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Indian Ocean Tuna Commission
Commission des Thons de l'Océan Indien



Memorandum of Understanding between the ICCAT¹ and IOTC² Secretariats for Monitoring Transshipment at Sea by Large-Scale Tuna Longline Fishing Vessels: Responsibilities, Coordination and Continuity of Observers when Vessels move Between Areas Managed by Each Party

Introduction

1. The IOTC adopted Resolution 08/02 that required implementation of a monitoring program for transshipment at sea by large-scale tuna longline fishing vessels (LSTLV's) within the IOTC convention area, similar to Recommendation 06-11 adopted by ICCAT for the monitoring of transshipment at sea by LSTLV's within its Convention area.
2. Within the IOTC and ICCAT convention areas, these measures have the same provisions and carrier vessels that are required to comply with the IOTC Resolution are also required to comply with the ICCAT Recommendation.
3. ICCAT and IOTC have established a contract with the same agency³ for implementing these programs and have established similar protocols for the deployment of observers.
4. This Memorandum of Understanding (MOU) has been established to formalize procedures and responsibilities when an Observer is deployed on a carrier vessel in one Convention area move with the vessel into the Convention area of the other Commission.
5. Both parties herein agree to the following :
 - a. The appointment procedures and deployment costs to a vessel and the sea days associated with all related Observer activity and related responsibilities in one area shall be the responsibility of either the ICCAT or IOTC depending on the area of operation at the time.
 - b. In the event a carrier vessel wishes to move from the IOTC Convention area to the ICCAT Convention area or vice versa, then the protocol for the appointment of the Observer in the new area must be followed. Similarly, the procedures relating to the ending of the deployment in the IOTC area (or vice versa) must be followed including all reporting schedules.

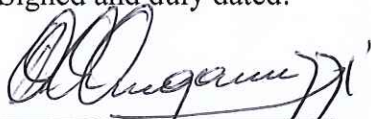
¹ The International Commission for the Conservation of Atlantic Tuna

² The Indian Ocean Tuna Commission

³ MRAG-CapFish Consortium

- c. The parties agree that, for continuity purposes and to minimize costs, the same Observer actively deployed on a particular carrier vessel in one area may stay on the vessel and automatically maintain monitoring of the carrier vessel in the new area. Itineraries will be communicated by the CPCs of each party, and monitored by the agency.⁴
- d. The change of responsibility from one area to the other shall be assumed to be the date and time on which the vessel moves from the one area to the other, or in some instances may take place at the nearest port if the vessel intends to make a port call before moving into the new area⁵.
- e. Once in the new area, IOTC or ICCAT, whichever organization is appropriate, shall assume responsibility and effect the new deployment and all associated costs shall thereafter be for the account of that party, including the costs associated with repatriation of the Observer i.e. the "sea day" is charged to the two Commissions in accordance to the number of days spent in each Convention area.
- f. This MOU comes into effect for twelve months, commencing 23rd April 2009. It will be automatically renewed for another twelve months on 23rd April each year unless otherwise decided by either the ICCAT or IOTC Secretariat and informed to the other in writing. Either of the Secretariats may terminate the MOU at any time by written notice to the other Secretariat.

Signed and duly dated:



Executive Secretary (IOTC)

Date : 15/6/09



Executive Secretary (ICCAT)

Date: 22/06/09

⁴ The contracted deployment agency shall be responsible for the re-contracting of the Observer when this occurs

⁵ The most likely port of call in this instance is Cape Town