

No. 49759*

**Republic of Korea
and
United Kingdom of Great Britain and Northern Ireland**

Memorandum of Understanding between the Government of the Republic of Korea and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the scheme of international scientific observation of the Commission for the Conservation of Antarctic Marine Living Resources. London, 5 December 2002

Entry into force: *5 December 2002 by signature, in accordance with section 5*

Authentic text: *English*

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**République de Corée
et
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord**

Mémorandum d'accord entre le Gouvernement de la République de Corée et le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord concernant le système d'observation scientifique internationale de la Commission pour la conservation de la faune et la flore marines de l'Antarctique. Londres, 5 décembre 2002

Entrée en vigueur : *5 décembre 2002 par signature, conformément à la section 5*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *République de Corée, 6 juillet 2012*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND
THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND
CONCERNING THE SCHEME OF INTERNATIONAL SCIENTIFIC
OBSERVATION OF THE COMMISSION FOR THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES**

The Government of the Republic of Korea and the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the "Members"), being Parties to the Convention on the Conservation of Antarctic Marine Living Resources ("CCAMLR");

In order to promote the objectives, and ensure observance of the provisions, of CCAMLR; and in particular scientific co-operation under the CCAMLR Scheme of International Scientific Observation;

Have reached the following understandings:

SECTION 1

The Member wishing to receive one or more Scientific Observers ("Receiving Member") will take appropriate measures within its competence to ensure that any Scientific Observer designated by the other Member ("Designating Member"), will be taken on board such fishing vessels as may be agreed before the commencement of fishing, to observe and report on the activities of the said vessel as envisaged by Article XXIV (2) of CCAMLR and subject to any CCAMLR Conservation Measures in force for the targeted species.

SECTION 2

1. This Memorandum will operate in accordance with the terms of the Scheme of International Scientific Observation adopted by the CCAMLR Commission ("the Commission") at its XIth meeting in 1992.

2. The Scientific Observer(s) (hereinafter referred to as "the Scientific Observer") will be accommodated aboard the vessel agreed under Section 1, and in accordance with the following arrangements:

(a)The Scientific Observer will be accorded the status of a ship's officer while on board. Accommodation and meals for the Scientific Observer on board will be of a standard commensurate with this status.

(b)The Receiving Member will ensure that the vessel operator co-operates fully with the Scientific Observer to enable the Scientific Observer to carry out the tasks assigned by the Commission. This will include access to data and to those operations of the vessel necessary to fulfil the duties of a Scientific Observer as required by the System of Observation.

(c)The Receiving Member will take appropriate action to ensure the security and welfare of the Scientific Observer in the performance of his/her duties on board the vessel, to provide him/her with medical care and to safeguard his/her freedom and dignity.

(d)Arrangements will be made by the Receiving Member for messages to be sent and received on behalf of the Scientific Observer through the vessel's communications system. Reasonable costs of such communications will normally be borne by the Designating Member.

(e)Arrangements involving the transportation and boarding of the Scientific Observer will be organised so as to minimise interference with harvesting and research operations.

(f)The Scientific Observer will provide to the master of the vessel copies of records he/she has prepared.

(g)The Designating Member will ensure that the Scientific Observer carries insurance adequate to cover accidents and/or illness while aboard the vessel. Such insurance will be to the satisfaction of both the Members.

(h)The transportation costs of the Scientific Observer to and from the boarding points will be borne by the Designating Member.

(i) Unless otherwise agreed, the equipment, protective clothing, salary and any related allowances of the Scientific Observer will be borne by the Designating Member. The vessel operator of the Receiving Member will bear the costs of the accommodation and meals of the Scientific Observer whilst he/she is on board the vessel.

3. A copy of this Memorandum will be forwarded to the Commission by the United Kingdom. The Designating Member will inform the Commission of each deployment of International Scientific Observers.

4. The function of the Scientific Observer on board vessels engaged in scientific research or harvesting of marine living resources will be to observe and report on the operation of fishing activities in the CCAMLR Area with the objectives and the principles of CCAMLR in mind. In fulfilling this function, Scientific Observers will undertake the following tasks using observation formats approved by the Scientific Committee, with reference to the list of current research priorities identified by the Scientific Committee for conducting scientific observations on commercial fishing vessels:

(a)Record details of the vessel's operation (e.g. partition of time between searching, fishing, transit etc. and details of hauls, which should include basic data on the method, timing and duration of setting and hauling lines, trawls or other fishing gear);

(b)take samples of all species caught (including fish, krill, crabs and other invertebrates) to determine biological

characteristics including where appropriate a statistically adequate sample of otoliths, statoliths or scales of the targeted species for subsequent analysis;

(c) record biological data by species caught, including length frequency and weight, and retain biological samples as necessary;

(d) record all by-catches of all species, their quantity and biological and length frequency data, including invertebrate (e.g. crab) species, and retain biological samples as necessary;

(e) record details of the gear used and the procedure by which declared catch weight is measured and collect data relating to the conversion factors between green weight and final product in the event that catch is recorded on the basis of weight or processed product;

(f) submit copies of reports to the master of the vessel;

(g) assist, if requested, the master of the vessel in the catch recording and reporting procedures;

(h) validate scientific information essential for the assessment of the status of populations of Antarctic marine living resources, and for the assessment of the impact of fishing on those populations;

(i) prepare reports on the observations using the specified observation formats (approved by the Scientific Committee) and submit them to the Commission through the respective authorities not later than one month after the return of the Scientific Observer to his/her home territory; and

(j) as part of item (c), and in the format of item (i) collect and submit to the Commission data required by relevant Conservation Measures, so that the Receiving Member need not additionally submit such data to the Commission;

(k) record entanglement and incidental mortality of birds and mammals;

- (l) collect and report factual data on sightings of fishing vessels in the CCAMLR Area, including vessel type identification, position and activity; and
- (m) collect information on fishing gear loss and garbage disposal by fishing vessels at sea.
5. All requests to the Scientific Observer for information, data and/or specimens, other than those set out in paragraph 4 above, made by either of the Members will receive a lesser priority in the Scientific Observer's schedule and will be agreed by both Members.
 6. The Scientific Observer will be a national of the Designating Member and will conduct himself/herself in accordance with the customs and orders existing on board the vessel.
 7. The Scientific Observer will be familiar with the activities to be observed and the provisions of CCAMLR and Conservation Measures adopted under it. The Scientific Observer will be adequately trained to carry out competently the duties of scientific observation. The Scientific Observer will be able to communicate in the language of the Receiving Member. For the purpose of this Memorandum, the official language of the Receiving Member will be as agreed between the Members.
 8. The Scientific Observer will carry a document issued by the Designating Member which identifies the individual as a Scientific Observer in accordance with Article XXIV of CCAMLR. The Scientific Observer will, on boarding the vessel, hand the master of the vessel a copy of an agreed schedule of activities (as specified in paragraph 4 above) and a copy of this Memorandum
 9. Within one month of the Scientific Observer's return to his/her home territory, the Scientific Observer will submit to the Commission, through the Designating Member, a report on his/her

observations, information gathered, data and scientific specimens acquired on the cruise using the formats required by the Scientific Committee.

SECTION 3

Other detailed costs, and travel itinerary of the Scientific Observer, and any other matters, will be determined through consultations between the Members.

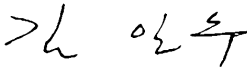
SECTION 4 SETTLEMENT OF DISPUTES

Any disputes arising out of interpretation or implementation of this Memorandum will be settled through consultations between the Members.

SECTION 5 ENTRY INTO EFFECT, DURATION AND TERMINATION

1. This Memorandum will enter into effect upon signature.
2. This Memorandum may be amended at any time by mutual decision recorded in an exchange of notes between the Members.
3. This Memorandum will remain in effect until it is terminated by six months' written notice by one Member to the other.

Signed at London on this 5th day of December 2002.



FOR THE GOVERNMENT OF
THE REPUBLIC OF KOREA



FOR THE GOVERNMENT OF
THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND