

21 October 2014

Ruphene Sidifall  
Associate Manager & Associate General Counsel, Investigations  
Liberian International Ship and Corporate Registry  
8619 Westwood Center Drive, Suite 300  
Vienna, Virginia 22182 USA  
[Rsidifall@liscr.com](mailto:Rsidifall@liscr.com)

Dear Ruphene,

Conservation and Management Measure on Cooperating Non-Members (CMM 2009-11) tasks the Executive Director with forwarding a copy of the relevant Technical and Compliance Committee (TCC) recommendations and advice to non-member CNM applicant following the Tenth Regular Session of the TCC (TCC10).

Please find a document attached to this letter for your review and consideration prior to the Eleventh Regular Session of the WCPFC Annual Meeting (WCPFC11):

- **Attachment 1:** Copy of relevant advice and recommendations from the Tenth Regular Session of the WCPFC Technical and Compliance Committee on CNM applications;

This information has been forwarded to the Commission for consideration at WCPFC11.

Any supplementary information to support your CNM application can be sent to Dr. Lara Manarangi-Trott, Compliance Manager ([lara.manarangi-trott@wcpfc.int](mailto:lara.manarangi-trott@wcpfc.int)) with a copy to `Ana Taholo, Assistant-Compliance Manager ([ana.taholo@wcpfc.int](mailto:ana.taholo@wcpfc.int)). We would suggest that where possible these should be provided to the Secretariat **before 1<sup>st</sup> November**, so that other CCMs can consider your information in advance of WCPFC11.

If your country may be interested in sending a delegation to participate as an observer at WCPFC11, the relevant rule is in WCPF Convention Article 32 paragraph 5 which says “Non-parties to this Convention, may, upon request and subject to the concurrence of the members of the Commission and to the rules of procedure relating to the granting of observer status, be invited to attend meetings of the Commission as observers.” Noting this, we would ask that if your country would like to participate as an observer at WCPFC11, that you submit a formal request to WCPFC Secretariat as soon as practicable. Once received we will circulate your request to the WCPFC Members in advance of the WCPFC11 meeting, and we will propose that your request to become an observer is considered during Agenda item 2.2 Applications for Observer Status on the

morning of Monday 1 December 2014. Once a decision is taken, one of my staff will then advise any delegates who travel to Apia of the outcome of your request. Only if approved, will your delegation be able to attend the WCPFC11 meetings in Apia, Samoa. If you have any questions or clarifications, please do not hesitate to contact Aaron Nighswander, Finance and Administration Manager ([Aaron.Nighswander@wcpfc.int](mailto:Aaron.Nighswander@wcpfc.int)).

Sincerely,

A handwritten signature in black ink, appearing to read 'Glenn Hurry', written in a cursive style.

Professor Glenn Hurry  
Executive Director

cc: Dr Lara Manarangi-Trott  
WCPFC Compliance Manager  
[Lara.Manarangi-Trott@wcpfc.int](mailto:Lara.Manarangi-Trott@wcpfc.int)

### **AGENDA ITEM 3 — COOPERATING NON-MEMBER APPLICATIONS**

1. The WCPFC Compliance Manager informed TCC10 that seven applications for cooperating non-member (CNM) status for 2015 were received by the Secretariat: Ecuador, El Salvador, Liberia, Mexico, Senegal, Thailand and Vietnam (WCPFC-TCC10-2014-08 (rev 1)). The Secretariat had, further to suggestions from TCC9 and the Commission, developed a standardized form for CNM applicants and all seven applicants used this template. Prior to TCC no applications were received from two current CNMs: the Democratic People's Republic of Korea and Panama. Belize had advised the Secretariat that it did not wish to renew its CNM status in 2015.
2. During TCC10, the Secretariat advised that an application from Panama was received.
3. SPC was asked about Thailand's provision of cannery data and confirmed it receives such data every quarter from canneries involved in an ISSF program. The Secretariat undertook to produce a report summarising that information for WCPFC11.
4. In response to a question from one CCM, Vietnam reported that directly after WCPFC10, the delegation conveyed to its government the Commission's concern about over-capacity issues in the Convention Area. This report was shared with other agencies within government for their knowledge and cooperation.
5. FFA members made the point that CNMs must pay a contribution to the Commission commensurate with the benefits they receive from the fishery and should share the costs of managing and conserving it. These CCMs maintain the position that no application will be endorsed by their membership if assessed contributions are not paid, and assessed contributions for previous unpaid years need to be added to assessed contributions for 2014.
6. The TCC10 Vice-Chair, Alexa Cole (USA), was asked to lead a SWG which would consider the completeness of the applications for CNM status, who reported back to the group with draft recommendations.
7. One CCM requested that, given concerns raised by CCMs during a capacity discussion under Agenda item 11.3, consideration should be given to the possibility of amending CMM 2009-11 on cooperating non-members. Paragraph 7 of that measure says that caution shall be used regarding the introduction into the Commission of excess fishing capacity. Outside areas may have no program for capacity limits on fishing.
8. **TCC10 provides the following decisions and recommendations to WCPFC11:**
  - i. **TCC10 has reviewed the following CNM applications and is forwarding them to WCPFC11 for consideration: Ecuador, El Salvador, Liberia, Mexico, Panama, Senegal, Thailand and Vietnam.**
  - ii. **TCC10 thanked the Secretariat for the development of the CNM application template which assisted the process greatly.**
  - iii. **TCC10 notes with appreciation the attendance and participation of Ecuador, El Salvador, Thailand and Vietnam at this year's meeting and encourages other CNM applicants to attend TCC meetings in the future.**

- iv. **TCC10 recommends that WCPFC11 take into consideration the Compliance Status of all CNM applicants in making its decision on the CNM applications and participatory rights. Furthermore, TCC10 recommends that CNM applicants provide any information requested during the CMS process 30 days in advance of WCPFC11.**
- v. **Some CCMs noted their strong reservations in forwarding the applications of Panama, Mexico and Senegal to WCPFC11 for consideration due to the failure to submit a complete and timely Annual Report or failure to make a commitment to make a financial contribution.**
- vi. **Some CCMs recommended that WCPFC11 agree that, in addition to this year's financial contribution, CNMs should be required to make any past financial contributions that remain outstanding.**
- vii. **TCC10 recommends to WCPFC11 that if conditional grants of cooperating non-member status are given, that there be a clear process for how the final determination will be made.**
- viii. **TCC10 notes that three CNM applicants (Ecuador, El Salvador and Mexico) have expressed an interest in becoming full members and recommends that WCPFC11 consider whether to invite them to become members.**
- ix. **TCC10 notes the following gaps in the applications for individual applicants and encourages applicants to rectify them if possible by WCPFC11:**
  - a. **Mexico – TCC10 notes that Mexico has not provided a commitment to make a financial contribution. TCC10 further notes that Mexico has not agreed to accept High Seas Boardings and Inspections, however, Mexico currently has no vessels operating in the Convention Area. In addition, SPC noted that there may be some remaining data gaps in Mexico's historical data.**
  - b. **Panama – TCC10 noted that Panama submitted its Annual Report Part I and II during TCC and consequently it was not able to be assessed, and strongly encourages it to submit its Annual Reports on time in future years. SPC notes that it is receiving some transshipment data from Panama, but believes there remain some gaps in these data.**
  - c. **Senegal – TCC10 notes that Senegal has not provided a commitment to make a financial contribution.**
  - d. **Thailand - SPC notes that it is receiving some transshipment data from Thailand, but believes there remain some gaps in these data.**
  - e. **Vietnam – SPC notes with appreciation the continuing improvement in data submission by Vietnam, but notes there remain some gaps in logbook data.**