

**Revised 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 ~~the SIOFA~~this Agreement, and in particular the least developed among them and small-island developing States.

~~NOTING ALSO~~ And that the ~~SIOFA Agreement~~ covers ~~fishery~~ resources ~~including of~~ fish, molluscs, crustaceans and other sedentary species within the ~~area~~Area, but excluding highly migratory species listed in Annex I of the 1982 United Nations Convention on the Law of the Sea and sedentary species subject to the fishery jurisdiction of coastal states pursuant to Article 77(4) of the 1982 United Nations Convention on the Law of the Sea.

**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 fisheries based on ~~of~~ such ~~species stocks~~within the area of competence of the IOTC.

~~CONSIDERING RECOGNISING~~ 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 any other regional fisheries management organisations with competence over high seas waters adjacent to the ~~A~~area.

~~CONSIDERING RECOGNISING~~ **FURTHER** that Article XV of the IOTC Agreement calls on the IOTC to cooperate and make appropriate arrangements with other intergovernmental organization, especially those active in the fisheries sector, which might contribute to the work and further the objectives of the Commission. ~~I~~n 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 NOTING IN MIND~~ that ~~there is an overlap of a geographical area that falls within IOTC and SIOFA~~ the areas of competence partially overlap~~of both the IOTC and the SIOFA~~.

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

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

~~[AWARE that there are stocks and species respectively covered by the IOTC Agreement and the SIOFA that migrate through their shared / respective geographic area of competence.]~~

**DESIRING** to put into place arrangements and procedures to promote and facilitate the 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~~ each organizations.

**DESIRING FURTHER** to promote complementarity ~~and to avoid duplication in and conflict with the activities of~~ between 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-~~ a) exchange of data and information consistent with the information-sharing policies of each organization;
- ~~ii-~~ b) collaboration on research efforts relating to stocks and species of mutual interest, including stock assessments; and
- ~~iii-~~ c) 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-~~ a) reciprocal participation as observers in relevant meetings of each organization, including those of relevant subsidiary bodies
- ~~ii-~~ b) information sharing about stocks and species of mutual interest
- ~~iii-~~ c) clear definition of the species of interest of each organization for management purposes (e.g., pelagic sharks)
- ~~iv-~~ d) development of processes to promote harmonization and compatibility of conservation and management measures as relevant, including measures relating to monitoring, control, surveillance and enforcement; and
- ~~v-~~ e) 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 may be modified at any time ~~is subject to modification and amendment~~ by the mutual written consent of both Organizations.

### 4. LEGAL STATUS

This Lol does not create legally binding rights and obligations. This Lol does not alter the obligations of Members of either Organisation to comply with the Conservation and Management Measures adopted under the IOTC Convention and the SIOFA. 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 signature. 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: