

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE SECRETARIAT OF THE NORTHWEST ATLANTIC FISHERIES ORGANIZATION AND
THE SECRETARIAT OF THE SARGASSO SEA COMMISSION**

The purpose of this Memorandum of Understanding is to specify the scope of cooperation between the Secretariat of the Northwest Atlantic Fisheries Organization ("NAFO Secretariat") and the Secretariat of the Sargasso Sea Commission ("SSC Secretariat").

Considering, the Northwest Atlantic Fisheries Organization ("NAFO") is an inter-governmental fishery organization, the objective of which is to ensure the long term conservation and sustainable use of the fishery resources in the NAFO Convention Area and, in so doing, to safeguard the marine ecosystems in which these resources are found. The Convention on Cooperation in the Northwest Atlantic Fisheries, ("the Convention") was signed on 24 October 1978 in Ottawa, came into force on 1 January 1979 following the deposit with the Government of Canada the instruments of ratification, acceptance and approval by its then seven signatories. It currently has thirteen Contracting Parties: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Union, France (in respect of St. Pierre and Miquelon), Iceland, Japan, Norway, Republic of Korea, Russian Federation, Ukraine, the United Kingdom and the United States of America.

Considering, the Convention provides in its Article III that to give effect to the objective of the Convention, the Contracting Parties shall:

- (a) promote the optimum utilization and long-term sustainability of fishery resources;
- (b) adopt measures based on the best scientific advice available to ensure that fishery resources are maintained at or restored to levels capable of producing maximum sustainable yield;
- (c) apply the precautionary approach in accordance with Article 6 of the 1995 UN Fish Stocks Agreement;
- (d) take due account of the impact of fishing activities on other species and marine ecosystems and in doing so, adopt measures to minimize harmful impact on living resources and marine ecosystems;
- (e) take due account of the need to preserve marine biological diversity;
- (f) prevent or eliminate overfishing and excess fishing capacity, and ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fishery resources;
- (g) ensure that complete and accurate data concerning fishing activities within the Convention Area are collected and shared among them in a timely manner;
- (h) ensure effective compliance with management measures and that sanctions for any infringements are adequate in severity; and
- (i) take due account of the need to minimize pollution and waste originating from fishing vessels as well as minimize discards, catch by lost or abandoned gear, catch of species not subject to a directed fishery and impacts on associated or dependent species, in particular endangered species.

Considering, the Convention provides that the Organization shall consist of (a) a Commission; (b) a Scientific Council; and (c) a Secretariat, and that the Secretariat shall provide services to the Commission, the Scientific Council and their subsidiary bodies to facilitate the exercise of their functions (Article VIII), and that Secretariat shall be located in Halifax, Nova Scotia or at such other place as may be decided by the Commission (Article V).

Considering, the Convention Article XVII mandates NAFO to seek to develop cooperative working relationships and it may enter into agreements for this purpose with intergovernmental organizations that can contribute to its work and have competence for ensuring the long-term conservation and sustainable use of living resources and their ecosystems.

Considering, the Convention area of application is the waters of the Northwest Atlantic Ocean north of 35°00' N and west of a line extending due north from 35°00' N and 42°00' W to 59°00' N, thence due west to 44°00' W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10' N.

Considering, this Convention area of application, from 35 N, includes part of the high seas area designated as the Sargasso Sea Geographical Area of Collaboration by the 2014 Hamilton Declaration for the Conservation of the Sargasso Sea ("the Hamilton Declaration").

Considering, the Hamilton Declaration has now been signed by the Governments of the Azores, Bahamas, Bermuda, British Virgin Islands, Cayman Islands, Canada, Dominican Republic, Monaco, the United Kingdom and the United States of America.

Considering, the members of the Sargasso Sea Commission are appointed by the Government of Bermuda in consultation with the other government signatories of the Hamilton Declaration, pursuant to paragraph 6 of the Hamilton Declaration. The SSC is a legal entity under Bermudian law. It has no management authority; its mandate is to exercise a stewardship role for the Sargasso Sea and keep its health, productivity, and resilience under continual review, in collaboration with all who share a vision for the protection of the marine ecosystems of the Sargasso Sea;

Considering, the Sargasso Sea Commission has been seeking to promote collaboration to secure the effective conservation of the high seas ecosystem of the Sargasso Sea. It seeks, wherever appropriate, to cooperate with competent international or regional organizations;

Considering, paragraph 6 of the Hamilton Declaration mandates the establishment of a Secretariat to assist the SSC and the Hamilton Declaration Signatories in fulfilling their roles under the Declaration. The Secretariat is currently located by the North American Office of the International Union for the Conservation of Nature (IUCN) in Washington DC.

The NAFO Secretariat and the SSC Secretariat both have a strong interest in the conservation of the Atlantic Ecosystem in accordance with their respective mandates and within their geographic scopes (including the wider Sargasso Sea).

The NAFO Secretariat and the SSC Secretariat of the Commission ("the Participants") herein seek to maximize opportunities for the sharing of research, expertise and practical experience;

THE PARTICIPANTS THEREFORE INTEND TO:

1. Consult, where appropriate and practical, on matters of mutual interest;
2. Encourage and promote marine scientific research related to that part of the Sargasso Sea

Geographical Area of Collaboration as shown in Annex I, which comes within the area of application of the NAFO Convention, namely Subarea 6 of the NAFO Regulatory Area, in order to make widely available the best scientific information on, e.g.:

- a. the distribution, abundance and condition of habitats;
 - b. the status and trends of populations of marine species;
 - c. the structure and function of marine ecosystems and their biological diversity; and
 - d. the effectiveness of measures aimed at the conservation of these ecosystems and their functional processes and structures, the species and habitat they contain, and the biological diversity they define.
3. Cooperate, where appropriate and practical, in the collection of data and information and, where possible, to exchange standardized data and information, including reports of meetings of relevance to each other;

The points of contact for this Memorandum are as follows:

Executive Secretary, Northwest Atlantic Fisheries Organization

Executive Secretary, Secretariat of the Sargasso Sea Commission

This Memorandum, which is not legally binding, comes into effect on the date of both signatures and continues in operation until terminated by either Participant (on one month's advance written notice to the other Participant). Nothing in this MoU binds any of the members of the NAFO Commission jointly or severally. Similarly, this MoU does not bind any of the Signatories of the Hamilton Declaration.

The foregoing represents the understandings reached between the Participants upon the matters referred to herein.

Signed in duplicate in the English language at Halifax on ____ and signed at Washington DC on ____.

**FOR SECRETARIAT OF THE NORTHWEST
ATLANTIC FISHERIES ORGANIZATION**

**FOR THE SECRETARIAT OF THE SARGASSO
SEA COMMISSION**



Executive Secretary

8 Dec 2023



Executive Secretary

11 Dec 2023

Annex I. Sargasso Sea Geographical Area of Collaboration

1

