
**PROPOSED LETTER OF INTENT BETWEEN THE INDIAN OCEAN TUNA COMMISSION (IOTC) AND
THE SOUTHERN INDIAN OCEAN FISHERIES AGREEMENT (SIOFA)**

PREPARED BY: IOTC Secretariat

PURPOSE

To provide the Commission with an opportunity to consider a draft Letter of Intent (LoI) between the Indian Ocean Tuna Commission (IOTC) and the Southern Indian Ocean Fisheries Agreement (SIOFA).

BACKGROUND

Given the management area of the Southern Indian Ocean Fisheries Agreement (which covers fishery resources including fish, molluscs, crustaceans and other sedentary species, but excludes highly migratory species), overlaps considerably with the IOTC Area of Competence, in 2020, the Commission requested the Executive Secretary to work with the Secretariat of SIOFA and present a draft Letter of Intent for a future collaborative arrangement between IOTC and SIOFA on areas of common understanding and interest.

THE PROPOSAL

The draft LoI is based on text that has been discussed between the Secretariats of the IOTC and the SIOFA. Because the IOTC annual session is being held before the SIOFA Meeting of the Parties in 2021, it is proposed that if the IOTC consider the draft LOI first, and if agreed, it will be sent to SIOFA for consideration. The proposed LoI is provided in Appendix 1.

RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC–2021–S25-06 which provides the Commission with an opportunity to consider a draft Letter of Intent (LoI) between the Indian Ocean Tuna Commission (IOTC) and the Southern Indian Ocean Fisheries Agreement (SIOFA).
- 2) **AGREE** on the content of the LoI as detailed in Appendix 1, and request that the LOI be communicated to the SIOFA Meeting of the Parties for its consideration
- 3) **AGREE** that the Chairperson of the Commission may sign the LoI on behalf of the Commission once it is approved by SIOFA Meeting of the Parties.

Appendix 1

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

The Indian Ocean Tuna Commission (hereafter IOTC) and the Southern Indian Ocean fisheries Agreement (hereafter SIOFA):

NOTING that the objectives of SIOFA 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 this Agreement, and in particular the least developed among them and small-island developing States. And that the Agreement covers fishery resources including fish, molluscs, crustaceans and other sedentary species within the area, but excluding highly migratory species and sedentary species subject to the fishery jurisdiction of coastal states.

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 of such species within the area of competence of the IOTC.

CONSIDERING that Article 16 of the SIOFA calls upon the contracting parties to cooperate closely with other international fisheries and related organisations in matters of mutual interest, in particular with the South West Indian Ocean Fisheries Commission and other regional fisheries management organisations with competence over high seas waters adjacent to the area.

CONSIDERING FURTHER that Article XV of the IOTC Agreement calls on the IOTC to cooperate and make appropriate arrangements with other intergovernmental organization, 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.

BEARING IN MIND that there is an overlap of a geographical area that falls within the area of competence of both the IOTC and the SIOFA.

CONSCIOUS that some members of the IOTC and some parties to SIOFA are in both organizations.

AWARE that there are stocks and species covered by both the IOTC Agreement and the SIOFA Agreement that migrate through areas of competence of both organizations.

DESIRING to put into place arrangements and procedures to promote cooperation called for by the IOTC Agreement and the SIOFA Agreement in order to enhance the conservation and sustainable use of species which are within the competence of both organizations.

DESIRING FURTHER to promote complementarity and to avoid duplication in and conflict with the activities of the two organizations.

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

1. AREAS OF COOPERATION

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

- i. exchange of data and information consistent with the information-sharing policies of each organization;
- ii. collaboration on research efforts relating to stocks and species of mutual interest, including stock assessments; and
- iii. conservation and management measures for stocks and species of mutual interest.

2. MANNER OF COOPERATION

Cooperation between the IOTC and the SIOFA shall include:

- i. reciprocal participation as observers in relevant meetings of each organization, including those of relevant subsidiary bodies
- ii. information sharing about stocks and species of mutual interest
- iii. clear definition of the species of interest of each organization for management purposes (e.g., pelagic sharks)
- iv. development of processes to promote harmonization and compatibility of conservation and management measures, including measures relating to monitoring, control, surveillance and enforcement; and
- v. exchange of relevant meeting reports, information, research data and results, project plans, documents, and publications regarding matters of mutual interest.

3. MODIFICATION, AMENDMENT

This Letter of Intent is subject to modification and amendment by the mutual consent of both organizations.

4. LEGAL STATUS

Both sides acknowledge that this Letter of Intent is not legally binding between them.

5. COMING INTO EFFECT AND TERMINATION

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

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



Signed on behalf of the Indian Ocean Tuna Commission and the Southern Indian Ocean Fisheries Agreement:

Name
IOTC Chairperson
Date:

Name
SIOFA Executive Secretary
Date: