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CNM APPLICATIONS FOR 2013

**WCPFC9-2012-10
12 November 2012**

Paper prepared by the Secretariat

The Secretariat has received eleven (11) applications from CNMs to renew Cooperating Non-Member status for 2013.

List of date of receipt for CNM applications received in 2012 (for 2013)

APPLICANT	DATE OF RECEIPT OF APPLICATION FOR RENEWAL OF CNM STATUS (due 29 July 2012)
Belize	17 July 2012
Democratic People's Republic of Korea (DPRK)	4 September 2012
Ecuador	28 July 2012
El Salvador	3 August 2012
Indonesia	16 July 2012
Mexico	4 August 2012
Panama	25 August 2012
Saint Kitts and Nevis	20 September 2012
Senegal	27 October 2012
Thailand	28 August 2012
Vietnam	27 July 2012

****The Secretariat received an application from Senegal to renew CNM status in 2013 on 27 October 2012, which was after TCC8**

Copies of these applications and any additional information received by the Secretariat from the applicants is available on the CCM section of the WCPFC website (<http://www.wcpfc.int/ccm/2011-cooperating-non-member-applications>). Copies of the letters that were sent by the Executive Director to the CNM applicants advising them of the TCC8 recommendations and technical advice on their CNM applications, including relevant excerpts from the provisional CMR report are also provided (para 4 of CMM 2009-11). In these letters the Executive Director recommended that CNM applicants provide responses before *16th November 2012*. Any additional information received by the Secretariat from the applicants will also be posted for members review on the dedicated CNM page.

The application from Senegal was received after TCC8. The Secretariat has prepared a draft analysis of the CNM application from Senegal and this is an attachment to this paper which is

available to WCPFC Members and participating Territories through the CCM section of the WCPFC website.

At WCPFC8, the WCPFC Legal Advisor, Dr Martin Tsamenyi, provided a summary of the procedures for considering CNM application. For information of WCPFC9 it is reproduced here: “As specified in CMM 2009-11, the process has four stages. First, the applicant must provide the required data. Second, TCC undertakes an evaluation of the application, identifies any gaps that applicants are required to fill and informs the applicant of these gaps. Third, TCC makes a recommendation on each CNM’s application to the Commission, and fourth, the Commission considers the TCC’s recommendations, including any remaining areas of insufficiency in the applications, and decides whether to grant CNM status. Regarding the fourth step, CMM 2009-11 is clear with respect to the need for the Commission to consider whether the technical information provided is adequate. If the information is considered adequate then CNM status will be granted and subsequent to that decision the Commission will determine the participatory rights for each applicant. The Commission was reminded that the determination of the sufficiency of the information provided to support the application is separate from the determination of participatory rights.”

Recommendation

- i) In accordance with CMM 2009-11, WCPFC9 is invited to consider the request from each of the eleven (11) applicants for renewal of Cooperating Non-Member status with WCPFC. WCPFC9 is invited to consider *inter alia*:
- TCC8’s recommendations and technical advice with respect to whether the criteria outlined in paragraph 3 of CMM 2009-11 are being met by a non-party CNM applicant (para 6, CMM 2009-11);
 - Any additional information the non-member applicant has provided in advance of the Commission’s decision on its application (para 5, CMM 2009-11); and
 - Other relevant information as outlined in CMM 2009-11, including that described in paragraph 7, 8 and 15 of CMM 2009-11.
- ii) In accordance with paragraph 13 of CMM 2009-11 the limits determined for CNMs may be reviewed by the Commission from time to time. At WCPFC9, a number of proposals are being presented to revise or replace a number of CMMs which are relevant to the participatory rights of some CNM applicants, and so it is expected that a small working group will be convened in the margins of WCPFC9 to provide draft recommendations to support the Commission’s review of CNMs limits.