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**DRAFT CONSERVATION AND MANAGEMENT MEASURE ON
ASPIRATIONS OF SMALL ISLAND DEVELOPING STATES AND
TERRITORIES**

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Submitted by Republic of the Marshall Islands, Cook Islands, Republic of Palau

The Commission for the Conservation and Management of Highly Migratory Fish Stock in the Western and Central Pacific Ocean:

Recognising the sovereign rights of coastal States, in particular Small Islands Developing States (SIDS) and territories in the Convention Area, and their aspirations to develop and manage their domestic fisheries;

Acknowledging that the Commission shall give full recognition to the special requirements of developing States, in particular SIDS and territories, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries for such stocks;

Mindful that nothing in the Convention or in measures adopted by the Commission shall prejudice the rights, jurisdiction and duties of States under the 1982 Convention and the Agreement;

Further acknowledging that the Commission shall function without prejudice to the sovereign rights of the coastal States, in particular SIDS and territories in the Convention Area, for the purpose of exploring and exploiting, conserving and managing highly migratory fish stocks within areas of national jurisdiction;

Conscious of the vulnerability of developing States, in particular SIDS and territories, which are dependent on the exploitation of marine living resources, including for meeting the nutritional requirements of their populations or parts thereof;

Further recognising that smaller island developing States and territories in the Convention Area have unique needs which require special attention and consideration in the provision of financial, scientific and technological assistance;

Mindful that fifteen of twenty five members of the WCPFC are SIDS and territories, and are members of the Pacific Islands Forum Fishery Agency (FFA members), in whose waters, a significant proportion of the catch of highly migratory fish stocks in the Convention Area is taken;

Further mindful that the exclusive economic zones of coastal States, SIDS and territories account for over fifty percent of the Convention Area, and that IUU fishing threatens the sustainability of highly migratory fish stocks, and the livelihood and economic well being of coastal States, SIDS and territories within the Convention Area.

Noting that these coastal States in the exercise of their sovereign rights have taken progressive measures for the conservation and management of highly migratory fish stocks, including the monitoring, control and surveillance of fishing activities in the Convention Area;

Desiring to give operational effect to the full recognition of the special requirements of SIDS and territories in the Convention Area, including but not limited to conservation and management initiatives and development aspirations;

Adopts the following conservation and management measures in accordance with Articles 10 and 30 of the Convention:

General

1. Notwithstanding other special requirements of SIDS and territories not identified herein, CCMs shall fully recognise the special requirements of SIDS and territories in the Convention Area in the implementation of the Convention and this measure.
2. CCMs shall develop, interpret and apply conservation and management measures in the context of and in a manner consistent with the 1982 Convention and Articles 24, 25 and 26 of the Agreement. To this end, CCMs shall cooperate, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and territories in the Convention Area, to develop their own fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area.

Capacity development

3. CCMs shall cooperate directly or through the Commission, to support the capacity development of SIDS and territories within the Convention Area in any fisheries or related discipline, including but not limited to participation at meetings of the Commission and its subsidiary bodies, and the sponsorship of academic study and training programmes.
4. CCMs shall cooperate directly or through the Commission, to promote the effective participation of SIDS and territories in stock assessments and scientific research particularly in the high seas within the Convention Area.

Fisheries conservation and management

5. CCMs shall assist SIDS and territories in the Convention Area in improving the conservation and management of highly migratory fish stocks through the collection, reporting, verification, exchange and analysis of fisheries data and related information.
6. CCMs shall:

- a) Ensure that measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories. In cases where the transfer of a disproportionate burden has been demonstrated, CCMs shall cooperate to facilitate the implementation by the relevant SIDS and territories of specific obligations;
- b) Implement measures, including through direct cooperation with SIDS and territories that enhances the ability of developing States, particularly the least developed SIDS, to develop their own fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area.

Participation in fishing

7. Developed CCMs shall make concerted efforts and consider innovative options to reduce and or restructure their fleet so as to accommodate aspirations of SIDS and territories in the Convention Area to develop their own fisheries.
8. CCMs commit to ensuring that by 2018, the domestic fishing and related industries of developing States, in particular, the least developed SIDS and territories, accounts for a greater share of the benefit than what is currently realised of the total catch and value of highly migratory fish stocks harvested in the Convention Area.

Scientific and technical assistance

9. CCMs, directly or through the Commission, shall cooperate in accordance with their capabilities to actively promote the development and transfer of fisheries science and technology on fair and reasonable terms and conditions to SIDS and territories in the Convention Area.
10. CCMs, shall promote the development of fisheries scientific and technological capacity of SIDS and territories in the Convention Area, with regard to the exploration, exploitation, conservation and management of highly migratory fish stocks, and the protection and preservation of the marine environment, with the aim of accelerating the social and economic development of SIDS and territories.

Illegal, Unreported and Unregulated (IUU) Fishing

11. CCM's shall take all necessary measures to ensure that vessels flying their flag do not conduct IUU fishing in waters of SIDS and territories in the Convention Area.
12. Notwithstanding other measures of the Commission, CCMs with vessels alleged to have conducted IUU fishing in the waters of a SIDS or territory in the Convention Area shall cooperate fully with such SIDS or territory and resolve the matter in accordance with national law.
13. CCMs shall ensure that vessels flying their flag comply with national legislations and regulations of coastal States, SIDS, and territories while in national waters.
14. CCMs shall ensure that measures to prevent, deter and eliminate IUU fishing adopted in waters subject to national jurisdiction and those established for the high seas shall be compatible.

Monitoring, control and surveillance

15. CCMs shall assist SIDS and territories in the region in the monitoring, control, surveillance, compliance and enforcement, including training and capacity-building at the local level, development and funding of national and sub-regional observer programmes and access to technology and equipment.
16. To enhance the participation of SIDS and territories in at sea monitoring, control, surveillance and enforcement activities, CCMs shall, as appropriate and through bilateral arrangements with SIDS and territories in the Convention Area, allow for the sharing, of inspection vessels, aircraft, equipment and technology.

Domestic development and market access

17. CCMs shall cooperate with the SIDS and territories through the provision of technical and economic support to assist SIDS and territories in the region to achieve the objective of maximising benefits from the development of their fisheries resources.
18. Developed CCM's shall cooperate in investments in fishing vessels and/or other fishing related activities and facilities in SIDS and territories, provided that such investments are directly linked to the onshore development of domestic fishing industries established in SIDS and territories in accordance with their legislation.
19. CCMs shall ensure that conservation and management measures shall not be implemented to constrain coastal processing and transshipment facilities and associated vessels of SIDS and territories, nor shall it be implemented to undermine legitimate investment in FFA member countries.
20. CCMs shall promote the maximisation of the benefits for SIDS in the region from the operations of their flagged fishing vessels authorised to fish in the Convention Area through:
 - (a) the use of canning, transshipment, slipping and repair facilities located in the territories of SIDS;
 - (b) the purchase of equipment and supplies, including fuel supplies, from suppliers located in the territories of SIDS; and
 - (c) the employment of nationals of SIDS on board authorised fishing vessels.
21. CCMs shall cooperate directly with SIDS and territories in the Convention Area to promote awareness of access conditions and facilitate favourable market access including and as appropriate through bilateral agreements, joint ventures, and preferential market access.

Review of Implementation

22. Developed CCMs shall provide an annual report (Part 2 report) to the Commission on the implementation of this measure.
23. The Commission at each annual session shall review implementation of this measure.