

**DRAFT CONSERVATION AND MANAGEMENT MEASURE ON THE  
CRITERIA FOR THE CONSIDERATION OF CONSERVATION AND  
MANAGEMENT PROPOSALS**

**Submitted by FFA**

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

***Recognising*** the functions of the Commission as set out in Article 10 of the Convention, including the adoption of conservation and management measures and recommendations;

***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*** of the vulnerabilities of SIDS and territories in the Convention Area and the impact of the transfer of a disproportionate burden of conservation action onto such SIDS and territories;

***Further acknowledging*** the goals and requirements identified by the Commission at its seventh annual session;

***Desiring*** to adopt criteria for the consideration of conservation and management proposals and the taking of decisions that fully recognize the special requirements of SIDS and territories in the Convention Area;

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

***General***

1. 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.
2. The Commission shall ensure that any conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories.

*Impact of new proposals on SIDS and territories*

3. In considering any new proposal the Commission shall apply the following questions to determine the nature and extent of the impact of the proposal on SIDS and territories in the Convention Area:
  - a. Who is required to implement the proposal?
  - b. Which CCMs would this proposal impact and in what way(s) and what proportion?
  - c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?
  - d. Does the proposal affect development opportunities for SIDS?
  - e. Does the proposal affect SIDS domestic access to resources and development aspirations?
  - f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?
  - g. What mitigation measures are included in the proposal?
  - h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?
  
4. In cases where the transfer of a disproportionate burden of conservation action has been demonstrated by a SIDS or territory, CCMs shall cooperate, to mitigate the burden for the implementation by the relevant SIDS and territories of specific obligations including through:
  - a. Phased or delayed implementation of specific obligations;
  - b. Exemption of specific obligations;
  - c. Proportional or rotational implementation;
  - d. Establishment of a compensatory funding mechanism in accordance with the financial regulations of the Commission.

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