

**THE 2005 ROME DECLARATION ON
ILLEGAL, UNREPORTED AND UNREGULATED FISHING**

**Adopted by the
FAO Ministerial Meeting on Fisheries
Rome, 12 March 2005**

We, the Ministers and Ministers' representatives, meeting in Rome at the FAO Ministerial Meeting on Fisheries on 12 March 2005,

Bearing in mind the principles and rules of international law as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (the 1982 UN Convention),

Noting with satisfaction the entry into force on 11 December 2001 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995 UN Fish Stocks Agreement) and the entry into force on 24 April 2003 of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (1993 FAO Compliance Agreement),

Recalling the relevant provisions of other international instruments, such as the 1992 Rio Declaration on Environment and Development and Chapter 17 of Agenda 21; the 2000 United Nations Millennium Declaration and Millennium Development Goals; and the 2002 Johannesburg Declaration on Sustainable Development and the Johannesburg Plan of Implementation,

Reaffirming our commitment to the principles and standards contained in the FAO Code of Conduct for Responsible Fisheries,

Recalling the adoption on 11 March 1999 of the Rome Declaration on the Implementation of the Code of Conduct for Responsible Fisheries at the FAO Ministerial Meeting on Fisheries, as well as the endorsement of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU),

Recalling as well the resolution on IUU fishing adopted by the FAO Conference in 2003,

Desiring to move from words to action through full implementation of various international instruments for sustainable fisheries adopted or enacted in the past decades,

Noting the harmful and worldwide consequences of IUU fishing on the sustainability of fisheries (ranging from large-scale high seas fisheries to small-scale artisanal fisheries), on the conservation of marine living resources and marine biodiversity as a whole and on the economies of developing countries and their efforts to develop sustainable fisheries management,

Recognizing that there is often a relationship between fleet overcapacity and IUU fishing and acknowledging the economic incentives that drive these phenomena,

Acknowledging the genuine development aspirations and legitimate efforts of developing countries, in particular small island developing States, toward the sustainable management and development of their fisheries sectors,

Emphasizing the responsibility of flag States under international law to effectively control and manage vessels flying their flags, as well as the responsibilities of port and coastal States in controlling IUU fishing,

Aware that effective fisheries monitoring, control and surveillance (MCS) is essential to combat IUU fishing and that integrated MCS, including vessel monitoring systems (VMS), as well as a comprehensive global record of fishing vessels within FAO, are key tools in this endeavour,

Recognizing the need to strengthen international cooperation for the development of VMS so as to implement the Code of Conduct for Responsible Fisheries, prevent, deter and eliminate IUU fishing and protect and assist fishermen in danger and the assistance that FAO may provide in harmonizing VMS to members who request it,

Recognizing the special requirements of developing countries in combating IUU fishing and, in particular, the need to strengthen their capacity for fisheries management, and

Reaffirming the commitment to enhance responsible and effective fisheries management, to prevent, deter and eliminate IUU fishing and to strengthen, improve, and where appropriate establish, MCS programmes including VMS,

We declare that:

1. We are committed to concentrating and intensifying our efforts to implement fully all the international instruments for the sustainable use of marine living resources.
2. We reaffirm the need for FAO to play a leading role in supporting the efforts of States to implement these instruments, with particular emphasis placed on assisting developing countries.
3. We will renew our efforts:
 - to develop and implement national and regional plans of action to combat IUU fishing,
 - to adopt, review and revise, as appropriate, relevant national legislation and regulations, in particular to ensure compliance with fisheries management measures and to provide sanctions of sufficient gravity as to deprive offenders of the benefits accruing from their illegal activities and to deter further IUU fishing,
 - to ensure effective implementation of catch certification schemes through their harmonization and improvement as necessary,
 - to adopt internationally agreed market-related measures in accordance with international law, including principles, rights, and obligations established in WTO agreements, as called for in the IPOA-IUU,
 - to ensure that all fisheries policy-makers and managers consider the full range of available MCS options, strategies and tools; take necessary actions to fully implement the IPOAs and any applicable MCS measures adopted by relevant regional fisheries management organizations (RFMOs); and that fishers have an understanding of their role in MCS,
 - to ensure that States, to the greatest extent possible, take measures or cooperate to ensure that nationals subject to their jurisdiction do not support or engage in IUU fishing, and

- to ensure that all large-scale fishing vessels operating on the high seas be required by their flag State to be fitted with VMS no later than December 2008, or earlier if so decided by their flag State or any relevant RFMO.

4. We call for the following new actions:

- to identify, reduce and ultimately eliminate the economic incentives that lead to IUU fishing and the economic drivers that lead to fleet overcapacity, at the national, regional and global levels,
- to ensure that measures to address IUU fishing or fleet overcapacity in one fishery or area do not result in the creation of fleet overcapacity in another fishery or area or otherwise undermine the sustainability of fish stocks in another fishery or area, and that such measures do not prejudice the legitimate expansion of fleets in developing countries in a sustainable manner,
- to develop a comprehensive global record of fishing vessels within FAO, including refrigerated transport vessels and supply vessels, that incorporates available information on beneficial ownership, subject to confidentiality requirements in accordance with national law,
- to work within RFMOs to facilitate, where appropriate, the exchange of VMS and observer data, subject to confidentiality requirements in accordance with national law, and
- to supplement existing MCS schemes through measures such as encouraging the fishing fleet to report any suspected IUU fishing activities they observe.

5. We agree upon the need:

- for flag States, port States, coastal States and, where appropriate, RFMOs to effectively regulate transshipment in order to combat IUU fishing activities and to prevent laundering of illegal catches,
- for States, as well as NGOs and members of the fishing industry, to exchange information on suspected IUU fishing, if possible on a real-time basis, in collaboration with FAO, RFMOs and other relevant arrangements, and by actively participating in the International MCS Network,
- to develop and ensure effective implementation of national and, where appropriate, internationally agreed boarding and inspection regimes consistent with international law,
- to strengthen coastal and port State measures for fishing vessels, consistent with international law, in order to prevent, deter, and eliminate IUU fishing,
- for further international action to eliminate IUU fishing by vessels flying “flags of convenience” as well as to require that a “genuine link” be established between States and fishing vessels flying their flags,
- to strengthen RFMOs to ensure that they are more effective in preventing, deterring and eliminating IUU fishing, and
- to fully implement vessel marking requirements in accordance with the FAO Standard Specification and Guidelines for the Marking and Identification of Fishing Vessels and any applicable RFMO requirements.

6. We urge all States:

- that have not yet done so to become parties to the 1982 UN Convention, the 1993 FAO Compliance Agreement and the 1995 UN Fish Stocks Agreement, and abide by their provisions,
- to ensure that they exercise full and effective control over fishing vessels flying their flag, in accordance with international law, to combat IUU fishing,
- that are parties to the 1993 FAO Compliance Agreement to fulfil their obligations to submit to FAO, for inclusion in the High Seas Vessel Authorization Record, data on vessels entitled to fly their flags that are authorized to be used for fishing on the high seas, and those that are not yet parties to the 1993 FAO Compliance Agreement to submit such data on a voluntary basis, and
- to supply detailed information on fishing vessels flying their flag to relevant RFMOs, in accordance with the requirements adopted by those RFMOs, and to establish such requirements within RFMOs where they do not yet exist.

7. We further urge additional research, as well as enhanced international cooperation including appropriate transfer of technology, in remote sensing and satellite surveillance of fishing vessels to prevent, deter and eliminate IUU fishing, particularly in remote areas with lack of deployment of MCS facilities.

8. We also urge:

- the provision of additional assistance to developing countries to help them implement their commitments in preventing, deterring and eliminating IUU fishing, as well as to participate effectively in the development and implementation of fishery conservation and management measures by RFMOs, and
- the provision of advice and training to promote the development of fisheries management regimes, at the national and local levels, to prevent, deter and eliminate IUU fishing, including community-based fisheries management in countries where such fisheries management is practiced, recognizing, where appropriate, the role of local coastal communities in the management of near-shore resources, particularly in developing countries.

9. We resolve to provide financial and technical assistance to developing countries in the implementation of MCS capabilities, including VMS, with the support of FAO and relevant international financial institutions and mechanisms, and to consider the establishment of a special voluntary fund for this purpose.

WE REQUEST that the Director-General of the Food and Agriculture Organization of the United Nations convey this Declaration to the Secretary-General of the United Nations for consideration by that organization.