
**PREPARATORY CONFERENCE FOR THE COMMISSION
FOR THE CONSERVATION AND MANAGEMENT OF
HIGHLY MIGRATORY FISH STOCKS IN THE WESTERN
AND CENTRAL PACIFIC**

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**DRAFT AGENDA ITEMS V AND XI : ARRANGEMENTS FOR FUTURE
PREPARATORY CONFERENCES**

Paper Submitted by the Delegation of New Zealand

Introduction

1. Paragraph eight of the Resolution establishing the Preparatory Conference envisages that the Preparatory Conference will meet as often as necessary for the expeditious exercise of its functions and provides that the Preparatory Conference will remain in existence until the conclusion of the first meeting of the Commission. At that stage the property and records of the Preparatory Conference are to be transferred to the Commission. Under the entry into force provisions of the Convention (Articles 36(1) and (2)), the Convention enters into force following ratifications by three states situated north of the 20 degree north parallel and seven states situated south of the 20 degree north parallel. If it has not entered into force in such a manner, it enters into force three years after its adoption, provided thirteen of its signatories have ratified by that time.
2. The key functions of the Preparatory Conference are outlined in paragraphs six, seven and ten of the Resolution. These cover a full range of organisational issues, as well as a number of areas of the Convention the implementation of which will require further elaboration (paragraph seven of the Resolution). Paragraph ten also envisages the possibility that the Preparatory Conference may recommend provisional conservation and management measures based on scientific advice.

Key Issues in the Preparatory Conference Process

3. New Zealand considers that the Preparatory Conference is likely to be a multi-year, multi-meeting undertaking with a substantial and complex work programme. Realistically, the first Preparatory Conference, to be held in Christchurch, 23-28 April, is only likely to be able to launch this work programme and to determine the process for taking work forward. This suggests there is a need to use the occasion of the first Preparatory Conference to establish the Preparatory Conference process on a solid footing so that it can pursue its substantial work programme in an efficient, cost-effective and inclusive manner. New Zealand considers this will require decisions at the Christchurch Preparatory Conference in three key areas:

- funding arrangements for future Preparatory Conference meetings;
- interim secretariat arrangements for future Preparatory Conference meetings;
- timing and location of next Preparatory Conference meeting.

Funding Arrangements

4. Paragraph 12 of the Resolution establishing the Preparatory Conference makes clear that the costs of the Preparatory Conference, including secretariat costs, will be met by the participants through voluntary contributions “in such a manner as may be agreed, taking into account, where appropriate, the need to obtain national appropriations as well as the need to minimise the costs to all participants”. In the case of the Christchurch Preparatory Conference, New Zealand (as the depository State) has undertaken the arrangements for organising this meeting and has underwritten all in-country meeting costs, as well as the costs associated with the provision of secretariat services, as a contribution to the Preparatory Conference process. New Zealand funding has not covered the costs of participants’ attendance at the meeting.

5. It will be important to establish proper arrangements for the hosting of future Preparatory Conferences, so that the opportunity to host such meetings is available to all participants - both developed and developing countries. To this end, New Zealand proposes the establishment of a “Preparatory Conference Organisational Fund” to be funded through voluntary contributions by all developed participants, and those developing participants that wish to do so. This fund would be earmarked to cover the in-country costs of hosting future meetings of the Preparatory Conference by developing country participants. Where future meetings are held in developed country participants, it is expected that the arrangements adopted for Christchurch (where the host funds in-country costs) would apply.

6. As the large majority of developing country participants are also Pacific Island members of the Forum Fisheries Agency (FFA), it is suggested that the FFA would be an appropriate body to administer contributions to and disbursements from this “Preparatory Conference Organisational Fund”. In this, the FFA would be undertaking a similar role to that it discharged during the MHLC process and which it currently discharges with respect to the administration of funding assistance for the attendance of Pacific Island FFA Members at Preparatory Conferences.

Interim Secretariat

7. Paragraph five of the Resolution establishing the Preparatory Conference notes that the Preparatory Conference may provide for an interim secretariat to support its work. Given the Preparatory Conference work programme and the complexity of some of the issues it covers, there is likely to be a need for some kind of interim secretariat support for the Preparatory Conference process. As noted in the background paper on the draft organisational structure of the Commission, the secretariat functions which the Preparatory Conference process will require relate to organisation of meetings, preparation of background papers and reports, circulation of papers produced by participants, as well as liaison with the host on the organisation of the meetings, and assistance to the Chair in facilitating the Conference outcomes.

8. There are several ways in which this interim secretariat support could be provided. The background paper on the draft organisational structure of the Commission identified three options for the provision of interim secretariat services: relying on the host of each Preparatory Conference to provide the secretariat; tasking an existing regional organisation with providing secretariat assistance to the Conference; and making interim designations of key personnel who would be tasked with carrying out the functions of an interim secretariat.

- Rely on the host of each Preparatory Conference to provide the secretariat. This would probably be a reasonably cost-effective approach as secretariat costs would be borne by the host of each meeting. However, it has the disadvantages of an absence of continuity from one meeting to the next and little flexibility to undertake any inter-sessional coordination work that might be required. Moreover, it could impose a resource burden on developing country participants which might discourage them from hosting Preparatory Conferences in the future.
- Task an existing regional organisation with providing secretariat services. This would also be a cost-effective approach, since the administrative overheads involved in making use of an existing regional organisation would be minimal. However this option might not find favour with those participants not already members of whichever regional organisation was chosen. It would also be necessary to consider whether any of the existing regional organisations would have the capacity to take on this additional function without detriment to their own on-going work programmes.
- Interim designations of key personnel. There are various possible options for sourcing key personnel to provide secretariat services to the Preparatory Conference. These range from the establishment of a mini-secretariat in a single location, to the identification of a small core of experts who could provide secretariat services as required.
- Establish a permanent mini-secretariat. The Preparatory Conference could decide to establish (and fund) its own small secretariat. This might be only a one person operation at the outset. This would provide continuity of expertise and would be available full-time to carry out the Preparatory Conference's requirements. However, it would be a relatively expensive option given the need to pay a full time salary and the administrative overheads involved in establishing a stand-alone office. It would be difficult to justify at this stage of the Preparatory Conference process. However as the establishment of the Commission draws closer, the Preparatory Conference may wish to consider this option as a means of assisting the transition from the Preparatory Conference to the Commission.
- Maintain an electronic secretariat. The Preparatory Conference process might seek to take advantage of new technological opportunities, especially the increasing use of the internet, to establish a small core of experts able to function as an electronic secretariat. The interim secretariat could have an internet web page containing information about upcoming meetings, Conference reports and outcomes, and from which Conference papers could be downloaded. The secretariat personnel could communicate by e-mail from their existing locations, including inter-sessionally as required. Under this option there would be a need to pay a modest retainer to the experts concerned for discharging the WCPFC Preparatory Conference functions and to meet the costs of their attendance at Preparatory Conference meetings. There may also be scope for burden-sharing with the regular employers of these experts. The administrative overheads for such an electronic secretariat would be minimal. The main expense would be the establishment and maintenance of the website. The services of an existing regional organisation might be sought to assist in this regard.

9. Of the options outlined above, New Zealand proposes the adoption of the electronic secretariat approach. This would provide access to a variety of high quality expert advice for a

reasonable cost and ensure continuity, availability and professionalism in the work of the interim secretariat. New Zealand would propose that funding for a modest retainer and for travel costs for the experts concerned be drawn from the “Preparatory Conference Organisational Fund” outlined above.

10. New Zealand also considers that an important element in the establishment of an interim electronic secretariat for the Preparatory Conference is ensuring continuity in the provision of secretariat services throughout the Preparatory Conference process. The office-holders elected by the Preparatory Conference could be tasked to draw together a suitable small group of experts to serve on an electronic secretariat. In this they should be guided by the need to ensure continuity of personnel, impartiality of advice, and to secure a good balance of skills and experience. The relevant skills required include legal drafting experience; fisheries management experience and fisheries scientific experience.

Timing and Location of Next Preparatory Conference

11. Paragraph 8 of the Resolution establishing the Preparatory Conference indicates that it will meet as often as required in order to facilitate the establishment of the WCPFC Commission. Whereas the first session of the Conference was to take place between six and eight months following adoption of the Convention, no specific provision was made for the frequency of future Preparatory Conferences. The work programme established by the Conference should provide further guidance on the most appropriate timing of the next Preparatory Conference, its duration, and the scheduling of any working group meetings.

12. In order to ensure that the Preparatory Conference process is fully inclusive, the holding of inter-sessional meetings should be avoided. Such meetings disadvantage smaller participants and developing country participants, who might not have the resources to enable attendance at all such meetings. As the Preparatory Conference makes the transition towards the establishment of the Commission, a greater frequency of meetings, or slightly longer meetings, may be required in order to enable working groups to meet in advance of or in parallel with Plenary sessions of the Conference.

13. For the efficient operation of the Preparatory Conference work programme, periodic meetings should be held at intervals of around nine months. This would also ensure no lapse in the continuity of the Preparatory Conference process. New Zealand proposes, therefore, that the next Preparatory Conference be convened nine to ten months after the Christchurch Preparatory Conference (between January and February 2002).

14. Given the desirability of equitably sharing in hosting opportunities, New Zealand considers it would make sense to look at the hosting of the next Preparatory Conference in a developing country location. This suggests that, following Christchurch, the next Preparatory Conference might be held in a developing country participant, drawing resources available from the “Preparatory Conference Organisational Fund” proposed above. New Zealand would welcome indications from participants of interest in hosting the next Preparatory Conference and would be willing to share its experience in organising the Christchurch Preparatory Conference were that to be of assistance.

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