



United States Department of State

*Bureau of Oceans and International
Environmental and Scientific Affairs*

Washington, D.C. 20520

August 10, 2009

Ambassador Satya N. Nandan
Chairman
Western and Central Pacific Fisheries Commission
Kolonia, Pohnpei State, 96941
Federated States of Micronesia

Dear Mr. Chairman:

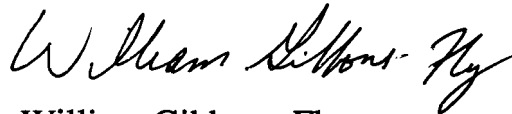
This is to inform you, in accordance with paragraph 6 of the High Seas Boarding and Inspection Procedures (hereinafter, "the Procedures") adopted by the Western and Central Pacific Fisheries Commission at its Third Meeting in December 2006 (CMM 2006-08), that the United States intends to apply the Procedures on a reciprocal basis as between the United States and the Fishing Entity of Chinese Taipei. In so doing, we would like to note the following important elements of the Procedures with respect to this matter. These considerations were the subject of extensive discussion at the time the Procedures were adopted and resulted in the following common understanding among the Members of the Commission, including those Members most directly involved in those discussions.

In this regard, paragraph 5 of the procedures specifies that boarding and inspection by Contracting Parties shall be "subject to the provisions of these procedures." Paragraph 6 further provides that the Procedures "shall also apply in their entirety as between a Contracting Party and a Fishing Entity, subject to notification to that effect to the commission from the Contracting Party concerned." Thus, absent a notification by a Contracting Party of its intent to apply the Procedures on a reciprocal basis as between that Contracting Party and a Fishing Entity, the Procedures are not in effect as between the Contracting Party and the Fishing Entity. Under such circumstances, a Contracting Party should refrain from boarding fishing vessels of a Fishing Entity until such time as that

Contracting Party has notified the Commission of its intent to apply these Procedures, in accordance with paragraph 6.

The application of the Procedures shall become effective as between the United States and Chinese Taipei 60 days from the date of this letter. Thank you for your consideration of this notification and I request that a copy be circulated to all Commission Members and Cooperating Non-Members.

Sincerely,

A handwritten signature in black ink that reads "William Gibbons-Fly". The signature is written in a cursive style with a large, prominent "W" at the beginning and a long, sweeping underline that extends across the name.

William Gibbons-Fly
Director
Office of Marine Conservation