



**COMMISSION
FOURTEENTH REGULAR SESSION**
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**VIEWS ON THE IMPLEMENTATION OF CMM 2013-06 (CMM ON THE CRITERIA
FOR THE CONSIDERATION OF CONSERVATION AND MANAGEMENT
MEASURES)**

**WCPFC14-2017-DP11
3 November 2017**

Paper by FFA Member CCMs



3 November 2017

Feleti P. Teo OBE
Executive Director
Western and Central Pacific Fisheries Commission
PO Box 2356, Kolonia
Federated States of Micronesia

Dear Feleti,

FFA Member views on the implementation of CMM 2013-06 (CMM on the Criteria for the Consideration of Conservation and Management Measures)

I am writing to you in my capacity as the Chair of the Forum Fisheries Committee, which comprises 17 CCMs of the Commission. We discussed the implementation of CMM 2013-06 at our recent meeting, and wish to convey the following views to the Commission.

It has been four years since CMM 2013-06 came into effect, and at the three Commission meetings that have taken place between then and the time of writing, approximately 50 substantive proposals have been made to the Commission in the form of delegation papers or as recommendations from subsidiary bodies. Around half of these proposals have been initiated by the FFA membership

CMM 2013-06 – the CMM on the Criteria for the Consideration of Conservation and Management Measures – provides a regular reminder of the need to mainstream Article 30 of the Convention throughout the work of the Commission, and to develop practical ways of addressing these SIDS special requirements. These are not requirements which can be dismissed lightly. The great majority of the fish caught in the central and western tropical Pacific, and indeed the majority of the tuna taken in the Convention area as a whole, is taken in the EEZs of developing States, particularly SIDS. These CCMs have the primary stake in the management and sustainable utilisation of these stocks.

Given that the intent of CMM 2013-06 is to assist the commission to give full recognition to the special requirements of Small Island Developing States and Territory CCMs, by providing a list of basic criteria against which all CMMs should be assessed to ensure that those special requirements are taken into account, we note that most non-FFA CCMs are at least attempting to address the requirements of CMM 2013-06 by providing responses to the CMM 2013-06 appraisal criteria against most of their proposals.

We are however extremely concerned that some of these responses have not identified obvious impacts or disproportionate burdens on SIDS that would result from these proposals, and in the rare cases where impacts are identified, they are not accompanied by realistic proposals for mitigating, or helping SIDS to cope with their impact.

This is a serious concern to us. WCPFC is unique among tuna commissions. It is not a marketplace where flag States bargain for high seas fishing allocations. This is a region where most of the catch is taken in areas subject to the national jurisdiction of small island developing CCMs, and the rights of those CCMs need to be carefully and seriously considered in all decisions of the Commission concerning fisheries in tropical latitudes.

We urge CCMs to enter into dialogue with SIDS before proposals are presented to the commission, in order to assure that the criteria outlined in CMM 2013-06 are adequately addressed. We appreciate the recent efforts of certain CCMs to consult with FFA members during the process of designing responses to CMM 2013-06 criteria, and we expect that others will do the same in future. This would facilitate the process of agreement of proposals across the floor of the Commission. There have been clear cases in the past where better attention paid to CMM 2013-06, including through consultation with SIDS, in the drafting of proposals would have seen a much smoother passage across the floor of the Commission.

This is not a one-way street. We have found CMM2013-06 to be useful in developing our own proposals, and for identifying cases where a WCPFC proposal from one FFA member might inadvertently place a burden upon another SIDS. And if a model is needed, we would suggest that CCMs look at the example that has been attached to the FFA Port State Measures CMM proposal.

FFA members will be paying particular attention to the process by which CCMs address the requirements of CMM 2013-06 at WCPFC14. 2013-06 is a measure that is binding on all CCMs and we will seriously consider rejecting any proposal that does not make an honest attempt to address its requirements. The last three years have been a learning process, and now it is time to apply what we have learned.

We also note that some very significant CMMs, including the Tropical Tuna measures, have never been appraised against the 2013-06 criteria. We will be revisiting these matters over the coming year, with a view to recommending ways of improving implementation at WCPFC15, including mechanisms to more rigorously assess the conformity of Commission measures, requirements and procedures against CMM 2013-06 standards.

We look forward to constructive dialogue on this issue at WCPFC14.

Yours sincerely

A handwritten signature in cursive script, appearing to read "J. Baldwin".

Chair
Forum Fisheries Committee