



FIFTH REGULAR SESSION

8-12 December 2008

Busan, Korea

ECUADOR CNM CONDITIONS

WCPFC5-2008/IP15

12 December 2008

Ecuador is granted cooperating non-member status for 2009 contingent upon satisfactory resolution of the U.S. concerns over the provision of necessary information relating to alleged violations in its EEZ. If Ecuador does not provide all requested information to the satisfaction of the United States by 15 February 2009, its cooperating non-member status will be null and void. If the United States' concerns have been addressed by 15 February 2009, it will certify its satisfaction with the information provided to the WCPFC Secretariat.

The exemption granted to Kiribati at WCPFC4 allowing it to license fishing vessels from non-CCMs will expire on 15 February 2009.

If Ecuador's cooperating non-member status becomes null and void, Kiribati, Tuvalu and Nauru will be given an exemption for 2009 from CMM-2004-01 to allow seven Ecuadorian vessels to fish in waters of their national jurisdiction. It shall be a term and condition of the licenses for those vessels to fish in Kiribati, Tuvalu and Nauru waters that those vessels are not authorized to fish on the high seas of the Convention Area. In addition, this exemption is granted with the understanding that no other Ecuadorian-flagged vessels will fish on the high seas of the convention area. Such activities will be considered as undermining the intent and effectiveness of WCPFC conservation and management measures.

Should Ecuador's cooperating non-member status become effective, the following provisions would apply.

Ecuador commits that it will submit to high seas boardings and inspections in accordance with the Commission's High Seas Boarding and Inspection procedures.

Noting that at the time of making the decision, the Commission had not received sufficient data to be able to confirm the applicable purse seine days limit for Ecuador on the high seas for 2009, consequently Ecuador will be limited to zero days during 2009. The Commission noted that as soon as Ecuador provides to WCPFC all relevant catch and effort data that would enable the WCPFC Secretariat to calculate and verify an applicable days limit pursuant to the new CMM for yellowfin and bigeye this limit will

be appropriately adjusted. If this is not able to be verified to the satisfaction of all parties Ecuador shall not fish on the high seas of the Convention Area in 2009.

Ecuador is willing and able to ensure full compliance by all its vessels with the conservation and management measures of the WCPFC and to respond to any alleged unauthorized activities by vessels flying its flag that have been brought to its attention.

Ecuador commits to provide all fishery data required by the Commission in a timely manner.

Ecuador commits to comply with appropriate bilateral agreements and national laws and regulations of coastal states.

Ecuador commits to have Observers onboard Ecuadorian flagged vessels during all trips in the WCPO high seas and EEZs.