

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE ARGENTINE REPUBLIC
AND
THE REPUBLIC OF CHILE
ON THE
CONSERVATION OF THE RUDDY-HEADED GOOSE

The Argentine Republic and the Republic of Chile, hereafter referred to as “the Parties”,

Taking account of the “Special Additional Protocol on the Conservation of Wild Flora and Fauna between the Argentine Republic and the Republic of Chile” signed on the 2nd May 2002, hereafter referred to as “the protocol”, Article II, paragraph “a” of which requires the Parties to agree to establish a Memorandum of Understanding to elaborate and carry out programmes and projects specific to the conservation and sustainable use of common wild fauna and its habitats;

Recalling that in Article II, paragraph “b” of the protocol deals with the suitability of such a Memorandum of Understanding to include elements contained in Article V of the Convention on the Conservation of Wild Species of Migratory Animals”, signed in Bonn on the 23rd June 1979, hereafter referred to as “the Convention”; referring to the instructions concerning the conclusion of agreements, the species subject to agreements under the above mentioned article, are migratory species included on the appendices of the Convention;

Taking account similarly of Article IV paragraph 4 of the Convention which invites Parties to enter agreements for the conservation of shared populations of migratory species;

Noting that the continental population of the ruddy-headed goose (*Chloephaga rubideceps*) is migratory and is in imminent danger of extinction because of having such a small population, restricted area of distribution and the numerous threats which it faces in its breeding grounds in the continental area of the Magallenes region (Chile), in the north of the Tierra del Fuego (Argentina and Chile) and in the wintering grounds in the south of Buenos Aires province (Argentina);

Aware that by forming mixed groups with other species of goose considered as pests and therefore subject to legal hunting, the ruddy-headed goose suffers persecution by farmers, mainly in its wintering grounds in the south of Buenos Aires province and is subject of sporting and commercial hunting in some areas of Patagonia in Argentina and Chile;

Conscious of the need to take immediate and concerted measures to prevent the extinction of the continental population of the species;

Considering that the species features on Appendix I and II of the Convention;

Recognising the need to work in close collaboration in order to improve the current situation regarding the conservation of the continental population of the ruddy-headed goose (*Chloephaga rubideceps*) throughout its range in the Argentine Republic and the Republic of Chile;

Have agreed the following:

ARTICLE 1

To provide an effective protection of the continental population of the species, ruddy-headed goose (*Chloephaga rubideiceps*) in both countries in order to restore its populations to appropriate levels for its survival as well as identifying and conserving those habitats which are essential for the survival throughout the range in accordance with Article III paragraphs 4 and 5 of the Convention and Appendix I.

ARTICLE 2

To identify and monitor the factors and processes which have a detrimental effect on the conservation status of the species in question (e.g. illegal hunting, predation by the grey fox, degradation of habitats) and recommending appropriate measures to regulate, management and/or control the said factors and processes.

ARTICLE 3

To elaborate with the support of the Scientific Council of the Convention, an Action Plan within a period of not more than three months after the entry into force of this Memorandum of Understanding.

ARTICLE 4

To apply the provisions of the Action Plan, the implementation of which will be evaluated and reported to the Secretariat and the Scientific Council of the Convention.

ARTICLE 5

To facilitate the exchange of scientific, technical and legal information necessary to coordinate conservation measures as well as to cooperate with specialists and international organisations in the implementation of the Action Plan.

ARTICLE 6

Each Party shall designate a competent authority which shall serve as a contact point for the other party and will be responsible for the carrying out of the Action Plan and the exchange of information provided for in Article 4.

ARTICLE 7

The Parties shall submit, at intervals of no more than one year, a report on the development of this Memorandum of Understanding to:

- i) the Secretariat of the Convention;
- ii) the Sub-Commission for the Environment of Argentina and Chile established in the framework of the Treaty between the Argentine Republic and the Republic of Chile on the Environment of the 2 August 1991 through the Focal Points designated in the Protocol.

ARTICLE 8

To hold meetings alternately in the territories of the Parties starting in the Argentine Republic. In the framework of this meeting the finalisation of the Action Plan shall be evaluated and actions for the following year shall be planned and coordinated. Similarly, results of the studies which have been completed as well as any other technical or legal information which might be of benefit to the conservation of the species in question will be exchanged. In the year between one meeting and the next, the country hosting the next meeting shall serve as Secretariat for the time being and shall be responsible also for the organisation of the meeting.

ARTICLE 9

Any disagreement which might arise regarding the interpretation and application of this Memorandum of Understanding and which cannot be resolved within the framework of the bilateral Sub-Commission for the Environment of Argentina and Chile, established under the auspices of the Treaty between the Argentine Republic and the Republic of Chile on the Environment, shall be submitted to the procedures set out in the Treaty of Peace and Friendship entered into between Argentina and Chile in 1984.

ARTICLE 10

This Memorandum of Understanding shall enter into force at the moment of signature and will be valid for a duration of three (3) years, renewable automatically for a similar term, unless one of the two Parties gives three months' prior notice in writing to the other of its decision to terminate it.

Amendments to this Memorandum can only be effected by consensus between the Parties. Modifications to the Action Plan which affect only one of the Parties can be effected by the party concerned but have to be notified to the Secretariat of the Convention, which shall in turn inform the other party.

The Secretariat of the Convention shall serve as depositary of this Memorandum of Understanding and shall provide certified copies of the said Memorandum to the Parties.

The working language for all matters relating to this Memorandum of Understanding shall be Castilian.

Done at Buenos Aires, 21st November 2006 originally in Castilian

FOR THE ARGENTINE REPUBLIC

FOR THE REPUBLIC OF CHILE

Ambassador Roberto García Moritán

Ambassador Luis Maira Aguirre

