

**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS AND
PARTICIPATING TERRITORIES**

Circular No.: 2015/44

Date: 27 July 2014

No. pages: 4

Letter from some NGO Observers Expressing Concerns on Transparency Issues

Dear All,

I bring to your attention a letter dated June 3, 2015 addressed to me from some Non-Government Organizations who are also observers of the WCPFC. The letter is self-explanatory and it registers the grave concerns of the signatories regarding what they viewed as continued lack of transparency in the Commission's processes generally, and specifically in relation to communications and information about inter-sessional work and meetings of the Commission.

I regret the oversight in not forwarding this letter much earlier.

Yours sincerely,



**Feleti P Teo, OBE
EXECUTIVE DIRECTOR**

June 3, 2015

Mr Feleti P Teo
Executive Director
WCPFC Secretariat
PO Box 2356
KOLONIA FEDERATED STATES OF MICRONESIA

Dear Executive Director Teo:

This letter is submitted on behalf of the undersigned non-governmental organizations that participate in the Western and Central Pacific Fisheries Commission (WCPFC) process, including as accredited observers. We again urge the Commission to address our concerns regarding the continued lack of transparency, openness and information sharing within the WCPFC.

We have written to WCPFC members on two previous occasions on this matter in letters dated 6 November 2013 and 12 November 2014. These letters outlined our collective concerns regarding the attrition of transparency in the WCPFC despite clear language in this modern treaty that includes a specific article on transparency (Article 21 of the Convention) and very clear observer rules (Rule 36 of the Commission's Rules of Procedure).

However, we remain gravely concerned about the continued lack of transparency in the Commission's processes generally, and specifically related to communications and information about intersessional work and meetings. We note that WCPFC Circulars, irrespective of their content, continue to be available only to CCMs and are posted only on the secure side of the WCPFC website.

In particular, recently some observers were excluded from Commission Circular communications regarding the proposed intersessional work of the FAD Management Options Working Group, despite the fact that paragraph 6 of the Terms of Reference for that Working Group agreed by WCPFC11 in Apia state that "The working group shall include participation by PNAO, FFA, industry, SPC and NGOs, and will be open to participation by any other interested WCPFC observers." While we appreciate that in this instance the oversight was quickly rectified, the broader issue of observer participation in WCPFC work remains to be resolved.

At present it appears that there is no clear and transparent mechanism that enables all accredited observers to have equal access to important information about intersessional work, upcoming meetings of working groups that are open to observers, or regarding any intersessional electronic dialogues that have not been determined to be closed meetings in accordance with the Commission's Rules of Procedures and rules for non-public domain data. This current situation prevents meaningful participation of all

observers and NGOs in the work of the WCPFC.

We again highlight that this approach is inconsistent with best practices for regional fisheries management organizations and with the standards the Commission set for itself through the WCPFC Convention. WCPFC should, at a minimum, operate to these standards to maintain public confidence in the operation of the Commission to deliver the objectives of the Convention.

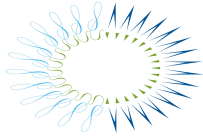
We continue to strongly urge all WCPFC Members to review the practices of the Commission with a view to reinstating the transparent practices that the Commission began with and that are enshrined in the Convention itself. This includes ensuring that all observers are afforded opportunities to learn about and participate in Commission working group meetings and intersessional work and activities. To that end, we again request that all Commission communications be undertaken in a manner consistent with the WCPFC Rules of Procedure and data rules.

We again request that Members review this issue as a matter of urgency and we look forward to constructive dialogue on ways to increase and facilitate greater transparency within the Commissions in accordance with agreed rules and procedures.

Sincerely,


The logo for the International Seafood Sustainability Foundation (ISSF) features a blue fish silhouette above the text "ISSF" in green and "INTERNATIONAL SEAFOOD SUSTAINABILITY FOUNDATION" in blue.
The logo for the Sustainable Fisheries Partnership features a blue fish silhouette above the text "Sustainable Fisheries" in blue and "PARTNERSHIP" in smaller blue letters.
The WWF logo features a black and white panda silhouette above the text "WWF" in bold black letters.
The logos for the International Union for Conservation of Nature (IUCN) and the Species Survival Commission (SSC) are shown side-by-side. The IUCN logo is a blue circle with "IUCN" in white, and the SSC logo is a red silhouette of a cheetah with "SSC" in red and "Species Survival Commission" in smaller red letters below it.

Amanda L.



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