

PROPOSED LETTER OF INTENT
BETWEEN
THE INDIAN OCEAN TUNA COMMISSION
and
THE INTERNATIONAL WHALING COMMISSION

The Indian Ocean Tuna Commission (hereafter IOTC) and the International Whaling Commission (hereafter IWC);

ACKNOWLEDGING that the International Whaling Commission is the global body charged with the conservation of whales and the management of whaling, established in 1946 under the International Convention for the Regulation of Whaling (signed 1946);

NOTING that the IWC currently has 88 members, manages Aboriginal Subsistence Whaling (commercial whaling is under a moratorium) and that the IWC's role has expanded to address a wide range of conservation issues including bycatch and entanglement, ocean noise, pollution and debris, collisions between whales and ships, and sustainable whale watching;

RECOGNIZING that bycatch and entanglement in fishing gear is a global issue and the single greatest cause of mortality for cetaceans;

NOTING FURTHER the recommendations from IWC68 in 2018 calling on the IWC Secretariat to identify priority Regional Fisheries Management Organisations and Regional Fisheries Bodies of relevance to the IWC Bycatch Mitigation Initiative, given that fishery management is outside of the IWC's remit, and in order to develop a plan for effective long-term engagement on cetacean bycatch;

NOTING that Article XV of the Agreement for the Establishment of the Indian Ocean Tuna Commission (hereafter IOTC Agreement) calls upon the IOTC to cooperate with other organisations active in fisheries, especially tuna fisheries;

ACKNOWLEDGING that the objective of the IOTC Agreement 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 that the IOTC Strategic Science Plan for 2020-2024 specifies goals including: strengthening data collection; improving scientific advice provided to the Commission; and increasing participation in scientific processes by increasing the collaboration of the Scientific Committee with the broader scientific community;

CONSCIOUS that many Members of the IOTC are also Parties to IWC;

RECOGNISING that the achievement of the objectives of the IOTC and IWC will benefit from cooperation, with a view to strengthening the monitoring and assessment of cetacean bycatch and the implementation of conservation and management measures to reduce it, as noted in the FAO Code of Conduct For Responsible Fisheries, the International Guidelines on Bycatch Management and Reduction of Discards and the Technical Guidelines to Prevent and Reduce Bycatch of Marine Mammals in Capture Fisheries;

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

NOW THEREFORE the IOTC and the IWC record the following understandings:

1. OBJECTIVE OF THIS LETTER OF INTENT

The objective of this Letter of Intent (LoI) is to facilitate cooperation between the IOTC and the IWC (both sides) with a view to supporting efforts to minimise the incidental bycatch of marine mammals within the area of competence of the IOTC.

2. AREAS OF COOPERATION

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

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

3. MODIFICATION

This LoI may be modified at any time by the mutual written consent of both sides.

4. LEGAL STATUS

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

5. COMING INTO EFFECT AND TERMINATION

This LoI will continue to operate for 5 years from the date of signing. At that date both sides will review the operation of the LoI and decide whether it will be renewed or modified.

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

SIGNATURE

Chairperson/Exec Secretary, IOTC

Chair/Executive Secretary, IWC

Date

Date