

19 October 2018

Mr Edward Jackson Abella  
Executive President  
Nicaraguan Institute of Fisheries & Aquaculture (INPESCA)  
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Dear Executive President Jackson Abella,

The Conservation and Management Measure on Cooperating Non-Members (CMM 2009-11) requires the Executive Director to forward a copy of the relevant TCC recommendations and advice to applicants for Cooperating Non-Member (CNM) status following recent annual meeting of the Technical and Compliance Meeting (TCC14).

*Cooperating Non-Member Requests*

TCC14 in considering the applications for CNM status in 2018 reached the following decisions and recommendations:

- (a) agreed to forward your country's application to WCPFC15 for consideration;
- (b) noted with appreciation El Salvador, Liberia, Thailand and Vietnam attendance at this year's meeting and encouraged other CNM applicants to attend TCC meetings in the future;
- (c) noted that all CNM applicants other than Mexico and Vietnam have made financial contribution in 2018 and also noted Vietnam's statement that payment is in progress;
- (d) noted that Ecuador, Mexico, Thailand, Panama, Vietnam, and El Salvador have reiterated interest in becoming full Commission members;
- (e) noted the following gaps or issues in your countries application:

) **Nicaragua** – TCC14 was not in a position to discuss compliance issues with Nicaragua's application, as it has not previously been

granted CNM status, and defers consideration of the application to the Commission;

- (f) recommended that this letter and any responses from your country should be assessed by WCPFC15; and
- (g) recommended that WCPFC15 take into consideration the Compliance Status of all CNM applicants in making its decision on the CNM applications and participatory rights.

Please find attached to this letter for your review and consideration prior to WCPFC15 Attachment 1 which include relevant advice and recommendations from the draft summary report of TCC14 on CNM applications.

Any supplementary information to support your CNM application can be sent to the Compliance Manager at [lara.manarangi-trott@wcpfc.int](mailto:lara.manarangi-trott@wcpfc.int) with a copy to Executive Assistant at [arlene.takesy@wcpfc.int](mailto:arlene.takesy@wcpfc.int). We would suggest that where possible these should be provided to the Secretariat before **Friday 9<sup>th</sup> November**, so that other CCMs can consider your information in advance of WCPFC15.

Finally, the WCPFC Secretariat acknowledges your country's recent letter of request for observer status to WCPFC15 and has circulated the letter to CCMs. If there are no objections by Thursday 15th November 2018 to the said request, the Secretariat will issue an invitation to Nicaragua to attend the annual meeting as an observer.

Yours sincerely,



Feleti Penitala Teo, OBE  
**EXECUTIVE DIRECTOR**

cc: Julio Guevara  
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## Attachment 1: Excerpt from TCC14 DRAFT SUMMARY REPORT

### AGENDA ITEM 4— CNM REQUESTS

1. In accordance with CMM 2009-11, TCC13 considered the applications for Cooperating Non-Member status for 2018, as summarised in **WCPFC-TCC14-2018-07**, and established the CNM SWG (led by Nauru) to develop draft recommendations and technical advice for the consideration of the Commission. The WCPFC Compliance Manager stated that the Secretariat had received 8 requests for CNM Status in 2019, from Ecuador, El Salvador, Liberia, Mexico, Nicaragua, Panama, Thailand and Vietnam. Table 1 of TCC14-2018-07 details the dates and formats of the requests; the Compliance Manager noted that use of the correct format by CNMs was helpful to the Secretariat when processing the requests. Table 2 of TCC14-2018-07 summarizes financial contributions by CNMs as of 8 August.

2. On 27 September 2018 the CNM Small Working Group (SWG) led by Nauru (Mr Ace Capelle) reviewed CNM applications and reported back to TCC14 providing relevant recommendations.

3. TCC14 has reviewed the following CNM applications and is forwarding them to WCPFC15 for consideration: **Ecuador, El Salvador, Liberia, Mexico, Panama, Nicaragua, Thailand and Vietnam.**

4. TCC14 noted with appreciation the attendance and participation of El Salvador, Liberia, Thailand and Vietnam at this year's meeting and encouraged other CNM applicants to attend TCC meetings in the future.

5. TCC14 noted the CNM working group process had occurred in parallel with the compliance monitoring scheme process and recommended that following TCC14, in consultation with SPC, the Secretariat write a particularised letter to CNMs outlining any identified deficiencies in data provision and request that CNM applicants provide any information outlined in these letters, as requested during the CMS process, 30 days in advance of WCPFC15, and that these letters and any responses be assessed by WCPFC15.

6. TCC14 recommended that WCPFC15 take into consideration the compliance status of all CNM applicants in making its decision on the CNM applications and participatory rights.

7. TCC14 noted that all current CNMs seeking to renew CNM status other than Mexico and Vietnam have made financial contributions for 2018 and noted Vietnam's statement that payment is in progress. The WCPFC has received Ecuador's financial contribution although it is not stated in Table 2 of WCPFC-TCC14-2018-07.

8. TCC14 noted that Ecuador, Mexico, Thailand, Panama, Vietnam, and El Salvador have reiterated interest in becoming full Commission members.

9. TCC14 noted the following gaps or issues in the applications for individual applicants and encourages applicants to rectify them if possible by WCPFC15:

10. **Ecuador** – Although Ecuador has paid its 2018 financial contribution it wasn't represented at TCC14.

11. **El Salvador** – TCC14 noted that El Salvador submitted both its Part 1 and Part 2 Report after the deadline, but that El Salvador complied with the submission of 2017 scientific data to the Commission.
12. **Liberia** – TCC14 noted that Liberia failed to meet the deadline in submitting its Part 2 Report in time.
13. **Mexico** – TCC14 noted that Mexico has still not made an explicit commitment to accept High Seas Boardings and Inspections and that Mexico considers this requirement as not applicable since it does not have any vessels in the Convention Area. TCC14 noted that Mexico had not paid its 2018 financial contribution.
14. **Nicaragua** – TCC14 was not in a position to discuss compliance issues with Nicaragua's application, as it has not previously been granted CNM status, and deferred consideration of the application to the Commission.
15. **Panama** – TCC14 noted, based on updates from the Secretariat, that Panama submitted its Part 1 and Part 2 Reports on time but that there were reporting gaps that could require clarification. Some CCMs also noted that Panama is consistently non-compliant in the South Pacific Regional Fisheries Management Organisation for serious violations of obligations and is on warning in that forum.
16. **Thailand** – TCC14 noted that Thailand may not have provided full historical data on fisheries activities in the Convention Area pursuant to CMM 2009-11 (2)(d). An applicant for CNM status is required to include in its requests full data on its historical fisheries in the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas, pursuant to CMM 2009- 11(2)(d). Thailand expressed doubt its flagged vessels have fished in the Convention Area.
17. **Vietnam** – TCC14 noted that Vietnam's CNM application was submitted late, but that Vietnam's Part 1 and Part 2 Reports have been received by the WCPFC and Vietnam complied with the submission of 2017 scientific data to the Commission.