

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, hereinafter referred to as “the Parties”,

Taking account of the “Special Additional Protocol on the Conservation of Wild Flora and Fauna shared between the Argentine Republic and the Republic of Chile” signed on 2 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 shared wild fauna and its habitats;

Recalling that in Article II, paragraph “b” of the protocol it is considered suitable for such Memoranda of Understanding to include the elements contained in Article V of the Convention on the Conservation of Migratory Species of Wild Animals”, signed in Bonn on 23 June 1979, hereafter referred to as “the Convention”; which refers to guidelines on the conclusion of agreements, in the case that the species subject to agreements under the above mentioned Article, are migratory species included on the appendices of the Convention;

Acknowledging also that Article IV, paragraph 4, of the Convention invites Parties to conclude agreements for the conservation of shared populations of migratory species;

Noting that the continental population of the Ruddy-headed goose (*Chloephaga rubideiceps*) is migratory and is in imminent danger of extinction because of the small size of its population, its 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 to 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 is listed 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 rubideiceps*) throughout its distribution range in the Argentine Republic and the Republic of Chile;

Have agreed as follows:

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 identify and conserve those habitats which are essential for survival throughout the range in accordance with Article III, paragraphs 4 and 5 of the Convention and its 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, environmental destruction) and recommend appropriate measures to regulate, manage 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 to 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 least annually, 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 of 2 August 1991 between the Argentine Republic and the Republic of Chile on the Environment, through the Focal Points designated in the Protocol.

ARTICLE 8

To hold meetings alternately in the territories of the Parties starting with the Argentine Republic. In the framework of this meeting, the Action Plan implementation shall be evaluated and actions for the following year shall be planned and coordinated. Similarly, exchange of research results as well as any other technical and legal information, which might be of benefit to the conservation of the species in question, will be exchanged. During the period between annual meetings, the country hosting the next meeting shall serve as interim Secretariat and shall be responsible also for the organisation of the meeting.

ARTICLE 9

Any disagreement which might arise regarding the interpretation and implementation 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 in the framework 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 (3) months' prior notice in writing to the other of its decision to terminate it.

Amendments to this Memorandum can only be made by consensus between the Parties. Amendments to the Action Plan which affect only one of the Parties can be made by the Party concerned and must be reported immediately 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