

Draft Memorandum of Understanding with the Northwest Atlantic Fisheries Organization (NAFO)

Delegates will recall that at the 2001 Statutory Meeting Council approved the report and recommendations of the Bureau Working Group on International Programmes (Doc. CM2001/Del:12, and Resolution 4DEL02; pages 121-122 of the *ICES Annual Report* for 2001).

In furtherance of the Council decision to strengthen the links between ICES and, *inter alia*, NAFO, a draft Memorandum of Understanding has been developed between the two organisations. This draft (attached at Annex 1) is modelled on the Memorandum of Understanding between ICES and FAO. For information,

the Memorandum of Understanding with FAO is also attached (Annex 2).

An identical draft is being tabled at the meeting of the NAFO General Council, 16-20 September 2002 in Santiago de Compostela, Spain.

Delegates are invited to authorise the President of ICES, Prof. Pentti Mälikki, to sign the Memorandum of Understanding with NAFO.

ANNEX 1

DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN THE NORTHWEST ATLANTIC FISHERIES ORGANIZATION AND THE INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA

Recognizing that the Northwest Atlantic Fisheries Organization (NAFO) hereinafter called “the Organization”, exists to promote the conservation and optimum utilization of the fishery resources of the Northwest Atlantic area within a framework appropriate to the regime of extended Coastal State jurisdiction over fisheries, and accordingly to encourage international cooperation and consultation with respect to these resources; whose object is to contribute through consultation and cooperation to the optimum utilization, rational management and conservation of the fishery resources of the NAFO Convention Area.

Recognizing that the International Council for the Exploration of the Sea, hereinafter called “the Council”, exists to (a) promote and encourage research and investigations for the study of the sea particularly related to the living resources thereof; (b) draw up programmes required for this purpose and to organize, in agreement with its Contracting Parties, such research and investigations as may appear necessary; (c) publish or otherwise disseminate the results of this work; and (d) provide scientific information and advise to Member Country governments, and the regulatory commissions with which cooperative relationships have been established. In order to carry out these tasks appropriately and efficiently the Council seeks, *inter alia*, to establish and maintain mutually agreed working arrangements with other international organizations which have related objectives.

The Organization and the Council have, therefore, agreed to the following Understanding:

1. There shall be reciprocal consultations and regular contact between the two organizations on matters of common interest in the field of marine research and related aspects, particularly those involving studies in the North Atlantic Oceans and its adjacent seas, and which fall within their respective competence.
2. There shall be regular exchanges between the two organizations of information, documents, and publications related to programme and project plans and to the results of activities of mutual interest, joint or otherwise.
3. The two organizations shall invite each other to be represented at their meetings that are of common interest, to the extent that this is possible within their respective working procedures.
4. The two organizations shall, as appropriate, undertake joint activities, including when required the establishment of joint subsidiary bodies or other suitable arrangements, to study and report on matters of common interest, and including the support of those programmes that concern both organizations.
5. The terms of this Understanding may be revised by the two organizations if they both agree. If they fail to agree on new terms, the Understanding shall continue on the basis of the existing terms until new terms have been agreed. Either organization may withdraw from the Understanding at any time subject to giving one year's written notice.
6. Recognizing and fully respecting their various mandates, policies and priorities, the signatories agree that this Understanding shall enter into force upon signature and shall remain in force unless either organization withdraws pursuant to Clause 5 above.

Signed:

President
International Council for the
Exploration of the Sea

President
Northwest Atlantic Fisheries
Organization

DateSeptember 2002

Date:September 2002

ANNEX 2

MEMORANDUM OF UNDERSTANDING BETWEEN THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS AND THE INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA

Recognizing that the United Nations Food and Agriculture Organization (FAO), hereinafter called “the Organization”, exists to promote sustainable food supplies from fisheries and aquaculture on a global basis through their better planning, management and conduct, involving: (a) the improvement of the social and economic contribution of fisheries and aquaculture through better policies, planning, trade and harvest strategies; (b) the rehabilitation and stabilization of the natural resource base and its critical environments; (c) enhancing natural productivity of fisheries and aquaculture, as well as promoting improved fishery technologies, and (d) providing an international depository and means exchange and dissemination of information on matters relating to global fisheries.

Recognizing that the International Council for the Exploration of the Sea, hereinafter called “the Council”, exists to: (a) promote and encourage research and investigations for the study of the sea particularly related to the living resources thereof; (b) draw up programmes required for this purpose and to organise, in agreement with its Contracting Parties, such research and investigations as may appear necessary; (c) publish or otherwise disseminate the results of this work; and (d) provide scientific information and advice to Member Country governments, and the regulatory commissions with which cooperative relationships have been established. In order to carry out these tasks appropriately and efficiently, the Council seeks, *inter alia*, establish and maintain mutually agreed working arrangements with other international organizations which have related objectives.

The Organization and the Council, hereinafter called “the Parties”, have therefore, agreed to the following Understanding:

1. There shall be reciprocal consultations and regular contacts between the Parties on matters of common interest in the field of marine scientific research, resource management, fishing technology, data exchange, and on training and related activities, including environmental studies, particularly those involving studies in those seas where the geographical competencies of the Parties overlap.
2. There shall be regular exchange between the Parties of information, documents and publications relating to programme and project plans and to the results of activities agreed to be of mutual interest, joint or otherwise.
3. The Parties shall invite each other to be represented, in an observer capacity, at meetings of common interest, to the extent that this is possible within their respective working procedures.
4. The Parties shall, as appropriate, undertake joint activities, including when required, the establishment of joint subsidiary bodies or other suitable arrangements, to study and report on matters of common interest, including the support of those activities that concern them both.
5. The Parties shall consult regularly on ways in which cooperation between them can be further improved and extended. Specific joint programmes and activities may be defined through addenda to this framework agreement on a biennial basis.
6. The terms of this Understanding may be revised by the Parties if they both agree. If they fail to agree on new terms, the Understanding shall continue on the basis of the existing terms until new terms have been agreed. Either Party may withdraw from the Understanding at any time subject to giving one year's written notice.

7. Recognizing and fully respecting their various mandates, policies and priorities, the signatories agree that this Understanding shall enter into force upon signature and shall remain in force unless either Party withdraws pursuant to Paragraph 6 above.
8. Any agreement, arrangement or joint activity entered into in consequence of this Memorandum of Understanding which involves a financial commitment will be covered by an annex to this Memorandum governing the provision of funds.

Signed: Alain Maucorps
President
International Council for the
Exploration of the Sea

Signed: Serge García
for: Officer-in-Charge
Fisheries Department
United Nations Food and
Agriculture Organization

ICES/NAFO Draft Memorandum of Understanding

The Executive Secretary of NAFO, Mr Leonard Chepel forwarded the following decision taken by their Scientific Council during its meeting on 16–20 September regarding a possible ICES/NAFO MoU.

“Consideration of MoU with ICES

The Scientific Council considered a proposal presented by the Executive Secretary to develop a memorandum of Understanding (MoU) with ICES and referred to it by General Council.

Scientific Council noted that it has had a long-standing working relationship with ICES in many scientific activities of mutual interest. The Council at present continues to work effectively with ICES, e.g. Scientific Council nominees attending ACFM Meetings of ICES, a Joint NAFO/ICES Working Group on Harp and Hooded Seals, conducting co-sponsored Symposia, etc. Under the circumstances Scientific Council is unclear as to the incremental benefits that would accrue through a formal document such as a MoU. It was accordingly decided there is not any need for a formal MoU at this stage. Scientific Council, however, agreed this matter could be considered at a later date based on any additional documentation that may be prepared outlining, in more detail, the benefits and advantaged of any MoU.”

The NAFO Executive Secretary further informs that the General Council endorsed the views of the Scientific Council.