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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**

Sixth session  
Bali, Indonesia  
19 – 23 April 2004

WCPFC/PrepCon/36  
19 April 2004

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**OPENING REMARKS BY THE CHAIRMAN OF THE PREPARATORY  
CONFERENCE AT ITS SIXTH SESSION**

1. We are reaching the final stages of the Preparatory Conference. We now know that the Convention will enter into force on 19 June 2004. This is inevitable and it is therefore more urgent than ever that we prioritize our work in order to enable us to reach conclusions on each of the essential tasks that are listed in the MHLRC Resolution that established the Preparatory Conference. In this regard, it is important to bear in mind, as I have said before, that the ultimate objective of the Preparatory Conference is not to reach a final decision on all matters, but to lay the groundwork for the entry into force of the Convention and a smooth transition to the Convention regime. A pragmatic and evolutionary approach is therefore appropriate, which addresses the organizational and administrative matters necessary to allow the Commission to come into being at an early stage, but leaves more substantive and difficult issues to be discussed in more detail within the Commission.

2. In February 2004 I issued the usual information note setting out in some detail what I saw as the main issues that need to be addressed during this session of the Conference. Over the past two days I have also had the opportunity to consult informally with a number of delegations as to what they see as the priorities for this week.

3. On the basis of the consultations I have held, I suggest that our priorities for this session should be as follows:

**Date and venue of next session**

4. As agreed at PrepCon V, the next session will be the last session of the Preparatory Conference and will be followed immediately by the inaugural session of the Commission. The main purpose of PrepCon VII will be to formally adopt the final report and recommendations of the Preparatory Conference, conclude the business of the Conference and deal with any unfinished business. We had agreed that PrepCon VII should take place as soon as practicable after entry into force of the Convention.

5. Following the consultations I have had with delegations, it appears that, taking into account the work that needs to be done prior to PrepCon VII, as well as the existing calendar of international meetings, the soonest practicable timing for PrepCon VII would be early in December 2004. It does not appear to be feasible to hold the session any earlier than this, but at the same time it does not appear to be the wish of most delegations to defer the inaugural session of the Commission beyond the end of 2004. I will consult further on this timing, but it does

appear to me that this is the best possible alternative for all and I would like to reach a firm decision on this matter as soon as possible in order that it does not delay our other work.

6. With respect to the venue for PrepCon VII and the inaugural session, you will recall that at PrepCon III we had of course decided to recommend to the Commission that the permanent headquarters of the Commission be located in Federated States of Micronesia. I understand that, in these circumstances, as the future host country, our colleagues from Federated States of Micronesia may have a proposal to make very soon regarding a venue. Again, this is a matter upon which I would urge the Conference to reach a firm decision as early as possible during this week.

7. Whilst on the subject of the final session of the PrepCon, one matter I must emphasize is the rather critical state of the PrepCon Organizational Fund. You will have received this morning the report of the Interim Secretariat on the status of the Fund and indeed this report will be formally presented to the Conference later this morning. It is clear that additional funds will be needed in order to see us through to the end of the PrepCon process and, given the tremendous efforts that have been expended so far, I would urge all delegations to give the most serious and urgent consideration towards making additional contributions to the Fund so as to enable us to bring the Conference to a successful conclusion.

#### **Provisional agenda for the first session of the Commission**

8. As recalled in the information note, paragraph 6(c) of the MHLC Resolution establishing the Preparatory Conference requires the Preparatory Conference to “prepare the provisional agenda for the first meeting of the Commission and, as appropriate, make recommendations relating to items thereon.” The interim secretariat has circulated a proposal for the consideration of the Conference (WCPFC/PrepCon/WP.19) and I do not believe this is a matter which should take us a great deal of time to deal with.

#### **The budget of the Commission and the scheme of contributions to the budget**

9. This is the most difficult matter we shall have to deal with this week and I would suggest therefore that the work of Working Group I be given the highest priority on our agenda. As requested by the Group at PrepCon V, the Interim Secretariat has circulated a consolidated and updated working paper dealing with the organizational structure of the Commission Secretariat, the provisional indicative budget for the early years of operation of the Commission and a scheme of contributions, taking into account the discussions to date in WG.I and WG.II.

10. I believe this paper forms a sound basis upon which WG.I can look in the round at the critical issues of the size and costs of the Commission and the way in which its operations will be funded and formulate some firm recommendations. I need hardly say that, unless the Commission can, at its first meeting, adopt a budget which is adequate to enable the Commission to function effectively, then all our work will have been in vain. At the same time, it is important not to take a too short-sighted approach to the issue. Inevitably, special considerations will apply during the first year of operation of the Commission. It would clearly be unfair to expect a relatively small number of parties to the Convention to bear the full financial burden of establishing the Commission. For this reason WG.I, as well as determining a vision for the Commission's budget and scheme of contributions when it is fully established, may therefore wish to also consider any transitional arrangements that might apply, on an exceptional basis, during the first year.

## **Recommendations on the procedure for the selection of an Executive Director**

11. We are also required by the Resolution to “make recommendations concerning the Secretariat of the Commission.” One of the most important recommendations in this context concerns the procedure for the selection of an Executive Director. Again, a paper has been circulated on this matter and we shall return to it later this morning. I understand that there are a number of sensitivities regarding the procedure that might be adopted and the timing of the selection process. At the same time, however, I must emphasize that the appointment of the first Executive Director is an absolutely critical step in the establishment of the Commission. Without an Executive Director in place within a reasonable time after the Commission becomes operational, it will not be possible for the Commission to function. I urge delegations therefore to give careful consideration to this matter and establish a procedure that is transparent, but at the same time pragmatic and achievable within the timeframe.

## **Other matters**

12. There are a number of other matters that we also need to address this week. The first of these is the issue of future management options for bigeye and yellowfin tuna. As requested by PrepCon V, the Interim Secretariat has prepared a comprehensive study on this matter for the consideration of the Conference. While I am perfectly willing to allow delegations to discuss the paper in as much detail as they wish, I would suggest that, at this stage, we should confine ourselves to a relatively brief discussion of the paper and decide upon any further work that might need to be done as a consequence of the issues raised in the paper, but defer any substantive consideration of recommendations for management action to the Commission itself.

13. I am also aware that both WG.II and WG.III have a number of substantive and important matters on their agendas and that, particularly in the case of WG.III, there is a strong feeling that progress needs to be made now on some of those matters. These groups also need to be in a position to begin to formulate their draft final reports to the Plenary for presentation early in the final session so that they can be adopted by the Conference and transmitted to the Commission.

14. The task before us this week is daunting. To a great extent, all the matters I have identified are equal priorities. For example, without an Executive Director the Commission cannot function effectively. But without a budget, the Commission cannot hope to appoint an Executive Director. With this consideration in mind, the way in which I intend to proceed this week is reflected in the revised provisional schedule of meetings dated 16 April 2004 and is as follows:

15. In a moment, I will invite delegations that wish to do so to make statements of a general nature regarding our work this week. After that, this morning, we will take up the issues of –

- The status of the PrepCon Organizational Fund
- The procedures for the selection of the Executive Director; and, if possible
- The agenda for the first session of the Commission.

If necessary, we will return to the latter two issues on Wednesday morning in Plenary. On Wednesday morning, I will also allow time for discussion of any responses to the paper on management options for bigeye and yellowfin.

16. This afternoon and tomorrow morning will be devoted to the work of WG.I, with Tuesday afternoon allocated to WG.III. The rest of the week will proceed – provisionally – as indicated in the indicative schedule. However, I intend, with the assistance of the Bureau, to review progress at the close of tomorrow's session and will propose such adjustments to the schedule as may be necessary in the light of that review – including, I am afraid to say, the possibility of night meetings if necessary.

17. I propose that, as at previous sessions, our working hours are from 9.00 – 12.00 and 14.00 – 17.00, which allows ample time during the lunch adjournment for consultations between delegations. Plenary sessions will be held in this room, but working group sessions will take place in the Rama and Sinta rooms directly across from the Plenary hall. I should mention that this provides the possibility for simultaneous working group meetings, but we shall try to avoid that eventuality as far as possible.

18. With these observations, I would seek your approval of the programme of work that I have outlined.

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