

PAME I-2019 –Agenda Item 6.1(b)

Draft Memorandum of Understanding

**Between the Working Group on the Protection of the Arctic Marine Environment (PAME)
and the Arctic Regional Hydrographic Commission (ARHC)**

Background

PAME II-2018 approved the development of a non-legally binding Memorandum of Understanding (MOU) with the Arctic Regional Hydrographic Commission (ARHC) to foster greater communication between the two bodies on projects of mutual interest, including enhanced coordination on strategies to improve hydrographic data in the Arctic. The ARHC approved a parallel project proposal at its 8th Conference in September 2018. As required by the Arctic Council's Guidelines for Relationships with Outside Bodies, PAME notified the Senior Arctic Officials (SAOs) of its interest in pursuing an MOU with ARHC and requested their approval. The SAOs approved the project at their November 2018 meeting in Rovaniemi, Finland.

Discussion

The project leads, the United States and Canada, prepared a draft MOU within the parameters approved by PAME members at PAME II-2018. The attached document (Appendix A) proposes a non-legally binding MOU agreeing to the following:

- PAME and ARHC intend to consult each other on projects of mutual interest to ensure maximum coordination of work;
- Each body intends to invite a representative of the other to attend any meeting during which topics within the other's area of expertise are on the agenda;
- Each body intends to provide notice of seminars, workshops, etc., that may be of interest to the other;
- Procedures for soliciting input on matters within the purview of each body; and
- Procedures for reviewing, amending, and terminating the agreement.

The draft MOU explicitly states that it is not legally binding and does not commit either body or any member of either body to any expenditures or in-kind contributions.

Recommendation to PAME I-2019

The United States and Canada recommend that PAME members review the attached MOU and provide comments by June 1, 2019.

APPENDIX A – DRAFT MOU

MEMORANDUM OF UNDERSTANDING BETWEEN THE ARCTIC REGIONAL HYDROGRAPHIC COMMISSION (ARHC) AND THE ARCTIC COUNCIL’S WORKING GROUP ON THE PROTECTION OF THE ARCTIC MARINE ENVIRONMENT (PAME)

1. Participants

This document constitutes a Memorandum of Understanding (MOU) between the Arctic Regional Hydrographic Commission (ARHC) and the Arctic Council’s Working Group on the Protection of the Arctic Marine Environment (PAME).

2. Background

The ARHC aims to improve Arctic regional coordination in the domain of hydrographic surveying and marine cartography. The ARHC’s objectives include widening hydrographic activity in the Arctic Ocean and identifying regional surveying and charting needs. PAME works on matters related to the protection and sustainable use of the Arctic marine environment. One of PAME’s key focus areas is Arctic shipping. Its 2009 Arctic Marine Shipping Assessment (AMSA) Report noted that critical improvements are needed to Arctic navigational charts and recommended linking with international organizations to enhance Arctic marine safety. Further, the first goal identified in the Arctic Marine Strategic Plan 2015–2025 is improving knowledge of the Arctic marine environment, including increased collection and dissemination of hydrographic data. The ARHC and PAME therefore have mutually supportive missions. In particular, both recognize that improving hydrographic surveys and charts in the Arctic is crucial to enhancing marine safety and protecting the environment from the effects of shipping.

3. Purpose

The purpose of this MOU is to foster greater communication between the ARHC and PAME and enhance coordination on strategies to improve hydrographic data in the Arctic. The ARHC and PAME intend to maintain and increase opportunities for scientific, technical and professional exchange between their members, sharing knowledge and expertise to the advantage of both.

4. Program of Activities

In accordance with the background and purpose described above, the ARHC and PAME decide to cooperate as follows:

1. Each body intends to consult the other on matters of common interest with a view to ensuring maximum coordination of their work and activities;
2. Each body intends to invite a representative of the other to attend any meeting at which topics within the other’s area of expertise are on the agenda;
3. Each body intends to provide notice of proposed seminars, workshops, etc., that may be of interest to the other to enable joint participation should it be of mutual benefit. The

bodies also intend to identify opportunities to organize seminars or workshops under joint sponsorship;

4. At the request of PAME, the ARHC will provide input to PAME with respect to matters within the scope of activities and expertise of the ARHC; and at the request of the ARHC, PAME will provide input to the ARHC for matters falling within the scope of activities and expertise of PAME.

5. Financial and Resource Commitments

This MOU does not commit either body or any member of either body to any expenditures or in-kind contributions. All activities of both bodies are subject to the availability of funds, and cooperation between them is largely expected to consist of voluntary in-kind contributions by member governments.

6. Legal Status

This MOU does not create a legal relationship between the two bodies or any of their members. Neither body intends this MOU to be legally binding or create any rights or obligations under international law, nor does it bind any of the members of the ARHC or PAME jointly or severally. All activities by members and observers to each body will be undertaken voluntarily on a consultative basis.

7. Effective Date

This MOU shall become effective upon signature by the chairs of both bodies and shall remain in force unless terminated by either participant upon 30 days written notice. The participants will review MOU terms every five (5) years. Changes may be proposed in writing by either participant. Amendments to this MOU are by mutual decision of the participants.

Date: _____

On behalf of the ARHC

On behalf of PAME

Chair, ARHC

Chair, PAME