



**TECHNICAL AND COMPLIANCE COMMITTEE**

**Eleventh Regular Session**

23 - 29 September 2015

Pohnpei, Federated States of Micronesia

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**CNM SWG Report and Draft Recommendations for TCC11**

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**1645**

TCC11 CNM SWG Report and Draft Recommendations

TCC11 provides the following decisions and recommendations to WCPFC12:

TCC11 has reviewed the following CNM applications and is forwarding them to WCPFC12 for consideration: Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand, and Vietnam.

TCC11 again thanks the Secretariat for the development of the CNM application template which assisted the process greatly and thanks CNM applicants for using the template and submitting their applications in accordance with the prescribed timeframes.

TCC11 notes with appreciation the attendance and participation of Ecuador, El Salvador, Panama, and Vietnam at this year's meeting and encourages other CNM applicants to attend TCC meetings in the future.

TCC11 notes the CNM working group process occurred in parallel with the compliance monitoring scheme process and recommends that following TCC11, in consultation with SPC, the Secretariat write a particularised letter to CNMs outlining any identified deficiencies in data provision and requests that CNM applicants provide any information outlined in these letters, and as requested during the CMS process, 30 days in advance of WCPFC12 and that these letters, and any responses be assessed by WCPFC12.

TCC11 recommends that WCPFC12 take into consideration the Compliance Status of all CNM applicants in making its decision on the CNM applications and participatory rights.

TCC11 notes that all CNM applicants other than Mexico made a commitment to accept high seas boarding.

TCC11 notes that all CNM applicants other than Mexico and Thailand made a financial contribution and notes Vietnam's statement that payment was made over the course of TCC.

TCC11 notes the position of some CCMs at WCPFC11 regarding provision on non-payment and notes the WCPFC11 summary record which recorded that WCPFC11 agreed to approve the application for renewal of CNM status in 2015 from Mexico on the understanding that the Secretariat will write a letter to Mexico advising that Mexico's non-payment of any financial contribution generated extensive discussion at WCPFC11. Some CCMs noted their strong concern at the unfairness for SIDS CCMs and other CNMs due to this non-payment and those CCMs did not consider the lack of presence of any Mexico vessels to justify non-payment. Those CCMs also noted that if this concern is not addressed before Mexico's next application for CNM status any such application would not be supported by those CCMs.

TCC11 recommends that Mexico consider the prospect of a voluntary payment in advance of WCPFC12 given this statement in the WCPFC11 record, and its position regarding its national legislation.

TCC11 notes that during the SWG four CNM applicants (Ecuador, El Salvador, Panama and Vietnam) have expressed or reiterated interest in becoming full members and that WCPFC12 consider whether to invite them to become members.

TCC11 notes the following gaps or issues in the applications for individual applicants and encourages applicants to rectify them if possible by WCPFC12:

- Mexico – TCC11 notes that Mexico has not provided a commitment to make a financial contribution. TCC11 further notes that Mexico has not made an explicit commitment to accept High Seas Boardings and Inspections.
- Ecuador – TCC11 notes that the provision of the Annual report Part 1 occurred at TCC and requested that Ecuador provide this important information in a timely manner in the future
- Panama - The SWG notes that some Panama flagged vessels were listed on the SEAFO IUU list but Panama noted that these vessels had already been removed from the Panamanian ship register and undertook to provide a written update on this in advance of WCPFC.
- Vietnam – The SWG noted that Vietnam’s financial contribution had not yet been received during TCC11 but that Vietnam made a statement that payment was pending.

#### SWG Discussion

During the SWG, some CCMs noted their position that where CMM 2009-11 requires an explicit commitment to the Commission such as financial contributions that these commitments should be actually met. One CCM noted the FFA position that a proposal to amend the measure to make payment compulsory would be made at WCPFC12. A view was expressed that payment could be linked to the absence or presence of fishing activities but it was observed that the WCPFC11 meeting record stated that some CCMS considered that lack of fishing presence did not justify non-payment. It was observed that if Mexico were a full member this could allow it to make a financial contribution.

The conditional status, and subsequent non-granting of CNM status for Senegal was noted. Vietnam requested that a greater breakdown of the financial contributions be provided by the Secretariat to assist in its internal financial processes and if possible, a forecast of future assessments when the Secretariat write to invite CNM applications flowing WCPFC12. The issue of general capacity management was raised as an issue to be discussed further at WCPFC12 and all CNM applicants participating in the SWG expressed willingness to cooperate in capacity management in the Convention area.