
MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE IOTC AND THE OVERSEAS FISHERY COOPERATION FOUNDATION (OFCF) OF JAPAN

PREPARED BY: IOTC SECRETARIAT, 23 APRIL 2016

PURPOSE

To provide the Commission with an opportunity to consider a draft Memorandum of Understanding (MoU) between the IOTC and the Overseas Fishery Cooperation Foundation (OFCF) of Japan.

BACKGROUND

The IOTC Agreement, Article XV, paragraphs 1 and 2, on the *Cooperation with other organisations and institutions* state:

1. *The Commission shall cooperate and make appropriate arrangements therefore with other intergovernmental organizations and institutions, 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 tuna in the Area. The Commission may enter into agreements with such organizations and institutions. Such agreements shall seek to promote complementarity and, subject to paragraph 2, to avoid duplication in and conflict with the activities of the Commission and such organizations.*
2. *Nothing in this Agreement shall prejudice the rights and responsibilities of other intergovernmental organizations or institutions dealing with tuna or a species of tuna in the Area or the validity of any measures adopted by such organization or institution.*

DISCUSSION

The Indian Ocean Tuna Commission and the Overseas Fishery Cooperation Foundation (OFCF) of Japan may benefit from the establishment and maintenance of a mechanism of consultation, cooperation and collaboration with respect to matters of common interest to both sides.

A potential Memorandum of Understanding (MoU) could have as its core objective, to improve the accuracy of data collection and statistical analysis of the catch and resources of tuna in the Indian Ocean through implementing technical cooperation project.

The draft MoU is provided at **Appendix I** for the Commission's consideration.

RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC-2016-S20-14 which provided the Commission with an opportunity to consider the revised draft Memorandum of Understanding (MoU) between the IOTC and the Overseas Fishery Cooperation Foundation (OFCF) of Japan.
- 2) **CONSIDER** the MoU and recommend a course of action.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE INDIAN OCEAN TUNA COMMISSION
AND
THE OVERSEAS FISHERY COOPERATION FOUNDATION OF JAPAN**

The Indian Ocean Tuna Commission (hereafter 'IOTC') and the Overseas Fishery Cooperation Foundation of Japan (hereinafter referred to as 'the OFCF');

RECOGNISING the need to reinforce the fishery cooperation relationship with each other, and with a view to contributing to the realisation of sustainable utilisation of tuna in the Indian Ocean;

AIMING at improving the systems of collecting and processing data on resources related to tuna fisheries in the Indian Ocean;

NOW THEREFORE the IOTC and the OFCF record the following understanding:

1. OBJECTIVE OF THIS MEMORANDUM OF UNDERSTANDING

The objective of this Memorandum of Understanding (MoU) is to improve the accuracy of data collection and statistical analysis of the catch and resources of tuna in the Indian Ocean through implementing technical cooperation project.

2. AREAS OF COOPERATION

The IOTC and the OFCF agree to establish and maintain consultation, co-operation and collaboration in respect of matters of common interest to both parties for the implementation of cooperation project for strengthening and improving statistical systems of tuna resources in the Indian Ocean. Activities under this project are including, but not limited to:

- a) provide technical guidance and assistance for improving fisheries data collection, processing and submission systems in the countries selected;
- b) provide materials and equipment deemed necessary for the above activity; and
- c) any other activity that is determined as necessary by both the OFCF and IOTC to achieve project objectives.

3. MODIFICATION/AMENDMENT

This MoU may be modified at any time by the mutual written consent of both parties.

4. LEGAL STATUS

Both sides acknowledge that this MoU is not legally binding between them.

5. COMING INTO EFFECT AND TERMINATION

This MoU will continue to operate until 31 March 2017. At that stage both sides will review the operation of the MoU and decide whether it will be renewed or modified.

- a) This MoU will come into effect on the day of signature.
- b) Either side may terminate this MoU by giving six months prior written notice to the other side.

SIGNATURE

Signed in XXXX on dd MMM YYYY

Signed in XXX on dd MMM YYYY

Chairperson, IOTC

Yoshiharu TAKENAKA
President, OFCF