RESOLUTION I

ESTABLISHING A PREPARATORY CONFERENCE FOR THE ESTABLISHMENT OF THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN

The Multilateral High-Level Conference on the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean,

Having adopted the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean ("the Convention") which provides for the establishment of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean,

Having agreed on the desirability of early entry into force of the Convention,

Having decided to make the necessary arrangements for the commencement of the functions of the Commission without undue delay and to take all possible measures to ensure its effective operation,

Having decided to establish a Preparatory Conference for the fulfillment of these purposes,

Recalling its resolution of 15 September 1999, in which participants decided, inter alia, that requests for participation in the Conference would not be entertained until the Convention enters into force,

Decides as follows:

1.   The Preparatory Conference shall be open to participation by the States referred to in article 34 of the Convention and by the fishing entity referred to in article 9, paragraph 2, of the Convention. The territories referred to in article 43 of the Convention may participate in the same manner as they participated in the Multilateral High-Level Conference on the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean ("the Conference"). Other States and entities that participated as observers in the Conference may participate in the Preparatory Conference as observers but shall not be entitled to participate in the taking of decisions.

2.   The Preparatory Conference will be convened by the depositary of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the first session of the Conference shall take place no sooner than 180 days and no later than 240 days after the Convention is opened for signature.

3.   The Preparatory Conference will elect its Chairman and other officers.

4.   The Preparatory Conference will adopt its rules of procedure which shall require decisions on matters of substance to be taken by a three-fourths majority of those present and voting and decisions on questions of procedure to be taken by a majority of those present and voting.

5.   The Preparatory Conference may provide for an interim secretariat to support its work.

6.   The Preparatory Conference will:

(a)   prepare draft rules of procedure of the Commission;

(b)   prepare draft rules, regulations and procedures, as necessary, to enable the Commission to commence its functions, including draft regulations concerning the financial management and internal administration of the Commission;

(c)   prepare the provisional agenda for the first meeting of the Commission and, as appropriate, make recommendations relating to items thereon;

(d)   make recommendations concerning the Secretariat of the Commission in accordance with the relevant provisions of the Convention;

(e)   make recommendations concerning the establishment of the headquarters of the Commission; and

(f)   make recommendations concerning the budget for the first financial period of the Commission, including recommendations for a scheme for contributions to the budget in accordance with article 18, paragraph 2, of the Convention.

7.   The Preparatory Conference will also endeavour to:

(a)   formulate recommendations for consideration by the Commission concerning:

      (i)   the implementation of articles 11, 12, 13 and 14 of the Convention;

      (ii)   the collection of data and information in accordance with article 23, paragraph 2 (a) and (b), of the Convention;

      (iii)   the establishment of a record of fishing vessels in accordance with article 24, paragraph 7, of the Convention;

      (iv)   the implementation of article 24, paragraphs 8, 9 and 10, of the Convention;

      (v)   the implementation of article 30, paragraph 3, of the Convention;

(b)   make recommendations concerning the relationship between the Commission and existing regional institutions concerned with conservation and management of highly migratory fish stocks; and

(c)   carry out such other functions as the Conference may decide.

8.   The Preparatory Conference will meet as often as necessary for the expeditious exercise of its functions. It will remain in existence until the conclusion of the first meeting of the Commission, at which time its property and records shall be transferred to the Commission.

9.   The Preparatory Conference will prepare a final report on all matters within its mandate for presentation to the Commission at its first session.

10.   The Preparatory Conference will seek provisional scientific advice on the status of skipjack, yellowfin and bigeye tuna stocks and the South Pacific albacore stock and may, if it considers necessary, recommend such conservation and management measures, including provisional harvest level, as may be necessary pending the entry into force of the Convention to ensure the long-term sustainability of stocks within the Convention Area. Any conservation and management measures recommended by the Conference will be applied on a voluntary basis.

11.   The Preparatory Conference may make use, as appropriate, of existing regional institutions and outside sources of expertise to facilitate its work. In particular, it may obtain scientific advice from the Standing Committee on Tuna and Billfish.

12.   The costs of the Preparatory Conference, including secretariat costs, will be met by the participants through voluntary contributions in such manner as may be agreed, taking into account, where appropriate, the need to obtain national appropriations as well as the need to minimize the costs to all participants.

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