

**Memorandum of Understanding Between the
American Institute in Taiwan and the
Taipei Economic and Cultural Representative Office in the United States
Concerning Cooperation in Fisheries and Aquaculture**

Basic Instrument

The basic instrument establishing U.S.-Taiwan cooperation in fisheries and aquaculture is the Memorandum of Understanding (MOU) Between the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO) in the United States Concerning Cooperation in Fisheries and Aquaculture. The MOU was signed by AIT and TECRO on July 30, 2002. It expired on July 30, 2007, however the two sides are in the process of renewing it.

Implementing Legislation

None.

Members

The United States and Taiwan.

Meetings

The Parties (AIT and TECRO) agreed that their designated representatives will consult periodically, either in the United States or Taiwan.

U.S. Representation

The designated representatives for AIT are the National Marine Fisheries Service (U.S. Department of Commerce), the U.S. Coast Guard (Department of Homeland Security), and the Bureau of Oceans and International Environmental and Scientific Affairs (U.S. Department of State).

Description

The United States began negotiating the MOU between AIT and TECRO in July 2000 to address problems associated with (1) Taiwan's inability, due to its political status as a non-state, to become party to a number of international fisheries treaties and regional organizations, and (2) Taiwan fishermen's involvement in large-scale high seas driftnet fishing activities in the North Pacific Ocean.

Pursuant to the MOU, Taiwan committed to abide by the rules for sustainable fisheries set forth by the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the 1993 FAO Agreement on Promoting Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Taiwan also agreed to cooperate with the United States in the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries; and the International Plans of Action for the Management of Fishing Capacity, for the Conservation and Management of Sharks, for Reducing Incidental Catch of Seabirds in Longline Fisheries, and for Preventing, Deterring and Eliminating Illegal, Unreported and Unregulated fishing as adopted by the FAO. Finally, Taiwan committed to continue to cooperate with the United States in the implementation of United Nations General Assembly Resolution 46/215, which calls for a global ban on the use of large-scale high seas driftnets. Taiwan will take action against individuals, corporations and vessels subject to those laws and regulations that may engage in large-scale high seas driftnet fishing operations in the North Pacific Ocean. In exchange for the above commitments from Taiwan, the United States agreed to assist Taiwan authorities to participate equitably in global, regional, and subregional fisheries organizations.

The two Parties, through their designated representatives, also agreed to (1) exchange information on fisheries and aquaculture research and relevant scientific reports and publications; (2) conduct joint studies and training programs on fisheries and aquaculture; (3) promote exchange visits of fisheries and aquaculture personnel; and (4) strengthen existing cooperation between fisheries enforcement representatives.

Recent Activities

Representatives of the National Marine Fisheries Service, the U.S. Department of State, the U.S. Coast Guard, and Taiwan met on March 27-28, 2007, at the Arlington, Virginia, offices of the American Institute in Taiwan. Ambassador David Balton, DOS, led the U.S. delegation and Dah-Wen Shieh, Director-General of the Fisheries Agency of Taiwan, was the Head of Delegation for Taiwan. The purpose of the meeting was to discuss extending the MOU between AIT and TECRO Concerning Cooperation in Fisheries and Aquaculture before it expired on July 30, 2007.

The two sides reviewed accomplishments under the current MOU and agreed that it has been a valuable tool in the U.S.-Taiwan fisheries relationship. Both sides expressed their intent to renew the MOU for another 5 years. They agreed on the text of a new draft MOU which includes commitments by both sides to work cooperatively to promote conservation and management measures for fisheries based on the best available scientific information; measures to limit fishing capacity to levels commensurate with the long-term sustainability of the affected resources; measures to reduce bycatch of non-target fish and juvenile fish, where practicable, and other species such as sea turtles, seabirds and sharks; measures banning shark finning; measures to establish effective programs for monitoring, control and surveillance; measures to deter vessels, companies and individuals engaged in or supporting illegal, unreported and unregulated (IUU) fishing; and measures to prevent significant adverse impacts from fishing activities on vulnerable marine ecosystems.

The United States conditioned its signing the new MOU on the development of a Work Plan, which would outline crosscutting and specific actions the two sides will cooperatively pursue in regional fisheries management organizations and other international fora.

The two sides exchanged several drafts of the Work Plan from March to September 2008. They finally agreed on the text of the Plan on September 21, 2007. Taiwan notified the U.S. Department of State on March 11, 2008, that Taiwan's Minister of Agriculture and the Council of Agriculture's Executive Yuan had officially approved the MOU and Work Plan.

Future Meetings: A date and location has not yet been determined for the next U.S.-Taiwan fisheries consultation. It will likely be centered around the official signing of the new MOU in spring 2008.

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