



COMMISSION
ELEVENTH REGULAR SESSION
Faleata Sports Complex, Apia, SAMOA
1- 5 December 2014

CNM REQUESTS FOR 2015

WCPFC11-2014-08

6 November 2014

Paper by the WCPFC Secretariat

1. The Sixth Regular Session of the Commission (WCPFC6) adopted Conservation and Management Measure 2009-11 (CMM 2009-11) ‘Cooperating Non-Members’ (which replaced CMM 2008-02 and before that CMM 2004-02). The decisions to be made by the Commission are set out in paragraphs 8 and 12-13, which is a two-step process:

8. The Commission shall accord CNM status on an annual basis. It may renew the CNM status subject to a review of the CNM’s compliance with the Convention’s objectives and requirements.

12. Without prejudice to the sovereign rights of coastal States for the purpose of exploring and exploiting, conserving and managing highly migratory fish stocks within areas under national jurisdiction, and following the granting of CNM status, the Commission shall, where necessary, determine how the participatory rights of CNMs will be limited by the conservation and management measures adopted by the Commission. ...

13. The limits determined for CNMs under paragraph 12 may be reviewed by the Commission from time to time in accordance with this measure and other conservation and management measures adopted by the Commission.

The WCPFC6 Summary Report includes as Attachment S a flowchart that was intended to illustrate the process in CMM 2009-11 (Attachment 1A)

2. On 12 June 2014, the WCPFC Secretariat sent out to all 2014 Cooperating Non-Members, a smart-pdf form to use for submitting their CNM requests. The form was developed by the Secretariat and reviewed by the 2013 co-Chairs of the WCPFC CNM small working group. This initiative was undertaken by the Secretariat taking on board the suggestion from TCC9 and WCPFC10 that the Secretariat should develop a template to assist the small working group on Cooperating Non-Members with its work during TCC and WCPFC meetings. The form was also subsequently provided to any other

prospective Cooperating Non-Members that corresponded with the Secretariat during 2014. Countries were requested to complete the form as part of their requests for CNM status for 2015 (CMM 2009-11 paragraph 2). A copy of the pdf form is provided as Attachment 1 (Attachment 1B).

3. Pursuant to CMM 2009-11 paragraph 1, the Secretariat advises that it has received nine (9) applications from CNMs to renew Cooperating Non-Member status for 2015 (see Table 1). Eight applications have been received using the electronic form (see Table 1 on next page). A few requesting countries also provided a written cover letter to support their CNM request. On 21 June 2014 Belize advised WCPFC that they do not wish to be considered for Cooperating Non-Member renewal in 2015.

4. A copy of the information that was submitted by CNM applicants is accessible to CCMs through their individual logins to the CCM section of the WCPFC website (<https://www.wcpfc.int/2014-cooperating-non-member-applications>). The information submitted on the pdf form, has been extracted and is provided in a combined CSV file with the reference as Attachment 2 to this paper. Copies of supporting letters and the letter from Belize, are also provided on the CCM section as Attachment 3.

5. TCC10 reviewed the compliance status of all eight current Cooperating Non-Members (Belize, DPRK, Ecuador, El Salvador, Mexico, Panama, Thailand and Vietnam). These compliance reviews took place alongside compliance reviews of Members and Participating Territories, as part of the Compliance Monitoring Scheme process (CMM 2013-02).

6. During October, the Secretariat sent letters to all CNM Applicants to forwarding TCC10 outcomes (CMM 2009-11 paragraph 4). Copies of these letters and additional information received post-TCC10 are also provided on the CCM section as Attachment 4. A list of all CNM-related documents will be maintained as part of the WCPFC11 List of Documents (WCPFC11-2014-04).

WCPFC11 is invited to decide with respect to each Cooperating Non-Member applicant whether to accord Cooperating Non-Member status.

It is expected that a working group will be established to prepare draft decisions points for consideration by WCPFC11 relevant to any reviews of Cooperating Non-Member participatory limits.

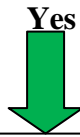
Table 1: Dates of receipt for CNM requestss received in 2014 (for 2015)

APPLICANT	DATE REQUEST FOR RENEWAL OF CNM STATUS WAS RECEIVED(due 28 July 2014)		DATE LETTER SENT TO CNM APPLICANT TO FORWARD TCC10 OUTCOMES (CMM 2009-11 paragraph 4)
	As written letter of request ¹	As completed electronic pdf form	
Democratic People's Republic of Korea (DPRK)	9 Oct 2014	**	13 October 2014
Ecuador		2 July 2014	13 October 2014
El Salvador	10 June 2014	3 July 2014	13 October 2014
Mexico		28 July 2014	13 October 2014
Liberia	21 August 2014	22 August 2014	27 October 2014
Panama	25 Sept 2014	25 Sept 2014	13 October 2014 / 30 October 2014
Senegal	22 May 2014	23 July 2014	27 October 2014
Thailand		25 July 2014	13 October 2014
Vietnam	17 July 2014	17 July 2014	13 October 2014

****Application from DPRK to renew CNM status for 2014 was received after TCC10. A letter was sent to DPRK advising of TCC10 outcomes and requesting completion of the online template, to date no updated information has been received.**

¹ Copies of these cover letters to the electronic pdf form are attached as Att 3

Was the application to request CNM status (new or renewal) submitted in English at least 60 days before the TCC? (Para. 1)



The **TCC considers** all applications that met the deadline. It may consider those that did not, as appropriate.
 The **TCC assesses** whether the applications includes all the information required (Para. 3a) and has fulfilled the requirements of paragraph 3.
 The **TCC provides recommendations and technical advice** on the applications, using criteria in paragraph 3, to the Commission.

The Ex. Director forwards TCC's recommendations and advice to the applicants (Para. 4)

Applicants consider TCC's advice and recommendations and may submit additional information, as necessary, to the Executive Director in advance of the Annual Commission meeting (Para. 5).

The Commission considers:

- (1) TCC's advice and recommendations and criteria in para 3 and any resulting information (para 6);
- (2) any additional information provided by the applicant(s);
- (3) other information and data (Para. 7); and
- (4) In renewing CNM status, **the Commission** also reviews the CNM's compliance with the Convention's objective and requirements, (Para. 8).

Yes
Is CNM status renewed or accorded?

No

CNM status is accorded or renewed for one year.

The Commission may prescribe requirements to ensure compliance with CMMs (para 9) and shall, where necessary, determine how participatory rights of each CNM will be limited by CMMs adopted by the Commission (Para. 12 and 13).

CNM status is not renewed or accorded by the Commission.

CNMs are entitled to participate in Commission and subsidiary body meetings as an observer (Para. 10).
CNMs shall comply with the requirements of Paras. 9 and 11 and be invited by the Commission to make financial contributions (Para. 14).
The Commission shall monitor the activities and compliance of CNMs and shall take appropriate action against CNMs deemed to have undermined CMMs. (Paras. 15 and 16).



TEMPLATE FOR COOPERATING NON-MEMBER REQUESTS

The attached template has been prepared by the WCPFC Secretariat based on a suggestion from TCC9 that a standard template would assist with the Commissions review and consideration of Cooperating Non-Member applications pursuant to CMM 2009-11.

Requests for Cooperating Non-Member requests are due 60 days before TCC

Cooperating Non-Member Applications should be sent by email to WCPFC Secretariat, attention Executive Assistant, Ms Arlene Takesky arlene.takesky@wcpfc.int and cc to wcpfc@wcpfc.int



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a. Name of requesting country	
b. Date of request (should be sent at least 60 days before TCC) (CMM 2009-11 paragraph 1) dd-mm-yyyy	
c. Is this the first time to request CNM status? Yes/No	
d. If this is an application for renewal, specify the year that CNM status was first granted by WCPFC? yyyy	
SECTION 1: MINIMUM REQUIRED COMMITMENTS TO BE STATED IN THE REQUEST	
1.1 What is the reason for this request for CNM status? (CMM 2009-11 2(a))	
1.2 Commitment to cooperate fully in the implementation of CMMs adopted by the Commission and, to the greatest extent possible, its nationals, comply with the provisions of the convention and CMMs adopted by the Commission (CMM 2009-11 Para 2(b))	
1.3 Commitment to accept high seas boarding and inspection (CMM 2009-11 Para 2(c))	
1.4 Explicit commitment to make a financial commitment commensurate with financial contribution if Contracting Party of Commission (CMM 2009-11 Para 2(g)) <i>The Commission has assessed the financial commitment expected from all CNMs at 50% of the contribution that a CNM would have to make if it was a member. (WCPFC7 Summary Report paragraph 64)</i>	



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SECTION 2: MINIMUM REQUIRED DATA AND REPORTING TO BE INCLUDED IN THIS REQUEST Yes/No	
<p>2.1 Have full data on its historical fisheries in the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas been submitted to WCPFC? (CMM 2009-11 Para 2(d)) Yes/No</p>	
<p>2.2 Have all the data and information members of the Commission are required to submit, in accordance with the recommendations adopted by the Commission; details of its current fishing presence in the Convention Area, including the number of its vessels and their characteristics; results from research programmes it has conducted in the Convention Area, been submitted to WCPFC? (CMM 2009-11 Para 2(e)) And did applicant provide all data members of the Commission are required to submit, in a timely manner, in accordance with the format and standards adopted by the Commission? (CMM 2009-11 para 11(b)) Yes/No <i>In addition to the rules on scientific data to be provided to the Commission (due April 30 for the previous calendar year), the Annual Report Part 1 (due 60 days before the SC) is the mechanism that WCPFC presently uses for CCMs to provide information on fishing activities during the previous calendar year.</i></p>	
<p>2.3 Have any further relevant information as determined by the Commission been submitted to WCPFC? (CMM 2009-11 Para 2(f)) Yes/No</p>	

SECTION 3: ADDITIONAL INFORMATION TO BE PROVIDED BY APPLICANTS WHO ARE REQUESTING TO RENEW COOPERATING NON-MEMBER STATUS (CMM 2009-11 para 3(e))	
<p>3.1 Did applicant comply with all conservation and management measures adopted by the Commission? Yes/No <i>Provide comments on your compliance record in WCPFC and fisheries laws and regulations of coastal States?</i> (CMM 2009-11 Para 3(b) and para 11(a))</p>	
<p>3.2 If a flag State, did applicant respond in a timely manner to alleged violations of conservation and management measures adopted by the Commission and any IUU activities of vessels flying its flag, as requested by a member of the Commission or determined by the appropriate subsidiary bodies of the Commission and communicate to the member making the request and to the Commission, the actions it has taken against the vessels in accordance with the provisions of Article 25 of the Convention? Yes/No <i>Provide comments on your record of compliance of responding to IUU activities by your flag vessels that have been brought to the Flag State's attention in accordance with Article 25 of the Convention?</i> (CMM 2009-11 para 3(c) and 11(d))</p>	



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<p>3.3 As appropriate, provide comments on your record of compliance in other tuna RFMOs? (CMM 2009-11 para 3(d))</p>	
<p>3.4 Did applicant inform the Commission annually of the measures it takes to ensure compliance by its vessels with the Commission's conservation and management measures? (CMM 2009-11 para 11(c)) <i>Yes/No</i></p> <p><i>Annual Report Part 2 (due 1 July of each year) is the mechanism that WCPFC presently uses for CCMs to provide information on these activities during the previous calendar year.</i></p>	
<p>3.5 Did applicant accept boardings in accordance with Commission high seas boarding and inspection procedures? (CMM 2009-11 para 11(e)) <i>Yes/No</i></p>	
<p>SECTION 3: ANY OTHER COMMENTS</p>	
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