

Annex**DRAFT RESOLUTION 1****Establishing a Preparatory Conference for the Establishment of the South Pacific Regional Fisheries Management Commission**

The International Consultations on the Establishment of the South Pacific Regional Fisheries Management Commission,

Having adopted the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean

Having decided to make the necessary arrangements for the commencement of the functions of the Commission of the South Pacific Regional Fisheries Management Organisation established by the Convention without undue delay and to take all possible measures to ensure its effective operation,

Having decided to hold a Preparatory Conference for the fulfillment of these purposes and to continue the work of the Scientific Working Group, the Data and Information Working Group and the Interim Secretariat established during the International Consultations on the establishment of the South Pacific Regional Fisheries Management Organisation pending the entry into force of the Convention,

Decides as follows:

1. The Preparatory Conference shall be open to all participants in the International Consultations on the Establishment of the South Pacific Regional Fisheries Management Organisation and all states and entities that can become party to the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean or can otherwise commit to abide by the terms of that Convention. Intergovernmental organisations and non-governmental organizations that attended the International Consultations on the Establishment of the South Pacific Regional Fisheries Management Organisation may attend the Preparatory Conference as observers.
2. The Science Working Group, the Data and Information Working Group and the Interim Secretariat established by the International Consultations on the Establishment of the South Pacific Regional Fisheries Management Organization shall continue their roles in support of the Preparatory Conference.
3. The Preparatory Conference will be convened by the Depositary of the Convention on the Conservation and Management of High Seas Fishery Resources in the South 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.
4. The Preparatory Conference will elect its Chairperson and other officers.
5. The Preparatory Conference will adopt its rules of procedure which shall provide that as a general rule decisions of the Conference shall be taken by consensus and if the Chairperson considers that all efforts to reach a decision by consensus have been exhausted decisions on matters of substance shall be taken by a three-fourths majority of those present and voting and decisions on questions of procedure shall be taken by a majority of those present and voting.
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 budget for the first financial period of the Commission, including recommendations for a formula for the calculation of contributions to the budget in accordance with Article 15, paragraph 2, of the Convention;
 - f. consider the position regarding the funding of the Interim Secretariat and make any appropriate recommendations to participants.
7. The Preparatory Conference may also 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 scientific advice from the Scientific Working Group on the status of fisheries resources covered by the Convention and may, if it considers necessary, adopt such revisions of the interim measures adopted by the International Consultations on the Establishment of the South Pacific Regional Fisheries Management Organisation as may be necessary pending the entry into force of the Convention to ensure the long-term conservation and sustainable use of fishery resources within the Convention Area. Any such revised interim measures adopted by the Conference will be applied on a voluntary basis.
 11. The Preparatory Conference will seek advice from the Data and Information Working Group concerning any additions to, or revisions of, the consolidated data standards adopted by the International Consultations on the Establishment of the South Pacific Regional Fisheries Management Organisation before they are transmitted to the First Meeting of the Commission of the South Pacific Regional Fisheries Management Organisation.
 12. The Preparatory Conference may make use, as appropriate, of existing regional institutions and outside sources of expertise to facilitate its work.
 13. 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.