

 <p>Agreement on the Conservation of Albatrosses and Petrels</p>	<p style="text-align: right;">14 May 2025</p> <p style="text-align: center;">Mandate and cooperation arrangements of ACAP – Information for the BBNJ Preparatory Commission</p> <p style="text-align: center;"><i>ACAP Secretariat</i></p>
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SUMMARY

As requested by the Division for Ocean Affairs and the Law of the Sea (DOALOS) following the first session of the BBNJ Preparatory Commission (April 2025), the Secretariat of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) is pleased to provide information about ACAP's international interaction. It includes an overview of ACAP's mandate for cooperation and a summary of its existing cooperation arrangements with relevant international bodies, for the information of delegations in preparation for the Preparatory Commission's second session.

1 MANDATE FOR COOPERATION WITH INTERNATIONAL INSTRUMENTS AND BODIES

The Agreement on the Conservation of Albatrosses and Petrels (ACAP) provides a clear and comprehensive mandate for cooperation with other instruments, frameworks, and bodies. This mandate is firmly embedded in the Agreement's legal provisions and actively implemented through decisions of its governing bodies. ACAP recognises that the effective conservation of migratory seabirds requires broad and sustained international collaboration.

ACAP's institutional framework provides the Secretariat with a clear mandate to engage in cooperative activities. Specifically:

- Article X(d) of the Agreement authorises the Secretariat, on behalf of the Meeting of the Parties, to:
 - Liaise with non-Party Range States and regional economic integration organisations;
 - Facilitate coordination between Parties and non-Party Range States;
 - Engage with international and national organisations and institutions whose activities are directly or indirectly relevant to the conservation, including the protection and management of albatrosses and petrels.

- Article XI further authorises the Secretariat, on behalf of the Meeting of the Parties, to:
 - Consult and cooperate, where appropriate, with the secretariats of other relevant conventions and international instruments in respect of matters of common interest;
 - Enter into arrangements with other organisations and institutions, with the approval of the Meeting of the Parties;
 - Consult and cooperate with such organisations and institutions in exchanging information and data.

Articles V and VI of the Agreement provide the operational basis for implementing ACAP's cooperation mandate:

- Article V requires Parties to cooperate in several key areas:
 - Data collection and information sharing;
 - Harmonisation of conservation legislation;
 - Public awareness and education;
 - Exchange of technical knowledge and expertise.

These commitments reflect a systemic approach to collaboration, ensuring that both scientific and policy dimensions of conservation are addressed through joint efforts.

- Article VI sets out the Action Plan, which serves as ACAP's strategic tool to guide and coordinate conservation efforts. It includes:
 - Species and habitat conservation;
 - Management of human activities that affect seabirds;
 - Research, monitoring, and education;
 - Implementation mechanisms that often involve engagement with external organisations.

The Plan is reviewed at each ordinary session of the Meeting of the Parties, facilitating adaptive, coordinated conservation action.

Moreover, Article VIII of ACAP, governing the Meeting of the Parties, reinforces ACAP's collaborative orientation. The MoP serves as the Agreement's principal decision-making body and is open to participation by non-Party States, United Nations bodies, regional economic integration organisations, and other relevant international and technical organisations as observers (Articles VIII(5)–(6))¹. The MoP is empowered to establish subsidiary bodies to assist in implementation and coordination with other international treaties (Article VIII(13)(g)).

This broad cooperative framework has been further institutionalised through the adoption of formal cooperation arrangements. During the 2020–2021 intersessional period, Parties adopted Resolution 6.11², authorising the Secretariat to renew or amend existing arrangements and to develop new ones with international and national organisations and

¹<https://acap.aq/documents/instruments/206-agreement-on-the-conservation-of-albatrosses-and-petrels/file>

²<https://www.acap.aq/documents/resolutions/3765-resolution-6-11-authority-for-secretariat-to-enter-into-arrangements/file>

institutions whose work is directly or indirectly relevant to the conservation of albatrosses and petrels. Resolution 6.11 also updated the framework template for such arrangements, building on the earlier model approved in Resolution 3.7.

Since the 7th Session of the Meeting of the Parties in May 2022, seven cooperation arrangements have been renewed. These developments illustrate the dynamic nature of ACAP's engagement with external partners and its commitment to strengthening institutional linkages that support its conservation objectives.

2 OVERVIEW OF EXISTING AND ONGOING COOPERATIVE ARRANGEMENTS

2.1 ACTIVE COOPERATION ARRANGEMENTS

ACAP maintains cooperation arrangements with a number of international bodies to support efforts in minimising the incidental bycatch of albatrosses and petrels listed in Annex 1 of the Agreement. These arrangements are not legally binding and typically take the form of Memoranda of Understanding (MoUs), Letters of Intent, or Guidelines. They generally include five parts: objective, areas of cooperation, review and amendment (or modification), legal status, and coming into effect and termination.

As of May 2025, ACAP has cooperation arrangements or ongoing engagement with the following international bodies:

Body	Nature	Adopted/ Renewed	Duration	Expiry	Link to the arrangement
CCAMLR (Commission for the Conservation of Antarctic Marine Living Resources)	MoU	22 Nov 2024	3 years	22 Nov 2027	https://www.acap.aq/document/s/mous/3964-mou-between-acap-secretariat-and-ccamlr-1/file
CCSBT (Commission for the Conservation of Southern Bluefin Tuna)	MoU	6 Dec 2021	6 years	6 Dec 2027	https://www.acap.aq/document/s/mous/3963-mou-between-ccsbt-and-acap-secretariats/file
IOTC (Indian Ocean Tuna Commission)	Letter of Intent	23 Feb 2021	5 years	23 Feb 2026	https://www.acap.aq/document/s/mous/3754-loi-between-iotc-and-acap-secretariat/file

Body	Nature	Adopted/ Renewed	Duration	Expiry	Link to the arrangement
IAC (Inter-American Convention for the Protection and Conservation of Sea Turtles)	MoU	30 Jan 2023	Ongoing	–	https://www.acap.aq/documents/mous/4116-mou-between-iac-and-acap-secretariats/file
IATTC (Inter-American Tropical Tuna Commission)	MoU	15 May 2023	6 years	Auto-renews	https://www.acap.aq/documents/mous/4530-mou-between-iattc-and-acap-secretariat-1/file
ICCAT (International Commission for the Conservation of Atlantic Tunas)	Guidelines	2 Sep 2022	6 years	2 Sept 2028	https://www.acap.aq/documents/mous/4606-guidelines-for-cooperation-between-iccat-and-acap-secretariat/file
SEAFO (South-East Atlantic Fisheries Organisation)	MoU	6 Dec 2024	6 years	6 Dec 2030	https://www.acap.aq/documents/mous/3314-mou-between-seafo-and-acap-secretariat/file
SIOFA (Southern Indian Ocean Fisheries Agreement)	MoU	5 Nov 2024	6 years	5 Nov 2030	https://www.acap.aq/documents/mous/3310-mou-between-the-meeting-of-the-parties-to-siofa-and-acap-secretariat/file
SPRFMO (South Pacific Regional Fisheries Management Organisation)	MoU	28 Oct 2014	Ongoing	–	https://www.acap.aq/documents/mous/2642-mou-between-sprfmo-and-acap-secretariats/file
WCPFC (Western and Central Pacific Fisheries Commission)	Arrangement	7 Dec 2007	Ongoing	–	https://www.acap.aq/documents/mous/1437-mou-between-acap-secretariat-and-wcpfc/file

Each arrangement can be reviewed or amended at any time with mutual written consent. They all include standard six-month termination clauses, except for the arrangement with SPRFMO, which may be terminated at any time with written notice. While not legally binding, these arrangements establish a framework for collaboration and are key instruments in the effective implementation of ACAP's conservation objectives in marine areas where fishing activities pose significant risks to seabird populations.

2.2. INSTITUTIONAL RELATIONSHIPS

While not governed by a formal cooperation arrangement, ACAP maintains a close and ongoing institutional relationship with the **Convention on the Conservation of Migratory Species of Wild Animals (CMS)**. ACAP developed out of the CMS in recognition of the urgent need to address the conservation status of albatrosses and petrels, many of which are listed in the CMS appendices. As a result, ACAP is sometimes described as a “daughter agreement” of the Convention. This relationship is reflected in regular participation by the ACAP Secretariat in CMS meetings, and information sharing. The CMS also plays a role in promoting ACAP's objectives within the broader family of CMS-related instruments and through engagement with Parties and stakeholders across multiple regions.

ACAP also participates in activities of the **United Nations Food and Agriculture Organisation (FAO)**. ACAP is a supporting partner of the FAO-organised (GEF funded) Common Oceans Tuna Project, which has entered its second phase. The ACAP Secretariat also takes part in the FAO's Regional Secretariats Network (RSN) and regularly attends meetings of the FAO's Committee on Fisheries (COFI).