

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

4TH MEETING

LANZAROTE, SPAIN
16 JUNE 2005

DOCUMENT JWG-4-05b

CLARIFICATION OF ANNUAL APPLICATION PROCEDURE FOR
COOPERATING NON-PARTIES AND FISHING ENTITIES

[Resolution C-04-02](#) establishes the criteria for determining the status of Cooperating Non-Party or Cooperating Fishing Entity in the IATTC. Paragraph 1 states that “Each year, the Director shall contact all non-parties and fishing entities ... to urge them to [join the IATTC]”; paragraph 2 states that “Any non-party or fishing entity that seeks to be accorded Cooperating Status shall apply to the Director requesting such status,” and paragraph 6 states that “Cooperating Status shall be reviewed annually by the Commission, and may be revoked if the Cooperating Non-Party or Cooperating Fishing Entity has not complied with the criteria for attaining such status established by this resolution.”

Chinese Taipei, in a letter to the Director dated 11 March 2005, sought the following clarification of these requirements:

However, we would like to make clarification whether a non-party or fishing entity which has been accorded with Cooperating Status needs to annually write a letter to apply for cooperating status. In accordance with the Resolution C-04-02, Article 2 reads “Any **non-party or fishing entity** that seeks to be accorded Cooperating Status **shall apply** to the Director”, and Article 6 “the **Cooperating Status shall be reviewed annually** by the Commission and may **be revoked** if ...”. For our understanding, only those non-parties or fishing entities which have never accorded the cooperating status need to “**apply**”. Once it has been granted the Cooperating Status, its status shall be reviewed automatically in the following Commission meeting, but not necessary to apply annually. Since Chinese Taipei has been granted Cooperating Status in IATTC 72th meeting last year. I suppose our cooperating status will be automatically reviewed for renewal. For your information, ICCAT has the similar measures (03-20), in practice, since Chinese Taipei was granted the cooperating status, it is not required for us to submit the application letter every year.

Paragraph 6 could be understood to mean that the Cooperating Status of a non-party or fishing entity that already has been granted such status need only be reviewed each year, and that a new application annually is thus not necessary. However, paragraphs 1 and 2 of the Resolution appear to suggest that there should be an annual application process.

The staff would appreciate a directive on this matter from the Commission.