



NOMENCLATURE FOR COMMISSION DECISIONS

WCPFC/Comm2/29
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Prepared by the Secretariat

Purpose

1. This paper has been prepared to propose 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 which 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, whilst 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.