



**Western and
Central Pacific
Fisheries
Commission**

Second Session
12-16 December 2005

**The Commission for the Conservation and Management of Highly Migratory Fish Stocks
in the Western and Central Pacific Ocean**

Second Regular Session

**12–16 December
Pohnpei, Federated States of Micronesia**

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SUMMARY REPORT

AGENDA ITEM 1 — OPENING OF MEETING

1. The Second Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean took place from 12–16 December 2005 in Pohnpei, Federated States of Micronesia. The Session was opened by the Chair of the Commission, Mr Glenn Hurry (Australia).

2. The following states attended the Session as Members of the Commission and participating territories: Australia, Canada, People’s Republic of China, Cook Islands, European Community, France, Fiji, Federated States of Micronesia, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, Vanuatu and Wallis and Futuna.

3. Indonesia and the United States of America attended as Cooperating Non-members. The Pacific Islands Forum, Pacific Islands Forum Fisheries Agency (FFA), Secretariat of the Pacific Community (SPC), Secretariat of the Pacific Regional Environment Programme (SPREP), Inter-American Tropical Tuna Commission (IATTC) and Greenpeace attended as Observers.

4. Apologies were received from the International Game Fishing Association (IGFA), which noted it had provided a written position paper.

Welcoming address

5. His Excellency President Joseph J. Urusemal, President of the Federated States of Micronesia delivered a welcoming address (Attachment A).

6. Mr Liu Xiaobing (Vice Chair of the Commission, China) responded to the President on behalf of the Commission.

Adoption of the agenda

7. The Commission adopted the agenda contained in WCPFC/Comm 2/02 Rev.1.

Chairman’s opening statement

8. The Chair of the Commission presented an opening statement. He noted that, in response to concerns regarding both the Chair and the Executive Director being Australian nationals, he would step down as Chair after one term. He urged Members to consult intersessionally to agree on a new Chair to be appointed at the conclusion of the Third Regular Session of the Commission.

AGENDA ITEM 2 — MEMBERSHIP

Status of the Convention

9. The depositary, New Zealand, presented a report on the status of the Convention as of 12 December 2005.
10. The United States of America reported that it had nearly finished its domestic procedures and expected to deposit its instrument of ratification with the Convention depositary in the first half of 2006, and applying, in accordance with Article 43 of the Convention, for participation rights on behalf of its territories American Samoa, Northern Mariana Islands and Guam.

Applications for observer status

11. The Commission extended observer status to the following regional and international organizations: Marine Stewardship Council, Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Sea Turtle Restoration Project, World Tuna Purse Seine Organization (WTPO), Pacific Islands Tuna Industry Association, and World Wide Fund for Nature (WWF).
12. The International Merchant Marine Registry of Belize was accepted as an Observer to the Second Session of the Commission only in order to present its application for Cooperating Non-member status.
13. A proposal to consider a levy for observer participation in meetings of the Commission (WCPFC/Comm 2/29) was deferred to a future Session.
14. A list of all participants is presented as Attachment B.

AGENDA ITEM 3 — NORTHERN COMMITTEE

Establishment of the Northern Committee

15. The Commission, in accordance with Article 11 of the Convention, agreed to establish the Northern Committee.

AGENDA ITEM 4 — MEMBER REPORTS

Opening statements by new Members of the WCPFC

16. Opening statements from members and participating territories of the Commission, who had ratified the Convention since the first Commission meeting in December 2005, were given by the European Community, Canada, the Philippines, France, Japan, French Polynesia, New Caledonia and Vanuatu. The statement by Japan is appended as Attachment C.

Annual reports by Members

17. The Marshall Islands, on behalf of member countries of the Pacific Islands Forum Fisheries Agency, presented an opening statement.
18. In accordance with Articles 23 and 32 of the Convention, the Chair invited Commission Members to provide reports on their progress in implementing the Convention. Articles 23 and 32 of the

Convention also require reports to record implementation of any conservation, management or other measures that are agreed on. Because the Commission has not yet agreed on any such measures, Members reported on current management measures in place in national jurisdictions. Statements were made by Chinese Taipei, Marshall Islands, Solomon Islands, Papua New Guinea, Tokelau and Fiji.

Statements of Cooperating Non-members

19. The Chair invited Cooperating Non-members to provide a report as described in Articles 23 and 32 of the Convention. Statements were made by the United States of America and Indonesia.

Statements by Observers

20. The Chair invited observers to the Commission to make statements. Statements were presented by the Inter-American Tropical Tuna Commission, World Tuna Purse Seine Organization, Greenpeace, Sea Turtle Restoration Project, World Wide Fund for Nature, Pacific Island Tuna Industry Association and the Marine Stewardship Council.

AGENDA ITEM 5 — SCIENTIFIC COMMITTEE REPORT

Report of the First Regular Session of the Scientific Committee

21. Dr SungKwon Soh (Chair of the Scientific Committee, Korea) presented the summary outcomes of the First Regular Session held in Noumea from 8–19 August 2005. He highlighted that the Scientific Committee had addressed the requests for advice on conservation and management measures presented in the Resolution on Conservation and Management Measures adopted at the Inaugural Session of the Commission (as detailed in Annex II of the Summary Record of the Inaugural Session), including:

- estimates of sustainable catch and effort levels for bigeye, yellowfin and South Pacific albacore;
- biomass projections for bigeye and yellowfin tuna relative to 2003 catch and effort levels, including the effects on stocks of time/area closures;
- investigation of measures to mitigate the catch of juvenile bigeye and yellowfin tuna, including controls on setting on floating objects;
- estimates of the mortality of non-target species with an initial focus on seabirds, turtles and sharks; and
- data and other issues requiring consultation between the Scientific Committee and the Technical and Compliance Committee.

The Scientific Committee also discussed:

- the data requirements of the Commission,
- the submission of data to, and data dissemination by, the Commission,
- collaboration with the Technical and Compliance Committee regarding data collected by the observer programme,
- data management and data security,
- the independent review of the transitional scientific structure and functions that would examine the effectiveness of the science structure of the Commission by June 2007, and
- the Indonesia and Philippine Data Collection Project (IPDCP).

Response to the Resolution on Conservation and Management Measures

22. Dr Soh presented the Scientific Committee's response to requests for advice from the Inaugural Session of the Commission, as detailed in the Resolution on Conservation and Management Measures.

23. The Commission noted:

- Despite the 1999 PrepCon/MHLC Resolution on exercising reasonable restraint on capacity, the Report of the First Regular Session of the Scientific Committee indicated that effort and fishing capacity in the Convention Area continued to expand;
- A reduction in the use of fish aggregating devices and floating objects appeared to be the most effective method of reducing bycatch of juvenile bigeye tuna;
- Although the level of observer coverage required for collecting adequate data for estimating the mortality of non-target species varies among species and from fishery to fishery, rarer species require a higher level of coverage. Some experts suggested that 20% observer coverage was a reasonable target for purse seine operations and at least 10% for longline operations;
- The level of illegal, unreported and unregulated fishing in the Western and Central Pacific Ocean was a significant factor in preventing accurate estimates of catch and effort levels for regional tuna fisheries, and for developing appropriate advice in respect of conservation and management measures;
- The issue of uncertainty associated with the Scientific Committee's assessments and analyses related to species identification, particularly with respect to juvenile bigeye tuna and the lack of comprehensive information for fisheries in Indonesia and the Philippines. This impacted on the degree of confidence that could be provided for long-term forecasts of the status of regional tuna stocks;
- There is potential for significant fishing impacts on the adult component of the South Pacific albacore stock, and catch rates, if fishing effort is increased. This is due to the way in which the stock is fished (larger, older fish are taken rather than juveniles), despite the high degree of resilience (in biological terms) in the stock overall;
- Fishing mortality for bigeye tuna is divided evenly across longline and other gear types, and between catches from the high seas and areas under national jurisdiction;
- Current assessments presented in the Report of the Scientific Committee represent the best information available and, given the commitment to a precautionary approach, the Commission was urged to take the assessments into account in formulating future conservation and management measures.

Advice and recommendations of the Scientific Committee to the Commission

24. Dr Soh presented the recommendations and advice of the Scientific Committee to the Commission. These recommendations related to scientific data to be provided to the Commission, the review of the Indonesia and Philippines Data Collection Project, standards for the provision of operational level catch and effort data to the Commission, the management and dissemination of this data, observer scientific data requirements, activities for support under the Special Requirements Fund, the relationship between the Scientific Committee and the Technical and Compliance Committee regarding the observer programme, the appointment of Specialist Working Group conveners and the terms of reference for an Independent Review scheduled for the first half of 2007.

25. The Scientific Committee recommended that Dr Shelton Harley (New Zealand) be appointed as Vice Chair of the Scientific Committee.

26. The Commission adopted the Report of the First Regular Session of the Scientific Committee and its recommendations, subject to budgetary considerations.

Work programme for the Scientific Committee in 2006

27. In accordance with Article 12 of the Convention, Dr Soh presented a draft work programme for 2006 for the Scientific Committee. This work programme was adopted by the Commission as part of the Scientific Committee Report, noting any additional requests made by the Commission during its discussions.

28. The Commission noted that, as the position of Chair of the Scientific Committee would fall vacant early in 2006, a new Chair would be appointed at its Second Regular Session. In the interim it was agreed that Dr Harley would work with the Secretariat to prepare for the Second Regular Session of the Committee.

29. Dr John Hampton (Secretariat of the Pacific Community) reported on plans for a regional tuna tagging programme that will be initiated in the waters under the jurisdiction of Papua New Guinea. He noted that, as the project could be extended to the broader Convention Area, the Commission may wish to establish a steering committee to oversee the project. The European Community, Papua New Guinea and New Zealand contributed significant financial support to the project to date.

AGENDA ITEM 6 — ADOPTION OF CONSERVATION AND MANAGEMENT MEASURES

Conservation and management measures

30. Concern was expressed over the short time frames available for consideration of draft resolutions. The Commission agreed in good faith that, despite Rule 20 of the Rules of Procedure that requires 24 hours notice, Members would try to submit draft proposals 30 days prior to the Annual Session of the Commission in order to allow all Members adequate time for consideration and consultation.

31. The Chair confirmed that the USA and Indonesia, as original members of the Multilateral High-level Conference (MHLIC) and Preparatory Conference processes, and as Cooperating Non-members, were eligible to submit draft proposals and participate in the debate within the Commission, but they could not participate in decision-making.

32. The Commission made the decision to adopt the following:

- Conservation and management measures for bigeye and yellowfin tuna in the western and central Pacific Ocean (Attachment D).
- Conservation and management measures for South Pacific albacore (Attachment E);
- Conservation and management measures for North Pacific albacore (Attachment F);
- Resolution on the reduction of overcapacity (Attachment H);
- Resolution on the incidental catch of seabirds (Attachment G);
- Resolution on non-target fish species (Attachment I); and
- Resolution to mitigate the impact of fishing for highly migratory fish species on turtles (Attachment J).

33. In relation to the measures on North Pacific albacore and South Pacific albacore, it was agreed that the Commission would review these decisions at the Third Regular Session in 2006. The Commission instructed the Scientific Committee to give priority to developing a stock assessment for

South Pacific albacore for consideration in this review. Pending the results of this review, and any additional advice provided by the Scientific Committee, Members, Cooperating Non-members and participating territories (CCMs) were urged to exercise restraint with respect to increased fishing for this stock in the Convention Area.

34. With the adoption of the Resolution on the reduction of overcapacity, Chinese Taipei made a commitment to cooperate with Japan and other concerned Members to implement the Resolution reiterating that the implementation of the Resolution would not prejudice the interests of its legitimate licensed purse seiners.

35. In relation to the Resolution on seabirds, the Commission agreed that the Scientific Committee should take the practical steps necessary for improving the recording and monitoring of seabird interactions, including species involved and rates of total mortality in the Convention Area. The Technical and Compliance Committee should monitor the progress of CCMs in applying this resolution and report to the Commission and develop relevant strategies for further consideration of the Commission.

36. The Commission agreed that the Scientific Committee, in consultation with the Technical and Compliance Committee, should investigate seabird mitigation measures applied and tested by other regional fisheries management organizations (RFMOs), particularly those of the Commission for Conservation of Antarctic Marine Living Resources; investigate the utility of implementing compatible measures; and recommend specific seabird mitigation measures for consideration at the Third Regular Session of the Commission.

37. In relation to the Resolution relating to sea turtles, it was agreed that the Commission, through the Scientific Committee and the Technical and Compliance Committee, should develop a programme that includes researching and developing gear and bait alternatives; promoting the use of available bycatch mitigation technology; promoting and strengthening data collection programmes to obtain standardized information for developing reliable estimates of sea turtle bycatch; biological research on sea turtles, including the identification of migration routes or other areas of spatial or temporal importance; industry education, development and promotion of safe handling techniques and other techniques to improve sea turtle conservation. This programme will take into account the sea turtle conservation efforts undertaken in other international organizations, in particular the IATTC.

38. The Commission requested that the Secretariat, in cooperation with the Scientific Committee, centralize bycatch and observer data to obtain better estimates of total catch and mortalities of sea turtles by fisheries that target highly migratory fish species covered by the Convention within the Convention Area. The Scientific Committee is requested to take practical steps necessary to improve monitoring and reporting of sea turtle interactions in the Convention Area, including the development of data standards and, specifications and reporting requirements.

39. The Commission agreed to task the Executive Director with producing a discussion paper on allocation issues within WCPFC for circulation to Commission Members in advance of the Third Regular Session of the Commission. While leaving it to the Executive Director to develop the necessary Terms of Reference for the development of the paper, the Commission considered it would be useful for this paper to include the following elements:

- Overview of relevant provisions on international law relating to allocation of access to fisheries resources, including the rights and obligations of coastal states, flag states, fishing states and the role of RFMOs;
- Overview and assessment of the experience of other RFMOs, particularly tuna RFMOs, in addressing allocation;

- Analysis and discussion of the factors listed in Article 10(3) of the Convention relating to allocation criteria;
- Discussion of potential models for allocation within WCPFC; and
- Outline of potential processes for the Commission to make progress on allocation.

40. The Commission agreed to defer discussion of the issue of regulating transshipment until the Second Session of the Technical and Compliance Committee (TCC), at which time a more comprehensive strategy will be developed incorporating longline and other vessels. It was agreed that a draft proposal prepared by Australia and the Philippines would be used as the basis for further consideration of transshipment (Attachment K).

41. The Commission noted that a large proportion of purse seine landings are conducted in non-member countries, in particular Thailand, and the Commission agreed that the Executive Director shall write to the relevant authorities seeking cooperation from such non-members.

42. In accordance with Article 29(5) of the Convention, the Commission agreed to exempt the Philippines from the prohibition on transshipping at sea by purse seine vessels for a period of 12 months, until procedures for transshipment are agreed on at the Third Regular Session of the Commission.

43. Also in accordance with Article 29(5), the Commission agreed to grant exemptions to all FFA countries currently engaging in purse seine transshipment at sea in waters under national jurisdiction for a period of 12 months, until procedures for transshipment are agreed on at the Third Regular Session of the Commission.

44. Noting the concerns expressed by a number of Members relating to the proposal only requiring the documentation of traded products rather than all catch, the Commission agreed to defer consideration of a proposal for the adoption and implementation of a statistical documentation scheme as set out in (WCPFC/Comm2/DP03 Rev.1) for bigeye tuna. The Commission agreed that concerned members should work intersessionally with Japan to develop a more comprehensive scheme covering all catch for consideration at the Third Regular Session of the Commission.

45. The Commission agreed to defer consideration of the shark conservation resolution as set out in WCPFC/Comm.2/DP21.Rev1 until the Third Regular Session of the Commission.

46. The Commission agreed to defer consideration of swordfish management measures for the southwest Pacific until the Third Regular Session of the Commission in 2006, and requested that the Scientific Committee provide additional advice on the status of the southwest Pacific swordfish stock at this meeting to enable the Commission to take a decision. The Commission urged all Members to exercise reasonable restraint in expanding fishing effort on the southwest Pacific swordfish stock, particularly with respect to establishing a catch history in anticipation of the adoption of conservation and management measures. The Commission asked interested Members to meet informally and discuss the issue in February in New Zealand.

AGENDA ITEM 7 — NORTHERN COMMITTEE

Report of the First Regular Session of the Northern Committee

47. Mr Masanori Miyahara (Chair of the Northern Committee, Japan) presented the summary outcomes of the First Regular Session of the Northern Committee, which met on 12 December 2005 in

Pohnpei. The meeting had considered Secretariat functions, management measures for North Pacific albacore and the Committee's relationship with other organizations.

48. It was clarified that the International Scientific Committee (ISC) will liaise with the Scientific Committee in relation to scientific advice for northern stocks. The Commission adopted the Report of the First Regular Session of the Northern Committee, including a revised Memorandum of Understanding (MoU) between the ISC and the Commission. It was noted that the independent review of scientific services to the Commission in early 2007 would examine options for securing scientific advice for all tuna stocks of interest to the Commission.

Advice and recommendation of the Northern Committee to the Commission

49. Mr Miyahara presented a recommendation from the Northern Committee on conservation and management measures for North Pacific albacore stocks. This was subsequently adopted by the Commission (see paragraph 32 and 33 above).

50. The Northern Committee will hold its next meeting in Japan from 11–13 September 2006.

AGENDA ITEM 8 — TECHNICAL AND COMPLIANCE ISSUES

Report of the First Regular Session of the Technical and Compliance Committee

51. Mr Apolosi Turaganivalu (Chair of the Technical and Compliance Committee, Fiji) presented the summary outcomes of the First Regular Session of the Technical and Compliance Committee meeting held in Pohnpei from 5–9 December 2005. He highlighted the Technical and Compliance Committee's (TCC) consideration of annual reporting requirements by Members to the Commission, the development of a template for the preparation of Annual Reports, discussions relating to the Record of Fishing Vessels and Authorizations to Fish and confirmation of the monitoring, control and surveillance (MCS) priorities for the Commission. These were identified as the Commission's vessel monitoring system (VMS), the regional observer programme, high seas boarding and inspection, port State measures and transshipment. The TCC also considered technical matters associated with the implementation of conservation and management measures that might be considered by the Commission, as had been requested at the Inaugural Session of the Commission.

52. The TCC requested that the Secretariat undertake further work during 2006 in respect of the Commission's VMS, including a cost assessment and feasibility study of two options identified as offering the best potential to meet the Commission's needs. In relation to the regional observer programme, the TCC recommended bringing forward the recruitment of the Observer Programme Coordinator to mid-2006.

Response to the Resolution on Conservation and Management Measures

53. Mr Turaganivalu outlined the response of the TCC to the request from the Inaugural Session of the Commission for advice on technical issues associated with the implementation of conservation and management measures that might be adopted by the Commission (Attachment H to the Summary Record of the First Regular Session of the TCC). The TCC noted that while the Commission had not yet adopted conservation and management measures, a functional VMS and operational observer programme were two key MCS components that would be required to support any conservation and management measures adopted by the Commission.

Advice and recommendations of the Technical and Compliance Committee to the Commission

54. Mr Turaganivalu presented the recommendations of the TCC to the Commission. The Commission adopted the recommendations that had been agreed by consensus by the TCC.

55. The Commission noted that although the differentiation of fishery management between EEZs and high seas in the Pacific Islands region was controversial in the past, consistent management and VMS monitoring through EEZs and high seas areas are desirable. The Commission considered the possibility that the FFA Secretariat could provide the interim service of the VMS system covering both EEZ and high seas in the Pacific Islands region until a decision is made regarding the structure and operation of the Commission's high seas VMS.

56. The Commission noted that the fishing activity in the North Pacific was significantly different from that in the South Pacific in that there is extensive activity operating in the disputed zones between Japan, Korea and China. As a result, it was noted that this situation would impact the application of the same VMS in the North and South Pacific and was an issue that needed to be considered in the development of the Commission's VMS.

57. In relation to the regional observer programme, the Commission agreed to proceed with the hybrid option recommended by PrepCon Working Group 1 and identified in WCPFC/TCC1/14, also taking into account transshipment observer programmes of other tuna RFMOs, and requested the Scientific Committee and the Technical and Compliance Committee to begin developing a work programme for its implementation.

58. The Commission agreed that early consideration would be given to improving observer coverage in the Convention Area, particularly in relation to longline fishing and fishing on the high seas, noting that *inter alia*, observer safety, vessel size and costs are important considerations in improving observer coverage.

59. In relation to high seas boarding and inspection, the Commission took note of the provisions of Article 26 of the WCPF Convention, which require that if boarding and inspection procedures are not developed within two years of entry into force of the Convention (which will be on 19 June 2006), then Articles 21 and 22 of the Agreement apply. The Commission recognized that, although significant progress was made in PrepCon Working Group III in developing procedures for high seas boarding and inspection, there was not sufficient time to reach agreement on these procedures in advance of the Second Regular Session of the Commission. As a result, per Article 26(2), Articles 21 and 22 of the Agreement will apply as of 19 June 2006, until the adoption of a specific boarding and inspection scheme when and if the Commission agrees to such a scheme.

60. However, noting that the practical application of Articles 21 and 22 of the Agreement would require the elaboration of additional measures and procedures, such as the development of appropriate domestic legislation, authorization of high seas boarding and inspections, notification of the form of identification issued to authorized inspectors, designation and publicity of the appropriate domestic authority to issue such notifications, and the development by the Commission of a process for receiving and publishing duly authorized inspectors and documenting the credentials of such inspectors and other information that has been submitted to the Commission, the Commission decided that the boarding and inspection procedures in Article 21 and 22 of the Agreement should not be utilized until these matters have been discussed intersessionally, and resolved at the Third Regular Session of the Commission.

61. The Commission approved a recommendation from the TCC to establish an intersessional working group in accordance with the terms of reference found in Attachment G of the Report of the First Regular

Session of the TCC to be convened by Mr William Gibbons-Fly (United States of America). It was agreed that this working group would meet as part of TCC2 in 2006.

Work programme for the Technical and Compliance Committee in 2006

62. In accordance with Article 14 of the Convention, the Chair of the Technical and Compliance Committee presented a draft work programme for 2006 for the Technical and Compliance Committee for consideration in the formulation of the Commission's 2006 Work Programme and Budget.

AGENDA ITEM 9 — EXECUTIVE DIRECTOR'S REPORT

Annual Report of the Executive Director

63. In accordance with Rule of Procedure 13, the Executive Director delivered his Annual Report for 2005.

AGENDA ITEM 10 — ADMINISTRATION ITEMS

Issues arising from WCPFC1

64. The Commission noted that the issues outlined in the Annex to WCPFC/Comm.2/11 had either been addressed intersessionally or would be addressed during WCPFC2. New Zealand drew the Commission's attention to WCPFC/PrepCon5/34 paragraph 39, which provides that it is the responsibility of the Contracting Parties concerned, rather than the Commission, to develop guidelines relating to voluntary contributions for participating territories.

Report on accounts for 2005

65. The Executive Director provided a report on the Commission accounts for 2005 as outlined in WCPFC/Comm.2/13. He noted that assessed contributions received by the Secretariat as of 30 November amounted to 47% of projected 2005 income from Members. He appealed to Members to make their 2005 payments before the end of the year. He advised that an audit will be undertaken in February 2006 and the result would be circulated to Members by 31 March 2006. There was suggestion that pending contributions from Members should be shown on the balance sheet as receivables.

Auditor's report for 2004

66. Noting the Commission had not managed any funds in 2004, the Commission adopted the auditor's report of the Preparatory Conference Organisational Fund (PCOF) that had been circulated to all Members by the Forum Fisheries Agency, as administrator of the PCOF, in February 2005.

Report on the collection of contributions and advances to Working Capital Fund

67. The Commission noted there was no report on the Working Capital Fund (WCF) as no advances had been credited to the account during 2004 or 2005.

Report on the status of the Special Requirements Fund

68. The Executive Director reported that, following contributions from the Federated States of Micronesia and the United States of America, the balance for the Special Requirements Fund, as of 30 November 2005, was US \$35,000.

69. FFA members encouraged all CCMs to contribute to the Special Requirements Fund.

Appointment of external auditor

70. The Commission agreed to appoint Deloitte Touche as the Commission's auditor for a period of two years.

Financial regulations

71. The Commission noted that the correct version of the Financial Regulations, as agreed to at the Final Preparatory Conference, had now been circulated.

Staff establishment

72. The Commission considered a paper prepared by the Secretariat relating to staff establishment and services. The Commission noted that it is the responsibility of the Executive Director to manage Secretariat functions cost-effectively and to report with full transparency to the Commission, rather than requiring administrative decisions from the Commission. Furthermore, it was noted that regional balance should be taken into account when hiring staff.

73. The Commission considered the structure as proposed, and agreed to defer a decision on the establishment of a permanent legal post within the Secretariat until the Third Regular Session of the Commission. The Commission also encouraged the Executive Director to outsource secretariat services as much as possible.

Staff regulations

74. The Commission adopted the draft Staff Regulations prepared by the Secretariat, as amended.

75. The representative from FFA suggested that, as there are triennial reviews of the Council of Regional Organisations of the Pacific (CROP) employment conditions, the Commission's Staff Regulations should be reviewed following the completion of these reviews to ensure the provisions remain as harmonized as possible.

Accommodation options for Commission staff

76. The Commission recommended that the Executive Director continue to explore options for providing for the accommodation needs of the Secretariat's staff. It was agreed that the Executive Director would write to Members in late February 2006, informing them of the outcomes of approaching local landowners to construct accommodation for Commission staff. If no progress had been made, the Executive Director would invite Members to make voluntary contributions to a Housing Fund that could be used to erect accommodation on vacant land that he would secure under long-term lease arrangements.

2006 Work Programme and Budget

77. The Commission adopted the 2006 budget and work programme appended as Attachment L.

78. The Commission agreed to carry forward un-expended funds from 2005 for use in the budget in 2006. Because this would mean that the Commission would function throughout 2006 without a Working

Capital Fund (WCF), it was agreed that the indicative budget for 2007 should provide for a levy of 10% of assessed contributions that would be dedicated to the re-establishment of the WCF.

79. The Commission also noted that 2005 assessed contributions would not meet budget because Canada, Palau and Vanuatu were eligible for reduced payments as a result of their ratification of the Convention late in 2005 and the fact that Indonesia and the United Kingdom were unlikely to make contributions as they were not Members during 2005.

80. The Commission noted that the budget would need to incorporate Pohnpei State sales tax as the National Government of the Federated States of Micronesia had not been in a position to waive this requirement as part of the Headquarters Agreement. It was noted that the National Government was seeking a review of this with the Pohnpei State Government.

AGENDA ITEM 11 — COOPERATING NON-MEMBERS

Applications for Cooperating Non-members

81. The Commission agreed to defer a decision on the Cooperating Non-member status of Belize until the Third Regular Session of the Commission. The Commission requested that the Executive Director write to the Government of Belize advising them of the Commission's decision and of the issues that Belize would need to address to obtain membership. These issues included the need to demonstrate a history of compliance with international agreements and resolutions, a clear indication of Belize's motivation to join the Commission, and the need to demonstrate an ability to control vessels under its flag.

82. In accordance with the recommendation in paragraph 21 of the Summary Record of the Inaugural Session of the Commission, and the procedures on Cooperating Non-members adopted at the Inaugural Session, the Cooperating Non-member status of the United States of America was extended for another year, or until it becomes a Member of the Commission, whichever occurs first.

83. The Chair noted that a request for extension of Cooperating Non-member status was not received from Indonesia. The Commission agreed that the Executive Director would write to Indonesia, and if requested by Indonesia, circulate its request for an extension of its Cooperating Non-member status out of Session.

AGENDA ITEM 12 — SPECIAL REQUIREMENTS OF DEVELOPING STATES

Guidelines for assisting developing States

84. The Commission was informed that FFA members would prepare a strategy to guide the capacity building work of the Commission for developing States and participating territories that would be supported by the Special Requirements Fund. The finalization of the draft Guidelines prepared by the Secretariat, annexed to WCPFC/Comm2/26, would wait for the adoption of that strategy.

85. Japan reported that over the period 2006–2010, it would contribute US\$ 2 million, in the form of the Japanese Trust Fund, to support capacity building in the areas of fisheries statistics, regulation and enforcement. The establishment of the Japanese Trust Fund was gratefully acknowledged by the Commission.

AGENDA ITEM 13 — COOPERATION WITH OTHER ORGANIZATIONS

Cooperation, consultation and collaboration with the Commission of the Conservation of Antarctic Marine Living Resources (CCAMLR), Commission for the Conservation of Southern Bluefin Tuna (CCSBT), FAO, Forum Fisheries Agency (FFA), Inter-American Tropical Tuna Commission (IATTC), International Scientific Committee (ISC), Indian Ocean Tuna Commission (IOTC) and the Secretariat of the Pacific Community (SPC)

86. The Executive Director described progress to date in establishing relationships with other organizations as set out in WCPFC/Comm.2/19 Rev. 1.

AGENDA ITEM 14 — OTHER MATTERS

2006 UN Fish Stocks Agreement Review Conference participation

87. The Commission agreed that, given the WCPFC is the first Commission established after the entry into force of the UN Fish Stocks Agreement, the Secretariat and the Chair should attend the Conference. Members were encouraged to provide information and advice to the Secretariat to assist with WCPFC preparations for the Conference.

2007 Joint Tuna RFMO Meeting

88. The Commission noted that the FAO Committee on Fisheries agreed to a joint meeting of tuna RFMOs in Japan, 22–26 January 2007. Participation is open to all Members and Cooperating Non-members of all tuna-RFMOs and representatives of their secretariats. The Commission noted that the agenda will be broad, covering global issues such as capacity, IUU fishing, trade and opportunities to harmonize strategies to address issues of common concern to different RFMOs.

Nomenclature for Commission decisions

89. The Commission noted the need for agreement on a common interpretation of how the Commission will record its decisions as a result of the use of different and inconsistent terminology. It was noted that there was no uniform practice in other RFMOs.

90. It was clarified that any decision taken by the Commission in relation to conservation and management measures must relate to the specific provision of the Convention empowering the taking of such a measure. Generally, conservation and management measures would derive from Article 10 of the Convention, but other MCS provisions of the Convention would also be relevant.

91. The Commission adopted the nomenclature as set out in WCPFC/Comm.2/29 (Attachment M).

AGENDA ITEM 15 — NEXT MEETING

Date and place of next meeting

92. The Second Regular Session of the Scientific Committee will meet 7–18 August 2006 in Manila, Philippines. The Second Regular Session of the Northern Committee is scheduled for 11–13 September 2006 in Tokyo, Japan. The tentative dates for the Second Regular Session of the Technical and Compliance Committee are 28 September–3 October 2006 in Brisbane, Australia. The Third Regular Session of the Commission will take place 11–15 December 2006 in Apia, Samoa.

93. It was agreed that i) the Regular Sessions of the Commission, after 2006, will in future be scheduled for the first full week of December, ii) alternating Sessions of the Committee will be held in Pohnpei, and iii) other Sessions will be held in Pohnpei if there were no offers to host the Session.



WELCOMING ADDRESS

by
**H.E. Joseph J. Urusemal, President
Federated States of Micronesia**

**12 December 2005
Pohnpei, Federated States of Micronesia**

(SALUTATIONS)

It is hard to believe that 12 months have elapsed since we met here for the first time as the Western and Central Pacific Fisheries Commission. But 12 months have indeed elapsed, and a lot has happened in that time.

Before I proceed to reflect a little on the last 12 months, on behalf of the government and people of Federated States of Micronesia it is indeed a pleasure to welcome you all to our small country and to host the important discussions that are before the Commission this week.

I know that many of you were here last year and are anxious to get on with the demanding schedule before you. I will only hold you for a short time to make sure that those new to our beautiful island know how much we consider it a pleasure to be hosting your visit. I extend a special welcome.

To those that have acceded to the convention since the inaugural meeting and are sitting at the table as full members of the commission. I encourage those who have not done so to complete their constitutional requirements to become full members. Welcome all of you and I look forward to interacting with you during the week.

While here, I encourage all of you to take advantage of some of the interesting excursions that are available: to surf, to fish, to dive or just to relax on the waters of our extensive lagoons. We want to make sure that you leave Pohnpei with pleasant memories, not just memories of a large meeting room, late night negotiations, a haze of fisheries information, and trepidation about the amount of work expected of the Commission in 2006 if it is to become the effective regional fisheries management organization we all hope for.

Since the first meeting of the Commission last December, an Executive Director has been recruited and

the Secretariat office was opened here last October. The recruitment process for the three senior staff positions is already underway and is in its final stages. About two weeks ago I signed the host government agreement extending privileges and immunities to the commission and its staff. Thanks to the tireless effort of Chairman Hurry (he really hurry things up) and the support of the government of Australia for the smooth establishment of the Secretariat. Now we have a functioning Secretariat which has managed well to put things together for these meetings despite its late start and limited human and funding resources at the start.

Two subsidiary bodies of the Commission, the Scientific Committee and the Technical and Compliance Committee have successfully had their inaugural meetings.

To all of us, the most impressive development in the last 12 months has been the rapid construction of the headquarters building for the Commission. I've lost count of the number of comments that I have received, since 16th June when construction commenced, marveling at the speed, the quality of workmanship and the sheer enormity of this building project according to our small island standard. It is without doubt the highlight for the year in terms of building construction in this nation!

Of course the building would not have been possible without the commitment and hard work of a large number of people. Foremost among these are the government and people of Pohnpei State for the generous donation of the land where the building is located: an area of public land covering almost 14,000 square meters.

For such a small island where land is limited and so highly valued, this is indeed a charitable donation that is appreciated by us all. We all thank the leadership and the people of Pohnpei for this kind gesture.

And then there is the building itself. Through you Ambassador Yang, and on behalf of all those present here today and those they represent, I would like to express our sincere appreciation once again for your funding support. It is certainly a building about which we can all be proud and it will undoubtedly serve the needs of the Tuna Commission for many years to come. In literal terms, the Government of the People's Republic of China has laid a very solid foundation upon which to build a productive future for this Commission.

I am pleased to report that with the turn-over of the building within the month, the FSM will have delivered on all the items in our overture to host the commission headquarter. Of course, our commitment is there and we will continue to work closely with and assist the Executive Director and Secretariat staff in whatever we can to facilitate their work and the work of this Commission.

In other areas, progress has not perhaps evolved as all of us hoped for at the conclusion of the Inaugural Session of the Commission last year.

But, in my speech to open last year's meeting, I did say it wasn't going to be easy and that the Commission would be faced with many challenges.

Of foremost concern is the increasing uncertainty relating to the continued capacity of regional yellowfin and bigeye resource stocks to support current levels of fishing effort and catch. For several years we have heard from scientists from both the coastal states in the region and distant water fishing nations, cautioning against increasing the harvest levels of these two species.

Several times during the Multilateral High Level Conference and the subsequent Preparatory Conference concerned at the capacity of these resources to support current levels of fishing, we agreed to resolutions that our fishing capacity would not be increased. That has not been the case.

We've been advised that, not to do so, exposes these resources to the risk that sustainable fisheries operations will be threatened. And this is in no one's interests, particularly to many in the region like the Federated States of Micronesia, which do not have the benefit of other resources to support our economic development.

So it is with utmost concern that I've learned that the Commission's own Scientific Committee, at its meeting in New Caledonia in August, again cautioned about the apparent overfishing

Occurring in the region in respect of the yellowfin and bigeye resources: The Technical and Compliance Committee that met last week took on board the advice of the Scientific Committee and, together, both committees have some very definite and firm advice for the commission to consider this week.

Distinguished delegates,

We have a responsibility to act on the advice of these two highly respected committees at this session of the Commission. I look forward to a response that demonstrates a determined and committed effort to address these concerns through practical, transparent and implementable measures that safeguard the long-term interests of all of us in these resources.

As I said last year, the decisions that we arrive at in order to achieve the long-term goal of sustained utilization of the region's tuna resources will involve concessions from all those currently involved in the fishery. This is a fact of the situation. If the current levels of fishing are excessive and not sustainable, steps will need to be taken to reduce the fishing effort in a way that does not unfairly disadvantage anyone that has a demonstrated long-term and dependent interest in the fishery. Nevertheless, catches must be reduced.

Entering into these discussions I appeal to everyone, my brothers from the island countries and our partners from the fishing states equally, to think in our collective long term and shared interests for a sustainable fishery. To achieve this there is need for an unconditional commitment to apply the constraints required. Again I say to you, let's do away with all the rhetoric and commit ourselves to action. As the debates continue, more fish are being taken and the closer we get to depleting these important stocks in a region so dependent on them. If we merely produce resolutions, and do not actually implement those resolutions to affect real changes, this organization is going to attract disparaging comments from around the globe very rapidly indeed.

A second area of significant concern that we've monitored during the last 12 months is a major increase in the costs of fuel. Twelve months ago fuel in Pohnpei was US\$ 2.75 a gallon. Today it is US\$ 3.45. That's a 70 cents, or 25%, increase on the gallon within a short 12-month period. While my fellow residents here on Pohnpei feel the crunch.

Every time they go to the fuel pump, it is the fishermen who are really suffering: fuel, as it does, making up such a large proportion of the costs of operating a fishing vessel.

Fish prices haven't gone up in proportion to the rises in fuel costs the last 12 months and so all of the fishermen, not just those from Pacific Island countries, are suffering. In fact, fish prices have remained at about the same level over the years while fuel price continues to climb. I'm not sure what the long-term outcome from continued sustained high oil prices will be, but I do know that, if current prices continue, it is likely to change the dynamics of regional tuna fisheries, and thus significantly influence the issues before the Commission.

The Convention provides for a special requirement fund to enable developing states and territories to effectively participate in the work of the Commission. It is very important that developing states and territories within the Convention area whose livelihoods are dependent on the resources of the region equally participate in and contribute to every aspects of the work of the Commission. In that regard, I thank the United States, still a Cooperating Non-member, for its kind contribution to the fund and urge other Members to contribute to the fund.

FSM relies on healthy fish stocks, along with other Pacific Island countries. With this in mind I am very pleased to learn that a ministerial level meeting of the parties to the Nauru Agreement held on Saturday endorsed progress towards a new scheme will introduce a limit on the number of days of purse seine fishing. The scheme will be introduced on a provisional basis for at least 12 months so that administrative and monitoring systems can be developed. This management scheme will be one of the largest of its kind in the world and we look to the Commission to support the scheme and to implement compatible measures to ensure our precious tuna resource is not squandered.

I will leave you with these thoughts and in the very capable hands of your Chairman, Mr Hurry. I know that you have a very full agenda for the next five days. I assure you I will be receiving a briefing of the major decisions of the meeting on a daily basis and will be taking a very real interest in all your decisions.

If there is anything we can do to assist your deliberations or make your stay with us more comfortable, please contact anyone on the FSM delegation for assistance.

Thank you and I wish you all a very productive meeting, season's greetings to you and your loved ones and all the very best wishes for the coming year.

I now have the pleasure of declaring the Second Regular Session of the Western and Central Pacific Fisheries Commission open.

Thank you.



**The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the
Western and Central Pacific Ocean**

Second Regular Session

**12–16 December
Pohnpei, Federated States of Micronesia**

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OPENING STATEMENT

by
Akira Nakamae,
Deputy Director-General, Fisheries Agency
Government of Japan

Chairman, distinguished delegates, ladies and gentlemen,

It is a great honor for me to be given this opportunity to address to you, on behalf of the Government of Japan.

I would like to express my sincere gratitude to the efforts of the Government of the Federated States of Micronesia, which hosted the Second Regular Session of the WCPFC. My appreciation also goes to Mr Andrew Wright, Executive Director, who has engaged in the preparation of this meeting as the sole official of the Secretariat, the Government of Australia, which has provided strong support, and Mr Glenn Hurry of his efforts as the Chair of the Commission.

Chairman, it is my great pleasure that Japan became a member of this Commission and can actively contribute to the work of the Commission as a Member to achieve sustainable utilization of highly migratory fish stocks.

Japan is a traditional distant-water fishing country but also a traditional coastal State in this region. Japan has a strong interest in the conservation and sustainable utilization of highly migratory fish stocks. We are fully ready to make our maximum efforts and contribution, in collaboration with other members toward this goal. Japan is also ready to take responsible actions for the resource management as the largest tuna importing country.

This September, Japan hosted several informal meetings regarding the WCPFC. At the informal consultation toward WCPFC2, we had candid and fruitful discussion. We also had an opportunity to meet with representatives from FFA members, and we decided to have regular consultation with a view to building up mutually beneficial relations between FFA and Japan. It is my strong hope that these positive relationship will further develop in the future.

The Scientific Committee of the WCPFC met in August and recommended that fishing mortality for bigeye and yellowfin tunas should be reduced. Japan is ready to work to respond to this scientific requirement. I hope that constructive discussion will take place toward the adoption of appropriate

conservation and management measures, while fully taking into account the legitimate fishery development of coastal developing states, particularly small island developing states and territories.

Mr Chairman, we should not forget the fact that since 1999, we have adopted a series of resolutions to control the fishing capacity with a view to prevent the preemptive moves that might increase the fishing operation before the WCPFC starts. However, one Commission member has drastically increased the number of its purse-seine and longline fishing vessels in contradiction to the resolutions on which that member agreed. I call on the Member to take responsible corrective measures without delay so that the all Commission members can stand at a fair starting line regarding the management of the resources which we are going to discuss.

I heard that there was a slight sign of a polarization during the last week's TCC meeting. I stress that we must avoid such an undesirable situation. We must exhaust our efforts to reach consensus, otherwise we cannot reach any result.

Mr Chairman and distinguished delegates, may I wish that this coming week will become a meaningful period for the conservation and management of tuna resources in this region.

Thank you Mr Chairman.



**CONSERVATION AND MANAGEMENT MEASURES FOR
BIGEYE AND YELLOWFIN TUNA
IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

Conservation and Management Measure-2005-01

Recalling the objective of this Convention is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement.

Recognizing that the Scientific Committee expressed concern on current stock status of bigeye and yellowfin tunas and recommended reduction in the current fishing mortality for bigeye and yellowfin.

Noting that the Commission shall give full recognition to the special requirements of developing States and participating territories parties to this Convention, in particular small island developing states and territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks (Article 30).

Decides to adopt, in accordance with Article 10 of the Convention, the following measures with respect to bigeye tuna and yellowfin tuna, in particular.

GENERAL RULES OF APPLICATION

1. Through the adoption of necessary measures, the total level of fishing effort for bigeye and yellowfin tuna in the Convention Area shall not be increased beyond current levels.¹
2. These measures will be reviewed annually and may be adjusted, considering the advice of the Scientific Committee concerning fishing mortality levels associated with maintaining the bigeye and yellowfin stocks at or above B_{MSY} in accordance with Article 5 in the Convention.

¹ Current level of fishing effort shall include fishing rights authorized under existing regional or bilateral fisheries partnership arrangements or agreements, provided these are registered with the Commission, and provided that the number of licence authorized under such arrangements does not increase. CCMs will register their bilateral agreements or arrangements with the Commission in advance of the Third Session of the Commission in 2006.

3. Commission Members, Cooperating Non-members and participating territories (CCMs) shall take necessary measures to ensure that their fishing vessels be transferred to other CCMs only when such transfers do not result in overfishing in the Convention Area.

4. The Scientific Committee, at its second meeting, shall identify levels of fishing effort to ensure that the bigeye and yellowfin stocks will remain at an agreed level above B_{MSY} .

5. For the purposes of these measures, vessels operated under charter, lease or other similar mechanisms by developing island States and participating territories, as an integral part of their domestic fleet, shall be considered to be vessels of the host island state or territory. Such charter, lease or other similar mechanism shall be conducted in a manner so as not to invite IUU vessels. The Commission shall develop a Charter Arrangements Scheme, which will include notification provisions, at its third Session in 2006.

6. Nothing in this decision shall prejudice the legitimate rights and obligations of those small island state Members and participating territories in the Convention Area seeking to develop their own domestic fisheries.

PURSE SEINE FISHERY

7. Purse seine fishery measures apply to the area of the Convention bounded by 20⁰N and 20⁰S.

8. CCMs shall take necessary measures to ensure that purse seine effort levels do not exceed either 2004 levels, or the average of 2001 to 2004 levels, in waters under their national jurisdiction, beginning in 2006.

9. The Commission shall implement compatible measures as required under Article 8 of the Convention, to ensure that purse seine effort levels do not exceed 2004 levels on the high seas in the Convention Area or the total fishing capacity will not increase in the Convention Area.

10. (i) For those FFA Member Countries who are Parties to the Nauru Agreement, the provisions of paragraph 8 will be implemented as a Vessel Day Scheme that will limit days fished to a level no greater than 2004 levels and will be fully implemented by 1 December 2007. Until that time, the current measures under the Palau Arrangement shall remain in force.

(ii) Other non-PNA member countries shall implement similar measures to limit purse seine effort in waters under their jurisdiction to no greater than 2004 levels, or to the average of 2001 to 2004 levels.

Temporary closures for the purse seine fishery

11. In order to achieve the overall reduction in catch and effort required for bigeye and yellowfin tuna, in accordance with advice and recommendations received from the Scientific Committee, the Executive Director shall work with CCMs during 2006 to develop a proposal for consideration at the Third Session of the Commission that is consistent with the IATTC arrangements that allow for a system of temporary purse seine closures.

Control of sets on FADs for the purse seine fishery

12. For the purposes of these measures, the term Fish Aggregation Device (FAD) means any man-made device, or natural floating object, whether anchored or not, that is capable of aggregating fish.

13. CCMs shall develop management plans for the use of FADs (anchored and drifting) within waters under national jurisdiction which shall be submitted to the Commission.

14. The Commission will work with CCMs to develop methods to reduce catches of juvenile bigeye and yellowfin tuna caught in association with FADs.

15. Beginning in 2006, the Scientific Committee and the Technical and Compliance Committee shall undertake to explore and evaluate mitigation measures for juvenile bigeye and yellowfin taken around FADs, in cooperation with other RFMOs, and present the results annually to the Commission. This work shall continue on an annual basis.

Special Provisions for the development of skipjack fisheries

16. Developing skipjack purse seine fisheries, between 20 degrees north and 20 degrees south, that can provide verifiable evidence of minimal yellowfin and bigeye bycatch, with 100% observer coverage, and with a legitimate development plan, will be exempted. Any such plan shall restrict the use of FADs and implement other such management measures necessary to minimize impacts on bigeye and yellowfin. These measures must be supported by adequate monitoring, control and surveillance to ensure their effective implementation. Existing plans shall be tabled at the Commission for information. Any new plan is to be tabled at the Commission before Government approval. The Commission is to be given the opportunity to comment on the plan before its approval.

LONGLINE FISHERY

Catch limits for the longline fishery

17. The catch of bigeye for each CCM for the next three years shall not exceed the average annual bigeye catch for the years 2001–2004 or the year 2004.²

18. Paragraph 17 does not apply to CCMs that caught less than 2,000 tonnes in 2004. Each CCM that caught less than 2,000 tonnes of bigeye in 2004 shall ensure that their catch does not exceed 2,000 tonnes in each of the next three years.

19. Any future reduction in catch levels shall take into account increases in the levels of such catches by each CCM in recent years.

OTHER FISHERIES

20. The second meeting of the Scientific Committee will review the catch of bigeye and yellowfin in other commercial fisheries in the Convention Area and provide advice to the Commission so that conservation and management measures can be developed.

² The year 2004 shall apply only to the People's Republic of China and the United States of America.



**CONSERVATION AND MANAGEMENT MEASURE FOR
SOUTH PACIFIC ALBACORE**

Conservation and Management Measure-2005-02

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Recalling that the Scientific Committee notes that there are critical biological uncertainties for South Pacific albacore;

Noting that while current catch levels from the South Pacific albacore stock appear to be sustainable, given the age-specific mortality of the longline fleets, any significant increase in effort would reduce CPUE to low levels with only moderate increases in yields. CPUE reductions may be more severe in areas of locally concentrated fishing effort.

Further noting that while future increases in albacore catch are likely to be sustainable, estimates of MSY are highly uncertain because of the extrapolation of catch and effort well beyond any historical levels. Projections demonstrated that longline exploitable biomass, and hence CPUE, would fall sharply if catch and effort were increased to MSY levels. Therefore, the economic consequences of any such increases should be carefully assessed beforehand.

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. Commission Members, Cooperating Non-members, and participating territories (CCMs) shall not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20°S above current (2005) levels or recent historical (2000–2004) levels.
2. The provisions of paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing State and Territory CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore.

3. CCMs that actively fish for South Pacific albacore in the Convention Area south of the equator shall cooperate to ensure the long-term sustainability and economic viability of the fishery for South Pacific albacore, including cooperation and collaboration on research to reduce uncertainty with regard to the status of this stock.

4. This measure will be reviewed in 2006 on the basis of advice from the Scientific Committee on South Pacific albacore.



**CONSERVATION AND MANAGEMENT MEASURE FOR
NORTH PACIFIC ALBACORE**

Conservation and Management Measure-2005-03

The Western and Central Pacific Fisheries Commission (WCPFC),

Observing that the best scientific evidence on North Pacific albacore from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean indicates that the species is either fully exploited, or may be experiencing fishing mortality above levels that are sustainable in the long term, and

Inter-American Tropical Tuna Commission (IATTC) regarding fish stocks that occur in the Convention Areas of both organizations, and

Recognizing that the IATTC adopted, at its 73rd meeting, conservation and management measures on North Pacific albacore;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. The total level of fishing effort for North Pacific albacore in the Convention Area north of the equator shall not be increased beyond current levels.
2. Commission Members, Cooperating Non-members and participating territories (hereinafter referred to as CCMs) shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore in the WCPF Convention Area is not increased beyond current levels;
3. All CCMs shall report all catches of North Pacific albacore to the WCPFC every six months, except for small coastal fisheries which shall be reported on an annual basis. Such data shall be reported to the Commission as soon as possible and no later than one year after the end of the period covered.
4. All CCMs shall report annually to the WCPFC Commission all catches of albacore north of the equator and all fishing effort north of the equator in fisheries directed at albacore. The reports for both catch and fishing effort shall be made by gear type. Catches shall be reported in terms of weight. Fishing effort shall be reported in terms of the most relevant measures for a given gear

type, including at a minimum for all gear types, the number of vessel-days fished.³

5. The Northern Committee shall, in coordination with International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean and other scientific bodies conducting scientific reviews of this stock, including the WCPFC Scientific Committee, monitor the status of North Pacific albacore and report to the Commission on the status of the stock at each annual meeting, and make such recommendations to the Commission as may be necessary for their effective conservation.
6. The Commission shall consider future actions with respect to North Pacific albacore based on recommendations of the Northern Committee.
7. The CCMs shall work to maintain, and as necessary reduce, the level of fishing effort on North Pacific albacore within the Convention Area commensurate with the long-term sustainability of the stock.
8. The WCPFC Executive Director shall communicate this resolution to the IATTC and request that the two commissions engage in consultations with a view to reaching agreement on a consistent set of conservation and management measures for North Pacific albacore, and specifically, to propose that both commissions adopt as soon as practicable uniform conservation and management measures and any reporting or other measures needed to ensure compliance with agreed measures.
9. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for North Pacific albacore is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for North Pacific albacore in the future.
10. The provisions of paragraph 9 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.

³ The first such report shall be due on 30 April 2006 and shall cover calendar year 2004. Small Island Developing States will make their best efforts to comply with this first reporting deadline.



RESOLUTION ON THE INCIDENTAL CATCH OF SEABIRDS

Resolution-2005-01

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Concerned that some species of seabirds, notably albatrosses and petrels, are threatened with global extinction.

Noting advice from the Commission for the Conservation of Antarctic Marine Living Resources that together with illegal, unreported and unregulated fishing, the greatest threat to Southern Ocean seabirds is mortality in longline fisheries in waters adjacent to its Convention Area.

In accordance with Article 5(e) and 10(c) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean the Commission decides:

1. Commission Members, Cooperating Non-members, and participating territories (called CCMs) shall, to the extent possible, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds) if they have not already done so.
2. CCMs shall report to the Commission on their implementation of the IPOA-Seabirds, including, as appropriate, the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.
3. CCMs shall provide the Commission with all available information on interactions with seabirds, including incidental catches and details of species, to enable the Scientific Committee to estimate seabird mortality in all fisheries to which the WCPF Convention applies.
4. The Commission, in consultation with the Technical and Compliance Committee, shall consider measures for the mitigation of incidental catch of seabirds, including those applied and tested by CCAMLR, at its annual meeting in 2006.



RESOLUTION ON REDUCTION OF OVERCAPACITY

Resolution-2005-02

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean,

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 (PrepCon), 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,

Recalling the Resolution adopted at the fifth session of the PrepCon, on 3 October 2003, in which the participants strongly urged 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

Adopts, in accordance with Article 10 of the Convention that:

1. Developed Commission Members, Cooperating Non-members and participating territories (CCMs) whose nationals are beneficial owners of purse seine vessels that entered the WCPFC Convention Area after the MHLC and PrepCon resolutions, and other concerned CCMs, shall work together to ensure that the beneficial owners reduce by 31 December 2007, such overcapacity as created by those fishing vessels through reduction of equivalent fishing capacity of other fishing vessels operating in the Convention Area.

2. Paragraph 1 above shall be implemented to ensure that no adverse effect is given to the coastal processing and transshipment facilities and associated vessels of developing island coastal states and territories, and would not affect investment that has occurred legally in FFA member countries.
3. This resolution applies only to capacity increase in the period 1999 to 2005.



RESOLUTION ON NON-TARGET FISH SPECIES

Resolution-2005-03

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Noting the importance of many non-target fish species such as mahi mahi, rainbow runner and wahoo for sustainable livelihoods in many communities in the Convention Area;

Recognising the requirement for members of the Commission to adopt measures to minimise discards, catch of non-target fish species, and the impacts on associated or dependent species;

Resolves as follows:

1. Commission Members, Cooperating Non-members and participating territories (CCMs) shall encourage their vessels operating in fisheries managed under the WCPFC Convention to avoid, to the extent practicable, the capture of all non-target fish species that are not to be retained;
2. Any such non-target fish species that are not to be retained, shall, to the extent practicable, be promptly released to the water unharmed.



RESOLUTION TO MITIGATE THE IMPACT OF FISHING FOR HIGHLY MIGRATORY FISH SPECIES ON SEA TURTLES

Resolution-2005-04

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Recognizing the ecological and cultural significance of all species of sea turtles in the Western and Central Pacific Ocean (WCPO);

Recognizing that the FAO adopted Guidelines to Reduce Sea Turtle Mortality in Fishing Operations at its Twenty-sixth Session of the Committee on Fisheries, held in March 2005, and recommended their implementation by regional fisheries bodies and management organizations;

Noting that the recent international scientific studies on circle hooks show a statistically significant decrease in sea turtle by catch when such hooks are used in shallow set pelagic longline fishing but that studies and trials continue in different geographic areas;

Further noting that scientific studies indicate that, with the use of circle hooks, the hooking location can lead to a decrease in post-release mortality of incidentally caught species;

Taking into account Article 5 of the WCPF Convention, resolves as follows:

1. Commission Members, Cooperating non-Members, and participating territories (called CCMs) shall, as appropriate, implement the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (the Guidelines) in order to reduce the incidental catch of sea turtles

- and to ensure the safe handling of all turtles that are captured, in order to improve their survivability.
2. The WCPFC shall encourage CCMs to collect, and provide to the WCPFC, all available information on interactions with sea turtles in fisheries managed under the WCPF Convention.
 3. The Commission encourages CCMs to enhance the implementation of their respective turtle mitigation measures that are already in place (using best available scientific information on mitigation techniques) and urges them to foster collaboration with other CCMs in the exchange of information in this area.
 4. The Commission urges CCMs to require that purse seine vessels flying their flags:
 - i. Avoid encirclement of sea turtles to the extent practicable and, if encircled or entangled, take all practicable measures to safely release sea turtles.
 - ii. Take all reasonable efforts whenever a sea turtle is sighted in the net to rescue the turtle before it becomes entangled in the net, including if necessary, the deployment of a speedboat.
 - iii. Stop net roll, if a turtle is entangled in the net, as soon as the turtle comes out of the water and, to the extent practicable, assist the recovery of the turtle before returning it to the water.
 - iv. Take necessary measures to monitor fish aggregating devices (FADs) to the extent practicable to release any sea turtles that become entangled and consider FAD designs and use that reduce the likelihood of sea turtle entanglement.
 5. The Commission urges CCMs to:
 - i. Undertake research trials of appropriate-size circle hooks in commercial pelagic longline fisheries.
 - ii. Undertake research and trials on the use of circle hooks in recreational and artisanal fisheries;
 - iii. Require longline vessels flying their flags to carry on board and, when sea turtle interactions occur, employ the necessary equipment (e.g. de-hookers, line cutters, and scoop nets) for the prompt release of incidentally caught sea turtles.
 6. The Commission shall consider measures related to the use of circle hook gear technology in longline fisheries at its annual Session in 2006, taking into account the results of research and trials.
 7. The Commission urges cooperation with the Inter-American Tropical Tuna Commission in order to share data on sea turtle bycatch and to develop and apply compatible bycatch reduction measures given the migration patterns of many species of sea turtles.
 8. As the Commission develops its regional observer program and considers improving observer coverage in the Convention Area, existing observer programs should be reviewed to ensure that the appropriate information on sea turtle interactions is being collected (e.g. species identification, fate and condition at release, relevant biological information and gear configuration).

9. The Commission decides that resources available in the Special Requirements Fund may be used to assist developing State Members and territories in implementing the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.
10. The Commission encourages CCMs to contribute to the Special Requirements Fund to support eligible small-island developing States, territories, and possessions in implementing this resolution, or to do so through bilateral arrangements.
11. Beginning in 2006, CCMs shall include in their Annual Report to the Commission (Part II) a report on the steps taken to implement this resolution.
12. The Commission, through the Technical and Compliance Committee, shall monitor the progress of CCMs in applying this resolution and develop relevant strategies for the further consideration of the Commission in 2007.



WCPFC2/Aust-Phil/Draft/Res/Trans/Rev1

Australian/Philippine Proposal – 14 December 2005

Revised Draft Resolution on Regulating Transshipment by Purse Seine Vessels

Taking account of Article 29.5 of the Western and Central Pacific Fisheries Convention, which prohibits transshipping at sea by purse seine vessels operating within the Convention Area, subject to specific exemptions which the Commission shall adopt in order to reflect existing operations.

Noting that the Forum Fisheries Agency (FFA) Minimum Terms and Conditions prohibits licensed foreign fishing vessels from transshipping at sea under any circumstances except for the transfer of catch by a licensed group seiner to its licensed carrier vessel which is in good standing on the FFA Vessel Register:

Responding to the Technical and Compliance Committee recommendations to the Western and Central Pacific Fisheries Commission, particularly paragraph 46a:

That the Commission take early action to regulate transshipment in the Convention Area by developing procedures and other measures to give effect to Article 29 and Article 4 of Annex III of the Convention. In doing so, the Commission is further requested to consider transshipment regulation schemes adopted by other regional fisheries management organizations, such as ICCAT.

In accordance with Article 29 and Annex 3 of the Western and Central Pacific Fisheries Commission the Commission decides;

1. Each Member and Cooperating Non-member of the Commission shall prohibit transshipment at sea by purse seine vessels flying its flag operating within the Convention Area, subject to specific exemptions as agreed by the Commission.
2. Each Member and Cooperating Non-member of the Commission shall ensure that purse seine vessels flying its flag only transship in designated ports.
3. Members and Cooperating Non-members of the Commission should designate one or more of their ports in the Convention Area as transshipment ports and submit, electronically where possible, a list of such designated ports to the Executive Director, by 1 July 2006.

4. The Executive Director shall circulate periodically to all Commission Members and Cooperating Non-members a list of such designated ports.
5. Each Member and Cooperating Non-member of the Commission shall ensure that transshipments or landings at designated ports are restricted to vessels included in the WCPFC Record of Fishing Vessels.
6. Each Member and Cooperating Non-member of the Commission shall take the necessary measures to ensure that transshipments by purse seine and carrier vessels flying its flag comply with the obligations set out in annex A.
7. Each Member and Cooperating Non-member of the Commission should develop regulatory measures to ensure that transshipments by purse seine and carrier vessels within its ports, comply with the obligations set out in annex A.
8. The Technical and Compliance Committee shall, as necessary, consider and recommend for adoption at the Commission specific exemptions to the prohibition on transshipments at sea by purse seine vessels, consistent with Article 29.5 and 29.3, and recommend procedures to be applied to any such exempted operations.
9. Existing transshipping operations at sea in support of licensed group seine operations and small purse seiners less than 600 tonnes, that are regulated and monitored by current arrangements including 100% observer coverage and catch reporting and on the WCPFC Record of Fishing Vessels, are temporarily exempt from the prohibition on transshipments at sea by purse seine vessels until the Commission agrees on specific exemptions.
10. The Member with purse seine transshipping at sea operations referred to in paragraph 9 shall notify the Executive Director of their intent to undertake these operations, and their monitoring and reporting arrangements, by 1 February 2006.

Annex A. In Port Transshipments by purse seine fishing vessels

- i) Transshipment operations in port may only be undertaken in accordance with the procedures detailed below.

Notification Obligations

Fishing Vessel

- ii) Prior to transshipping, the Captain of the purse seiner must convey the following information to the port state authorities, at least 48 hours in advance
 - a. the name of the purse seiner and its WCPFC Identification Number (WIN);
 - b. the name of the carrier vessel(s) and its WIN;
 - c. the product (to species level) to be transshipped and its estimated tonnage;
 - d. the date and location of transshipment;
 - e. the geographic location of the tuna catches
- iii) The Captain of a purse seiner shall, at the time of the transshipment, inform its flag State of the following;
 - a. the products and quantities involved;
 - b. the date and location of transshipment;
 - c. the name, registration number, WIN and flag of the receiving carrier vessel(s);
 - d. the geographic location of the tuna catches
- iv) The Captain of the purse seine vessel shall complete and transmit to its flag State the WCPFC transshipment declaration, along with its WIN, in accordance with the format set out in Annex B, no later than 15 days after the transshipment.

Receiving Carrier Vessels

- v) Not later than 24 hours before the beginning and at the end of the transshipment, the Master of the receiving carrier vessel shall inform the port State authorities of the quantities of catches of tuna and tuna like species transshipped to their vessel, and complete and transmit the WCPFC transshipment declaration to the WCPFC Executive Secretary and the flag State member or Cooperating Non-member of the purse seiner, along with the carrier vessel's WIN, within 24 hours.

Landing State

- vi) the Master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit a WCPFC transshipment declaration along with its WIN to the competent authorities of the landing State where the landing takes place.
- vii) The Port State and the Landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag Member or Cooperating Non-member of the purse seiner to ensure that landings are consistent with reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
- viii) Each flag Member or Cooperating Non-member of the purse seiner shall include in its annual report to the Commission the details on the transshipments by its vessels.

**WCPFC PROVISIONAL 2005 FINANCIAL REPORT, 2006 APPROVED BUDGET AND 2007
INDICATIVE BUDGET (US\$)**

Budget items	2005			2006		2007	Source of funds ⁴
	Budget	Actual	Variance	Indicative	Budget	Indicative	
PART 1		(est.)					
1 Staff costs							
<i>Executive Director</i>		50,719			199,443	200,981	AC
<i>Science Manager</i>		-			112,171	134,408	AC
<i>Compliance Manager</i>		-			112,171	134,408	AC
<i>Finance and Administration Officer</i>		-			112,171	134,408	AC
<i>ICT Manager</i>					91,760	119,793	AC
<i>Observer Program Coordinator</i>					80,823	117,345	AC
<i>Data Administrator Network Administrator</i>					-	125,910	AC
<i>Legal adviser⁵</i>					-	111,046	AC
<i>Support staff</i>					136,223	181,390	AC
Established posts sub-total	300,000	50,719	249,281	700,000	844,763	1,400,018	AC
General temporary assistance	5,000	-	5,000	7,000	5,000	6,000	AC
Overtime	5,000	-	5,000	10,000	10,000	12,000	AC
Consultancy	50,000	73,731	(23,731)	40,000			AC
<i>Corporate data model IT platforms and communications Document management Financial management systems Business plan Allocation Legal advice Unidentified</i>							AC
Sub-total	360,000	124,450	235,550	757,000	1,049,763	1,568,018	
2 Staff travel	60,000	-	60,000	90,000	80,000	120,000	AC
Sub-total	60,000		60,000			120,000	

⁴ AC= assessed contributions; VC= voluntary contributions

⁵ Subject to further consideration at the Third Regular Session of the Commission

			-		90,000	80,000		
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Budget items	2005			2006		2007	Source of funds
	Budget	Actual	Variance	Indicative	Budget	Indicative	
PART 1 (cont.)		(est.)					
3 General operating expenses			-				
Electricity (paid by NORMA in 2005)	10,000	-	10,000	25,000	30,000	35,000	AC
Communications	25,000	2,000	23,000	55,000	30,000	60,000	AC
Office supplies	12,000	1,500	10,500	22,000	20,000	25,000	AC
Publications and printing	10,000	9,000	1,000	20,000	25,000	30,000	AC
Audit	2,500	-	2,500	5,000	12,500	12,500	AC
Bank charges	2,000	2,000	-	3,000	5,000	6,000	AC
Entertainment	5,000	-	5,000	12,000	12,000	15,000	AC
Fuel	-	200	(200)	-	3,500	4,500	AC
Water (paid by NORMA in 2005)	-	-	-	-	600	600	AC
Garbage disposal	-	-	-	-	1,200	1,200	AC
Security	-	-	-	-	-	30,000	AC
<i>Pohnpei State Tax</i>	-	-	-	-	<i>10,000</i>	<i>15,000</i>	AC
Miscellaneous	5,000	-	5,000	10,000	10,000	12,500	AC
Sub-total	71,500	14,700	56,800	152,000	159,800	247,300	
4 Capital expenditure			-				
Vehicles	35,000	-	35,000	15,000	-	45,000	AC
Computers	55,000	1,803	53,197	40,000	55,000	75,000	AC
Furniture and office equipment	50,000	8,335	41,665	40,000	75,000	100,000	AC
Sub-total	140,000	10,138	129,862	95,000	130,000	220,000	
5 Maintenance of capital assets			-				
Vehicle maintenance	1,500	-	1,500	5,000	2,500	5,000	AC
IT maintenance and software licenses	9,000	-	9,000	6,000	20,000	25,000	AC
Buildings and grounds	-	-	-	-	15,000	25,000	AC
Insurance	4,200	-	4,200	7,000	30,000	37,500	AC
Sub-total	14,700	-	14,700	18,000	67,500	92,500	
6 Meeting services			-				
Annual Session	30,000	-	30,000	30,000	70,000	73,500	AC
Scientific Committee	65,650	91,804	(26,154)	65,650	100,000	105,000	AC
Northern Committee	-	-	-	-	15,000	15,750	AC
Technical and Compliance Committee	65,650	-	65,650	65,650	70,000	73,500	AC
Sub-total	161,300	91,804	69,496	161,300	255,000	267,750	
Sub-total Part 1	807,500	241,092	566,408	1,273,300	1,742,063	2,515,568	

Budget items	2005			2006		2007	Source of funds
	Budget	Actual	Variance	Indicative	Budget	Indicative	
PART II		(est.)					
1 Scientific services (OFP-SPC)	127,500	127,500	-	254,500	254,500	267,225	AC AC
2 Scientific research	-	-	-	-	-	250,000	
Regional tagging					20,000		AC
TDR							AC
Data security workshop					45,000		AC
Review of scientific committee processes							AC
3 IPDC Project	34,147	18,036	16,111	-	167,000	59,850	VC
5 TCC work plan	-	-	-	-	-	200,000	AC
Vessel registry					40,000		AC
VMS					-		AC
Observer programme					30,000		AC
Port State measures					25,000		AC
Catch Documentation [if required]					15,000		AC
<i>Housing Fund [if required]</i>							
6 Assistance to developing States	-	-	-	-	150,000	157,500	VC
7 Establishment of the Working Capital Fund							
8 Fund					-	281,779	
Sub-total Part 2	161,647	145,536	16,111	254,500	1,226,500	1,716,354	
TOTAL	969,147	386,627	582,520	1,527,800	2,968,563	4,231,922	

TOTAL:	General Fund		2,171,563	3,514,572
	Voluntary Contributions		797,000	717,350

Indicative budget (WCPFC1)	1627000	544,563
Less forecast carry forward assuming all assessments received		455,888
Balance		(88,675)
Budget for assessed contributions for 2006		1,804,349

Breakdown of Budget Contributions (2006 and 2007 — Indicative)

Commission Members	<i>Base fee 10% of budget</i>	<i>National wealth component 20% of budget</i>	<i>Catch component 70% of budget</i>	<i>2006 Total contribution 100% of budget</i>	<i>% of budget by member</i>	<i>2007 Indicative budget</i>
Australia	6,683	17,896	6,566	31,145	1.73%	60,665
Canada	6,683	21,428	298	28,408	1.57%	55,335
China	6,683	9,019	31,559	47,261	2.62%	92,057
Cook Islands	6,683	3,145	690	10,518	0.58%	20,486
European Union	6,683	62,128	1,651	70,461	3.91%	137,246
Fiji	6,683	1,578	7,449	15,710	0.87%	30,600
France	6,683	26,003	3,514	36,200	2.01%	70,512
FSM	6,683	1,307	21,648	29,637	1.64%	57,728
Indonesia	6,683	1,844	18,047	26,574	1.47%	51,761
Japan	6,683	49,063	405,131	460,877	25.54%	897,712
Kiribati	6,683	615	2,678	9,976	0.55%	19,432
Korea	6,683	11,749	203,136	221,567	12.28%	431,577
Marshall Islands	6,683	1,623	33,950	42,257	2.34%	82,309
Nauru	6,683	536	3	7,222	0.40%	14,068
New Zealand	6,683	11,393	25,096	43,172	2.39%	84,092
Niue	6,683	536	0	7,219	0.40%	14,062
Palau	6,683	4,435	7	11,125	0.62%	21,669
Papua New Guinea	6,683	370	73,227	80,280	4.45%	156,372
Philippines	6,683	1,232	44,658	52,573	2.91%	102,403
Samoa	6,683	1,072	1,401	9,156	0.51%	17,834
Solomon Islands	6,683	375	5,459	12,517	0.69%	24,381
Chinese Taipei	6,683	11,738	253,748	272,169	15.08%	530,139
Tonga	6,683	1,067	554	8,304	0.46%	16,175
Tuvalu	6,683	982	0	7,665	0.42%	14,929
United Kingdom	6,683	29,578	0	36,261	2.01%	70,630
USA	6,683	89,361	93,689	189,732	10.52%	369,567
Vanuatu	6,683	797	28,885	36,365	2.02%	70,833
Total assessed contributions	180,435	360,870	1,263,044	1,804,349	100.00%	3,514,572



NOMENCLATURE FOR COMMISSION DECISIONS

WCPFC/Comm2/29
14 December 2005

Prepared by the Secretariat

Purpose

1. This paper proposes a system for recording the decisions of the Commission in order to distinguish between those decisions that are directives to the Secretariat or the subsidiary bodies of the Commission, those that create legal obligations on the Members of the Commission, and those that are not legally binding.

Practice in other RFMOs

2. There is no uniform practice among tuna RFMOs for recording decisions. Some RFMOs record their binding decisions through resolutions while others do so through recommendations. In most instances, resolutions and recommendations are used interchangeably. Additionally, some RFMOs adopt non-binding decisions, which may take the form of either resolutions or recommendations.

Range of decisions taken by the Commission

3. The range of decisions that may be taken by the Commission fall into three broad categories:

- Decisions relating to administrative matters of the Commission;
- Decisions relating to conservation and management measures; and
- Non-binding statements or recommendations.

Administrative matters

4. The Commission may adopt decisions relating to financial and budgetary issues, staffing, the annual work programme and other related administrative matters. Some of these decisions may be taken on a meeting by meeting basis, while others may be follow-up reviews of previous decisions taken by the Commission.

Conservation and management measures

5. Decisions in this category include the adoption of conservation and management measures in accordance with Article 10 relating to target and non-target and associated and dependent species and MCS related measures adopted by the Commission. Decisions in this category are legally binding on Members of the Commission.

Statements and recommendations

6. The Commission may decide to issue non-binding statements directed at Members, Cooperating Non-members, participating territories or non-Parties. Such statements are not legally binding, but can serve a wider political or diplomatic purpose or provide the basis for future binding measures.

Proposed approach

7. The Commission agrees to the following terminology to describe the range of decisions it makes under the categories above.

8. Decisions relating to administrative matters of the Commission and directives to the Secretariat or subsidiary bodies must be recorded in the records of the meeting.

9. Binding decisions relating to conservation and management measures shall be called Conservation and Management Measures. Such decisions must be sequentially numbered and include the year of adoption. The title of the measure must be descriptive and unambiguous.

10. Non-binding statements and recommendations shall be called Resolutions. They should be numbered and include the year.

Guidance

11. The Commission is invited to consider this proposal for adoption.