
**FIRST SESSION OF THE COMMISSION
SUMMARY RECORD**

**WCPFC/Comm.1/8
10 December 2004**

1. The first session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific took place on 9 and 10 December 2004 at Pohnpei, Federated States of Micronesia. The session was opened by His Excellency President Joseph J. Urusemal, President of the Federated States of Micronesia.

2. The following attended the session as members of the Commission and participating territories: Australia, China, Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Republic of Korea, Marshall Islands, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga and Tuvalu.

3. Canada, European Community, France, French Polynesia, Indonesia, Japan, New Caledonia, Palau, Philippines, United States of America, Vanuatu and Wallis and Futuna attended as observers. The Commission extended observer status to the following regional and international intergovernmental organizations that had attended sessions of the Preparatory Conference in that capacity: South Pacific Forum Fisheries Agency (FFA), the Food and Agriculture Organization of the United Nations (FAO), the Forum Secretariat, the Inter-American Tropical Tuna Organization (IATTC), the Pacific Community (PC), the South Pacific Regional Environment Programme (SPREP), and the University of the South Pacific (USP).

4. The Commission adopted the agenda contained in WCPFC/Comm.1/1/Rev.1.

Election of Officers

5. Mr Glenn Hurry (Australia) was elected as Chairman of the Commission. Mr Liu Xiaobing (China) was elected as Vice-chairman.

Membership

6. The Commission noted the status of the Convention as at November 2004. In response to a request by the European Community, the Contracting Parties decided to invite the European Community to accede to the Convention.

7. The Commission decided to invite the Russian Federation to participate as an observer. The Commission also decided to grant observer status to the following non-governmental organizations: Greenpeace and the International Game Fishing Association.

Final Report of the Preparatory Conference

8. The Chairman of the Preparatory Conference, Michael Powles (New Zealand) presented the final report of the Preparatory Conference on all matters within its mandate (WCPFC/PrepCon/48, Volumes I – IV). The Commission received the report with appreciation.

Rules of Procedure

9. The Commission adopted its rules of procedure as contained in WCPFC/Comm.1/2, annex. With respect to the rules of procedure for the Scientific Committee and the Technical and Compliance Committee, the Commission noted that rule 31 of the rules of procedure provided for the application of the rules of procedure of the Commission to those bodies, *mutatis mutandis*, until such time as each subsidiary body has formulated such rules as may be necessary for the efficient conduct of its meetings.

10. The Commission decided to defer the question of the establishment of the northern committee, noting that the potential members of the committee, including those which had not yet become members of the Commission, would consult on the matter.

Location of the headquarters of the Commission

11. The Commission adopted the recommendation of the Preparatory Conference that the headquarters of the Commission shall be in Pohnpei, Federated States of Micronesia.

Establishment of the Secretariat

12. With respect to the appointment of an Executive Director of the Commission, the Contracting Parties decided that, in accordance with the recommendation of an interview panel chaired by the Chairman of the Preparatory Conference (WCPFC/PrepCon/49), the preferred candidate for the position would be Mr. Michael Lodge.

13. The Commission decided to authorize the Chairman, with the assistance of the representatives of China, Papua New Guinea and Samoa, to develop an appropriate remuneration package in accordance with the recommendations developed by Working Group I of the Preparatory Conference and to negotiate a contract of employment with the preferred candidate for the position of Executive Director.

14. The Commission decided to defer consideration of the terms of service for the staff of the Commission and the Staff Regulations until such time as the incoming Executive Director was able to draw up detailed proposals for consideration, taking into account the guidance on these matters developed by Working Group I of the Preparatory Conference.

Budget and finance

15. The Commission adopted the budget of the Commission for the financial period 1 January 2005 to 31 December 2005 in the sum of US\$975,000. The decision of the Commission on the budget and related matters is at Annex I. In adopting the schedule of contributions it was noted that the Commission Secretariat would need to further refine the background data and information used as the source for calculating the various elements of the formula for assessed contributions. It was also recommended that there be greater transparency in the costing of external services in future.

16. It was noted that, as recommended by the Preparatory Conference, the Preparatory Conference Organizational Fund would be wound up by 31 January 2005. A final report on the Fund, including an auditor's statement, would be circulated to all Preparatory Conference participants as

soon as possible thereafter. The balance remaining in the Fund would be transferred to the working capital fund of the Commission.

17. The Commission adopted the Financial Regulations contained in WCPFC/Comm.1/3.

Science issues

18. The Commission took note of the report of the third meeting of the Scientific Coordinating Group (WCPFC/PrepCon/41 and Corr.1) and expressed its appreciation to the Chairman of the SCG, Dr Yuji Uozumi (Japan) for his work.

19. The Commission convened as the Scientific Committee of the Commission. Mr. Glenn Hurry presided as Chairman pro tem. The Scientific Committee decided to elect Dr. Sung Kwon Soh (Korea) as Chairman of the Scientific Committee. It was decided to defer the question of selection of other officers of the Committee. The Committee noted with appreciation the offer of the delegation of New Zealand to continue to provide the services of a scientific advisor to the Commission pending the establishment of Secretariat capacity.

Technical and compliance issues

20. The Commission adopted the procedures for its record of fishing vessels and authorizations to fish as contained in Annex I of WCPFC/PrepCon/46*. The Commission also adopted the specifications for the marking and identification of fishing vessels as set out in WCPFC/PrepCon/47.

21. The Commission further adopted the procedures for Cooperating non-members contained in Annex II of WCPFC/PrepCon/46*. It decided to designate each of the following States which participated in the Multilateral High-Level Conference and the Preparatory Conference as a Cooperating non-member until such time as it becomes a member of the Commission or until the end of the Commission's next regular annual session, whichever is the earlier: Canada, France, Indonesia, Japan, Palau, Philippines, United States of America and Vanuatu. Each of these States shall formally advise the Commission that it undertakes to comply with the obligations listed in paragraph 3 of the procedures for Cooperating non-members.

22. The Commission convened as the Technical and Compliance Committee of the Commission. Mr. Glenn Hurry presided as Chairman pro tem. The Technical and Compliance Committee decided to elect Mr. Apolosi Turaganivalu (Fiji) as Chairman of the Technical and Compliance Committee. It was decided to defer the question of selection of other officers of the Committee.

Consideration of management options

23. The Commission took note of the discussions that had taken place in the Preparatory Conference and in the Scientific Coordinating Group concerning management options. The Commission adopted the resolution on conservation and management measures at Annex II of the present report.

Future work programme

24. The Commission noted that guidance relating to the substantive work programme of the Commission was contained in the reports and recommendations of Working Groups II and III of the Preparatory Conference and that the priority areas for consideration were addressed in the resolution on conservation and management measures. The Commission also took note of the work programme for the Secretariat proposed in WCPFC/Comm.1/5. It was noted that a more detailed work programme would be formulated once the necessary administrative arrangements had been made to put the Secretariat in place.

Other matters

25. The Commission took note of the recommendations at paragraphs 86 and 87 of the Final Report of the Preparatory Conference with respect to future cooperation with IATTC.
26. The Commission decided to adopt the emblem and symbol of the Commission as set out in Annex III.
27. The Chairman requested members of the Commission to designate, as soon as practicable, official contact points for the Commission as envisaged in the rules of procedure.

Date and place of next meeting

28. The Scientific Committee of the Commission will meet from 8 to 19 August 2005 at SPC headquarters in Noumea. The next session of the Commission, including the Technical and Compliance Committee, will be held at Pohnpei, Federated States of Micronesia during the period 5 to 16 December 2005. The precise details of the session and the provisional agendas will be communicated to all members and observers in due course.

Annex I

**DECISION OF THE COMMISSION RELATING TO THE BUDGET OF THE
COMMISSION FOR THE FINANCIAL PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005
AND RELATED MATTERS**

The Commission,

Adopts the budget of the Commission for the financial period 1 January 2005 to 31 December 2005 in the sum of United States dollars 975,000¹,

Adopts the scale of contributions to the budget of the Commission for 2005 contained in the Appendix,

Requests the Executive Director to designate, as soon as practically feasible, the bank or banks in which the funds of the Commission shall be kept and to report the identity of the bank or banks so designated to the Commission in accordance with the Financial Regulations,

Directs that the balance remaining in the Preparatory Conference Organizational Fund after outstanding commitments have been met and following audit of the Fund on 31 January 2005, be transferred to the working capital fund of the Commission,

Directs that monies credited to the Preparatory Conference Organizational Fund for specific purposes, including the Indonesia and Philippines Data Collection Project (IPDCP), be transferred to the Special Requirements Fund established under Financial Regulation 7 and authorize the Executive Director to make expenditures from such Fund in accordance with relevant decisions of the Commission relating thereto,

Requests the Executive Director to make a proposal to the Commission at its 2005 annual meeting with respect to the appointment of an auditor.

10 December 2004

¹ WCPFC/Comm.1/4.

Appendix

**SCHEDULE OF ASSESSED CONTRIBUTIONS TO THE BUDGET OF THE
COMMISSION FOR 2005
(Budget of US\$975,000)**

Commission Members	<i>Base fee 10% of budget</i>	<i>National wealth component 20% of budget</i>	<i>Catch component 70% of budget</i>	<i>Total contribution 100% of budget</i>	<i>% of budget by member</i>
Australia	3,611	9,646	3,998	17,255	1.77%
Canada	3,611	10,652	87	14,350	1.47%
China	3,611	3,997	12,681	20,290	2.08%
Cook Islands	3,611	1,808	297	5,716	0.59%
European Community	3,611	38,052	0	41,664	4.27%
FSM	3,611	760	11,017	15,389	1.58%
Fiji	3,611	854	3,262	7,728	0.79%
France	3,611	13,874	2,293	19,779	2.03%
Indonesia	3,611	746	12,324	16,682	1.71%
Japan	3,611	28,523	200,858	232,992	23.90%
Kiribati	3,611	343	2,554	6,508	0.67%
Korea	3,611	4,933	117,141	125,685	12.89%
Marshall Islands	3,611	854	18,918	23,384	2.40%
Nauru	3,611	308	0	3,920	0.40%
New Zealand	3,611	5,233	13,293	22,137	2.27%
Niue	3,611	308	0	3,920	0.40%
Palau	3,611	2,676	21	6,308	0.65%
Papua New Guinea	3,611	249	34,697	38,557	3.95%
Philippines	3,611	670	25,261	29,542	3.03%
Samoa	3,611	558	1,146	5,315	0.55%
Solomon Islands	3,611	257	4,433	8,302	0.85%
Chinese Taipei	3,611	6,219	151,848	161,678	16.58%
Tonga	3,611	619	471	4,701	0.48%
Tuvalu	3,611	512	0	4,123	0.42%
United Kingdom	3,611	14,388	0	18,000	1.85%
USA	3,611	47,536	65,421	116,569	11.96%
Vanuatu	3,611	423	477	4,511	0.46%
Total assessed contributions	97,500	195,000	682,500	975,000	100.00%

Annex II

RESOLUTION ON CONSERVATION AND MANAGEMENT MEASURES

The Commission For The Conservation And Management Of Highly Migratory Fish Stocks In The Western And Central Pacific Ocean,

Resolves as follows:

WORK BY THE SCIENTIFIC AND TECHNICAL AND COMPLIANCE COMMITTEES

1. Utilising the transitional arrangements for the provision of the Commission's scientific advice and taking into consideration the management options identified as feasible by the Scientific Coordinating Group, the following advice shall be given to the Commission at its second annual session:

(a) Estimates of both sustainable catch and effort levels for bigeye, yellowfin and South Pacific albacore;

(b) Five and ten year projections of total biomass and spawning stock biomass for bigeye and yellowfin tuna under: 2003 catch and effort levels, and possible scenarios of changes in catch and effort (i.e. separate analysis of catch limits and effort limits) in the Convention Area for the purse seine, longline and other surface fisheries which have a major impact on bigeye tuna and yellowfin tuna (both separately and combined); including the effects on the stocks of possible time/area closures by fishing method for bigeye and yellowfin tuna;

(c) The effects on the stocks of measures to mitigate the catch of juvenile bigeye and yellowfin including controls on setting on floating objects; and

(d) Estimates of the mortality of non-target species with an initial focus on seabirds, turtles and sharks.

2. The preliminary analyses shall be completed, reviewed by the Scientific Committee, and made available to the Commission at least sixty (60) days in advance of its second session.

3. The Technical and Compliance Committee shall provide advice in advance of the second annual session of the Commission on the issues that may require consideration for the effective implementation of possible conservation and management measures including time/area closures or alternative measures to control sets on floating objects.

ADOPTION OF CONSERVATION AND MANAGEMENT MEASURES AT WCPFC 2

4. In responding to the advice of the Scientific Committee and the Technical and Compliance Committee and any information provided by members at least thirty (30) days in advance of the second annual session, the Commission shall adopt in accordance with article 5 of the Convention conservation and management measures necessary to address sustainability concerns. Such measures may include, *inter alia*,

(a) Catch and/or effort limits;

(b) Capacity limits for large-scale tuna fishing vessels;

(c) Measures to address impacts of large-scale tuna fishing vessels so as to ensure compatibility between measures applied outside areas of national jurisdiction and measures being applied by coastal states to manage fishing by such vessels within their zones;

(d) Time and area closures; and

(e) Mitigation measures to address the mortality of non-target species e.g. seabirds, turtles and sharks.

5. In accordance with article 6 of the Convention the precautionary approach will be applied and the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures.

MONITORING AND COMPLIANCE

6. The Technical and Compliance Committee shall consider the regional observer programme as well as the VMS programme as a matter of priority at its 2005 meeting.

CARRY OVER PROVISIONS OF PREVIOUS RESOLUTIONS

7. The Resolutions of the MHLC and the Preparatory Conference (adopted at the fourth and fifth sessions of the MHLC and Preparatory Conference resolutions WCPFC/PrepCon/22 and WCPFC/PrepCon/34) calling for measures including reasonable restraint in the expansion of fishing effort and capacity in the Convention Area continue to apply.

Annex III

COMMISSION EMBLEM

