



# National Oceanic Resource Management Authority

FSM NATIONAL GOVERNMENT

P.O. Box PS122

PALIKIR, POHNPEI, FEDERATED STATES OF MICRONESIA 96941

Tel: (691) 320-5181/2700 Fax: (691) 320-2383 Email: [norma@mail.fm](mailto:norma@mail.fm)



September 4, 2006

Masanori Miyahara  
Chairman  
Northern Committee  
C/O WCPFC Secretariat  
Kolonia, Pohnpei FM 96941

Dear Chairman Miyahara:

The Federated States of Micronesia strongly supports the implementation of conservation and management measures to ensure sustainable fish stocks in our WCPO region and applauds the Northern Committee on its quick action to put in place such management measure in respect of the north Pacific albacore. While we support the objective of Conservation and Management Measure -2005-03, we are strongly opposed to the manner in which the recommendation came to the Commission without consulting those of us that would be impacted. Our opposition is more fundamental based on basic principles. We feel that our basic rights as a sovereign state had been violated.

The Commission is the supreme conservation and management body in this WCPO region. It depends, for its effectiveness, on the full and equal participation of all its members. Unfortunately, the Northern Committee violates this very basic principle. Essentially, states situated north of 20 degree north have protected themselves by creating the Northern Committee. On the one hand, the Commission cannot and I repeat it cannot, take any management action in respect of northern stocks above 20 degree north without any recommendation from the Northern Committee. On the other hand, this is the only Commission I know of where full members can only be observers in a subsidiary body and cannot participate in its decision making.

Now to add insult to injury, Mr. Chairman, through Conservation and Management Measure-2005-03, the Northern Committee has apparently sought to extend its mandate and area of competence below of 20 degree north to the Equator to include some sovereign states, including the FSM and others without consulting us in the process. This is totally unacceptable.

Small island developing states fought hard at the UN Conference on the Law of the Sea to at least have some say in what goes on around them in terms of fishing for highly migratory fish stocks. The basis of our position is not to gain some special privileges but to simply protect our rights as sovereign nations. We continue to advocate throughout the negotiations of the UN Implementing Agreement, the MHLC and the PrepCon process to protect those hard won rights. With this measure all those painfully won rights just went out the door with yesterday's garbage.

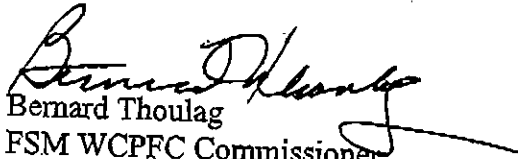
Mr. Chairman, how can these actions be considered just and fair? What authority does the Northern Committee have to recommend measures to the Commission impacting us without consultations us first?

I know states situated north of 20 degree north would not want rules imposed on areas under their national jurisdiction without their consultation. In fact, they would not tolerate any attempt to do so. Small island developing states expect to be treated with as much respect as northern states; the northern states should not impose their rules on others without first consulting them, no matter how small or insignificant they may be.

As the FSM Commissioner I thought I should bring this to your attention and I would appreciate it if you could kindly table this letter at the second session of the Northern Committee in Tokyo next month with the view that this kind of things will not happen again in the future

Thank you very much and I remain,

Sincerely yours,

  
Bernard Thoulag  
FSM WCPFC Commissioner

cc. Mr Glenn Hurry, Chairman, WCPFC  
Mr Andrew Wright, Executive Director of WCPFC  
Mr Feleti Teo, Director General of FFA