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**PREPARATORY CONFERENCE FOR THE COMMISSION FOR  
THE CONSERVATION AND MANAGEMENT OF HIGHLY  
MIGRATORY FISH STOCKS IN THE WESTERN AND  
CENTRAL PACIFIC**

Fifth session  
Rarotonga, Cook Islands  
29 September – 3 October 2003

WCPFC/PrepCon/34  
3 October 2003

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**RESOLUTION OF THE PREPARATORY CONFERENCE IN RESPONSE TO THE  
RECOMMENDATIONS OF THE SECOND MEETING OF THE SCIENTIFIC  
COORDINATING GROUP ON SUSTAINABLE FISHERIES MANAGEMENT**

*Recalling* the resolutions adopted at the fourth session of the Multilateral High Level Conference (MHLC IV), on 19 February 1999, and the third session of the Preparatory Conference for the Establishment of the Commission for the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, on 22 November 2002, in which the participants, *inter alia*, urged all States and other entities concerned to exercise reasonable restraint in respect of any regional expansion of fishing effort and capacity,

*Noting* that, since the adoption of the aforementioned resolutions, some fishing industries are reportedly still building or have already built a large number of purse seine fishing vessels to be deployed in the Western and Central Pacific Ocean to target tuna species covered by the Convention,

*Recognizing* the need to apply the precautionary approach to fisheries management,

*Considering* that the second meeting of the Scientific Coordinating Group (SCG) held in July 2003 recommended that fishing mortality of both yellowfin and bigeye not be increased from current levels,

*Recognizing* that the second meeting of the SCG further cautioned that if current stock assessments for bigeye tuna were confirmed, practical management actions to decrease fishing mortality would be required to prevent further decline in stock,

*Noting further* that the SCG considered that the lack of data from Indonesia and the Philippines was a serious concern because of its substantial contribution to the uncertainties in the stock assessments and requested that participants in the fifth session of the Preparatory Conference consider as a matter of urgency ways to assist in improving this situation,

*Taking into account* the interests and aspirations of developing States, particularly small island developing States, and of territories and possessions, in developing their national fisheries in accordance with their commitments under international law and instruments;

*Recognizing* the importance of existing regional licensing and other arrangements to participants,

*Recalling* article 30, paragraph 2 (c), of the Convention, and the need to ensure that conservation and management measures do not result in transferring, directly or indirectly, a

disproportionate burden of conservation action to developing States Parties, territories and possessions,

*Recalling further* article 10, paragraph 3, of the Convention, which provides for the development by the Commission of criteria for the allocation of the total allowable catch, or the total level of fishing effort, and

*Noting* the likely entry into force of the Convention by the middle of 2004,

*The participants in the fifth session of the Preparatory Conference for the Establishment of the Commission for the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean held at Rarotonga, Cook Islands, from 29 September to 3 October 2003, resolve to:*

1. *Request* the Interim Secretariat to prepare a paper on management options, to be delivered to the next session of the Preparatory Conference, on how the Commission could respond to sustainability concerns in respect of bigeye and yellowfin identified by the second meeting of the SCG,

2. *Invite* the Commission at its first session to consider management options in respect of bigeye and yellowfin,

3. *Encourage* participants to consider financing proposals seeking to improve the collection of catch effort and size composition data, especially from the domestic fisheries of Indonesia and the Philippines,

4. *Strongly urge* participants to fully implement the previous resolutions of MHLC and the Preparatory Conference calling for participants to exercise reasonable restraint in respect of any expansion of fishing effort and capacity in the Western and Central Pacific Ocean, and to note that certain States, territories, fishing entities and other entities continue to breach these resolutions,

5. *Urge* participants, and particularly those from States, territories, fishing entities and other entities continuing to breach the MHLC IV and Preparatory Conference resolutions, to take measures to prevent their nationals from building and operating new purse seine vessels in the Convention Area under foreign flags, unless those vessels have been constructed to operate under legitimate licences,

6. *Strongly urge* States, territories, fishing entities and other entities who have continued to breach these resolutions since the original MHLC IV resolution to reduce any overcapacity they have created, and

7. *Urge* that any information on activities contrary to the provisions of this resolution should be reported to the next session of the Preparatory Conference and circulated to all participants.

3 October 2003

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