

Nations agree to develop instrument to enforce minimum standards of port control to combat illegal fishing by 2009

Illegal fishing, trade in fish, the ecosystem approach to fisheries management, marine protected areas, and the strengthening of Regional Fisheries Management Organizations (RFMOs) top COFI agenda

Gland, Switzerland – March 14, 2007 - Perhaps the most significant decision adopted at **FAO Committee on Fisheries (COFI)**, who met in Rome, 5 – 9 March 2007, was to start the process to develop a legally binding instrument of agreed minimal standards for countries to implement with respect to establishing control measures in ports where fish are landed (or transshipped) in order to combat **illegal, unreported or unregulated (IUU) fishing**. Based on the FAO Model Scheme on Port State Measures to Combat IUU Fishing and on the International Plan of Action to Prevent, Deter and Eliminate IUU Fishing, the new instrument would build on a voluntary FAO scheme of recommended port state measures. It was hoped that the draft agreement could be developed quickly and presented to the next meeting of COFI for adoption in 2009. The delegates also discussed ways to improve monitoring, control and surveillance (MCS) to combat IUU fishing, including through satellite-based vessel monitoring systems (VMS). A paper was also presented by the Secretariat describing a proposed Global Record of fishing vessels that may be established by FAO. Such a record would provide information on all known open ocean fishing vessels and could assist in national monitoring, control and surveillance efforts.

At the beginning of the meeting, the FAO presented its latest “State of the World Fisheries and Aquaculture” (SOFIA) report. The report noted that with respect to global stocks of marine fish 17% are overexploited, 7% are depleted, 1% are recovering from depletion, 52% are fully exploited, 20% are moderately exploited and only 3% are underexploited. The FAO Secretariat, in introducing the report, noted that for some stocks, levels of overexploitation or depletion were much higher than these averages. The SOFIA report projected that marine capture fisheries would continue to yield on average 80 to 90 million tons on average over the next years, thus production has stagnated. Any increase in production would have to come from aquaculture, though it was separately noted that aquaculture may cause harm to the environment if not properly managed. A delegation also expressed concern that as there has been underreporting of fish capture, the statistics may be more optimistic than is justified. As an example, this delegation noted that it was estimated that 172,000 additional tons of southern bluefin tuna had been captured above that which had been reported over a twenty year period to the Commission for the Conservation of Southern Bluefin Tuna (CCBST).

With respect to **trade in fish**, there was discussion of a memorandum of understanding agreed between the FAO and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) with respect to allowing FAO advice on proposals to list species through CITES, thus controlling or restricting trade in these species. Several delegations expressed concern that discussions of issues of importance to COFI were taking place in other international fora.

It was agreed that the **ecosystem approach to fisheries** was an important framework for fisheries management; concern was expressed that more needed to be done to ensure that predator-prey relationships were fully taken into account. It was also agreed to promote technical work to establish standards for the management of deep-seas fisheries on the high seas in support of language adopted by the UN General Assembly resolution on fisheries [see web story December 2006: http://www.iucn.org/en/news/archive/2006/12/12_unga.htm]. These standards would assist to identify vulnerable marine ecosystems in areas beyond national jurisdiction and the impacts of fishing activities in order to facilitate the adoption and implementation of conservation and management measures to provide necessary protections for these ecosystems. Some delegations called for a moratorium on fishing in these areas until the impacts of fishing activities on these vulnerable marine ecosystems was assessed. Several delegations also spoke of the need to address the consequences of climate change on fisheries.

Also discussed was the important role of **marine protected areas** (MPAs) in the conservation and management of marine biodiversity, including fish stocks. FAO was encouraged to complete its technical guidelines on the design, implementation and testing of MPAs in relation to fishing as soon as possible.

On the **strengthening of RFMOs** and their performances, discussion began with a review of a meeting held in Kobe, Japan in January 2007 of the five tuna RFMOs. Many delegations suggested that non-tuna RFMOs should also meet jointly. Delegations urged that RFMOs conduct self-assessments and many delegations supported the development of common criteria that could provide a basis for such self-assessment while allowing flexibility to adapt to the individual needs of each RFMO. The work of the Independent High Level Panel to Develop a Model for Improved Governance by RFMOs, with which IUCN has been associated, was noted. Several delegations also noted the need to address allocation rights to marine fisheries in areas beyond national jurisdiction.

On the agenda item with respect to social issues in small-scale fisheries, many delegations spoke of the importance of this sector as a way to improve livelihoods and reduce poverty in their countries. It was noted that small-scale fishers often face dangerous and difficult working conditions. Delegations spoke of the importance of giving greater prominence to small-scale fisheries in FAO's programme of work covering the importance of fisheries management to fishing communities in the developing world, assistance to countries affected by the tsunamis of 2005, and developments in aquaculture. There was discussion of the effects of marine debris, including of abandoned fishing gear, on marine fisheries and how these harmful effects could be mitigated. With respect to bycatch, it was agreed that best practice guidelines should be developed and adopted.

See attached for full statement by the IUCN delegation. It is noted with regret that IUCN and several other observer delegations that wished to speak on the important topic on the strengthening of RFMOs and their performances were denied that opportunity because of a time constraint. A delegation later expressed regret that NGOs had not had this opportunity and suggested that if COFI were not able to provide an opportunity for observers to speak, they would find other fora to which to bring their concerns.

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Intervention, Agenda Item 9, Combating IUU Fishing

Thank you, Mr. Chairman

My delegation, IUCN – the World Conservation Union shares the view that IUU fishing remains of grave concern. IUU fishing undermines all attempts to improve the conservation and management of fish stocks. IUU fishing takes resources that would be available to the world's poor.

A key to combating IUU fishing is clearly better flag state control. In this regard, we welcome the address by the Secretary General of the IMO and we encourage further cooperation between FAO and IMO to improve the registration, including with respect to genuine link, and identification of all vessels, including fishing vessels, including below 24 meters.

However, as flag state control has sometimes proved a disappointment, we must also consider additional measures to combat IUU fishing.

We endorse work on a binding agreement on a minimum standard for port state actions to fight IUU fishing.

We urge greater use of tamper-resistant VMS with data sent to a central national authority, and to relevant RFMOs and to the FAO in support of a Global Record that we hope FAO will maintain.

We welcome the work of the International MCS Network.

We urge the withdrawal of subsidies, for example for fuel, because subsidies encourage overcapacity that fosters IUU fishing.

We urge adoption of catch documentation or tracking schemes for individual high-value fish, bluefin tuna for example, using newly developed and relatively cheap radio tagging technology to track this high value inventory – in this case individual fish – from catch to market.

We support the use of vessel lists as a tool to combat IUU fishing and are encouraged by the development of a Global Record of fishing vessels through the FAO. We welcome agreement among the tuna RFMOs to harmonize their vessel lists.

Under the World Bank PROFISH Partnership, we have developed a list of irresponsible vessels drawing from publicly available data on RFMO web sites and we invite states to post data on national web sites about vessels found to be fishing in their Exclusive Economic Zones without a licence. We will talk further about this list at the PROFISH Forum on Friday morning. Fliers about the Forum are available outside.

In conclusion, transparency is one of the most effective tools we have to combat IUU fishing.

Thank you, Mr. Chairman

Intervention, Agenda Item 10, Implementing the Ecosystem Approach to Fisheries

Thank you Mr. Chairman.

The ecosystem approach is indeed a complex topic and IUCN welcomes the high level of discussion in this body. IUCN will focus on two topics here, marine protected areas and deep sea fisheries.

IUCN recalls previous commitments made at the last COFI to assist member states with the implementation of the WSSD's goals of representative networks of marine protected areas by 2012¹ and welcomes the activities within FAO, States and some RFMOs in this regard. MPAs can be a critical component of the ecosystem approach to fisheries by safeguarding biodiversity, habitats and ecosystem services – benefits that conventional input and output controls do not necessarily provide.

IUCN brings to this body's attention two relevant activities with respect to MPAs including in areas beyond national jurisdiction. First, in January 2007, the Mexican government hosted a Scientific Experts' Workshop on Biogeographic Classification Systems in Open Ocean and Deep Seabed Areas. This workshop brought together leading scientists to develop preliminary biogeographic maps to support ecosystem-based management and representative protected area network planning. The workshop was organized by Mexico, UNESCO, the IOC, and IUCN with the support of Australia, Canada and the JM Kaplan Fund. A report from this meeting will be available soon.

Second, in October 2007, Portugal is hosting a scientific expert workshop in cooperation with the Convention on Biological Diversity to advance the development of ecological criteria, biogeographic classification systems and scientific guidelines for representative MPA networks in the open ocean and deep seabed, pursuant to a decision of the 8th Conference of Parties to the CBD in March 2006.

The results of these two workshops can contribute to FAO technical work to assist member states in achieving the 2012 target for representative MPA networks just as FAO's work can benefit the work underway in other bodies.

With respect to deep sea fisheries, IUCN notes the importance of involving a broad range of expert bodies in the proposed expert consultations and related FAO activities to implement the pertinent paragraphs of UNGA resolution 61/105. IUCN suggests involving organizations such as IOC, UNESCO, UNEP, CBD and the relevant Census of Marine Life program leaders on seamounts, and hydrothermal vents. There is also a need to involve a full range of states, including developing countries, in these deliberations. As always, IUCN also stands ready to assist in this regard.

And finally, IUCN again urges rapid implementation of the deep sea fisheries provisions of the UNGA Resolution 61/105 and notes that there is no need to await the outcome of the FAO expert consultations and technical consultation to take action. States and RFMOs can immediately reduce current bottom fishing activities to very low levels and prevent expansion in area or effort (i.e., freeze the footprint) until vulnerable benthic habitats are identified and appropriate management measures, including MPAs and strict capacity controls, are implemented.

Thank you, Mr. Chairman.

¹ **Agreed** that FAO should assist its Members in achieving the relevant WSSD goals by 2012, in particular the establishment of representative networks of MPAs.(para. 103)

Intervention, Agenda Item 11, Strengthening RFMOs and their Performances

Thank you, Mr. Chairman,

IUCN – the World Conservation Union, in this condensed statement, notes the important role assigned by the world community to RFMOs to conserve and manage fish stocks. IUCN recognizes conflicting pressures on RFMOs and their Secretariats to manage these fisheries.

With respect to the strengthening of the performances of RFMOs, a significant step would be to ensure that RFMOs adopt conservation and management measures based on the best available scientific advice. Too often, the advice of scientists is ignored. This must change. If an RFMO decides to adopt a management measure that does not reflect the advice it has received from scientists, then it should post on its web site the advice it received, the decision it adopted, and the reason or reasons why the advice of the scientists was not put into practice.

In this regard, we cannot emphasize enough the importance of transparency in the work of RFMOs. RFMOs should immediately adopt practices and rules to make public on their web sites papers, also in advance of meetings, and data and decisions. Meetings of RFMOs should be open to interested observers from non-member states and from other intergovernmental and non-governmental organizations in order to make better known the work of the RFMOs, their commissions, committees and sub bodies.

My delegation welcomes steps to establish criteria to help individual RFMOs to conduct self-assessments and urges that this process go forward quickly to allow all RFMOs to benefit as soon as possible from this process.

To promote the conservation and sustainable and equitable use of fish, a way must be found to meet the needs of developing states while respecting the interests of those already exploiting the fish stocks of a region. In accordance with the obligation under UNCLOS to cooperate for the conservation and management of living resources on the high seas, states must find a way to allocate fairly these stocks. For stocks that are fully exploited, traditional fishing states must reduce their catch levels to allow developing states and new members access to a fair share of a limited resource.

We note that all RFMOs will want to move to conduct their work on the basis of an ecosystem and a precautionary approach.

In conclusion, the metric that will measure the strengthening of RFMOs and their performances will be the health and sustainability of fish stocks, including of associated and dependent living resources, that they manage.

Thank you, Mr. Chairman