
THE SECRETARIAT FOR THE AGREEMENT ON THE CONSERVATION OF  
ALBATROSSES AND PETRELS and IOTC**

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**BACKGROUND**

At its 12<sup>th</sup> Session (2008) the Commission discussed an initiative by The Agreement on the Conservation of Albatrosses and Petrels (ACAP) to formalise an arrangement with the IOTC to promote cooperation between the two organisations to enhance the conservation of Albatrosses and Petrels in the IOTC Area.

While the Commission welcomed this initiative, some Members indicated that, due to the late submission of the draft arrangement, they had not had sufficient time to discuss the issue at national level and, therefore, could not endorse the proposed arrangement at this session.

It was agreed that ACAP could re-submit the proposal for the arrangement at the IOTC's next Session and that in the meantime the IOTC Secretariat and ACAP would continue to collaborate.

The below draft Arrangement is presented for the consideration by the Commission in 2009.

**THE INDIAN OCEAN TUNA COMMISSION**  
**and**  
**THE SECRETARIAT FOR THE AGREEMENT ON THE CONSERVATION OF**  
**ALBATROSSES AND PETRELS**

The Indian Ocean Tuna Commission (hereafter IOTC) and the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels;

ACKNOWLEDGING that The Agreement on the Conservation of Albatrosses and Petrels (hereafter ACAP), developed under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals, is a multilateral agreement which seeks to achieve and maintain a favourable conservation status for albatrosses and petrels by coordinating international activity to mitigate known threats to albatross and petrel populations.

NOTING that Article X(d) of ACAP authorizes the ACAP Secretariat to liaise with non-Party Range States and regional economic integration organisations and to facilitate coordination between Parties and non-Party Range States, and international and national organisations and institutions whose activities are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels;

NOTING FURTHER that Article XI of ACAP empowers the ACAP Secretariat to consult and cooperate, where appropriate, with the secretariats of other relevant conventions and international instruments in respect of matters of common interest and to enter into arrangements, with the approval of the Meeting of Parties (MoP), with other organisations and institutions as may be appropriate and to consult and cooperate with such organisations and institutions in exchanging information and data;

NOTING that Article XV of the IOTC Agreement calls upon the IOTC to cooperate with other organizations active in fisheries, especially tuna fisheries.

ACKNOWLEDGING that the objective of the IOTC is to ensure, through effective management, the long-term conservation and sustainable use of the stocks of tuna and tuna-like species in the Indian Ocean;

ACKNOWLEDGING FURTHER that the IOTC also makes provisions for the conservation of non-target, associated or dependent species which belong to the same ecosystem as the target species, including albatrosses and petrels;

CONSCIOUS that some Members of the IOTC are also Parties to ACAP;

RECOGNIZING that the achievement of the objectives of the IOTC and ACAP will benefit from cooperation, with a view to strengthening the conservation measures adopted in respect of albatrosses and petrels;

DESIRING to put into place arrangements and procedures to promote cooperation in order to enhance the conservation of albatrosses and petrels;

NOW THEREFORE the IOTC and the ACAP Secretariat record the following understandings:

## **1. OBJECTIVE OF THIS ARRANGEMENT**

The objective of this Arrangement is to facilitate cooperation between the IOTC and the ACAP Secretariat (“the Parties”) with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels listed in Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels within the IOTC Area.

## **2. AREAS OF COOPERATION**

The Parties may establish and maintain consultation, co-operation and collaboration in respect of matters of common interest to both organisations for the:

- a) development of systems for collecting and analysing data, and exchanging information concerning the incidental by-catch of seabirds in the IOTC Area;
- b) exchange of information regarding management approaches relevant to the conservation of albatrosses and petrels;
- c) implementation of education and awareness programmes for fishers who operate in areas where albatrosses and petrels may be encountered;
- d) design, testing and implementation of seabird by-catch mitigation measures relevant to fishing operations in the IOTC Area;
- e) development of training programmes on conservation techniques and measures to mitigate threats affecting albatrosses and petrels; and
- f) exchange of expertise, techniques and knowledge relevant to the conservation of albatrosses and petrels in the IOTC Area and
- g) reciprocal participation with observer status at the relevant meetings of each organisation.

## **3. REVIEW, MODIFICATION AND AMENDMENT**

This Arrangement may be amended at any time by the mutual written consent of both Parties.

## **4. LEGAL STATUS**

The Participants acknowledge that this Arrangement is not legally binding between them.

## **5. ENTRY INTO FORCE AND TERMINATION**

This arrangement will remain in effect for ? years. At that stage the Parties will review the operation of the Arrangement and decide whether it will be renewed or amended. The ACAP Secretariat may only act in accordance with the decisions of the MoP.

(a) Either Party may terminate this Arrangement by giving six months prior written notice to the other Party. In resolving to terminate this arrangement, the ACAP Secretariat may only act in accordance with a decision of the MoP.

(b) This arrangement will come into effect on signature.

## **SIGNATURE**

Signed at. this day of 2009

Signed at Hobart, this day of 2009

Chairperson IOTC

Executive Secretary, ACAP Secretariat