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Report of the Twenty-fifth Session of the

ASIA-PACIFIC FISHERY COMMISSION (APFIC)

Seoul, Republic of Korea, 15-24 October 1996

**REGIONAL OFFICE FOR ASIA AND THE PACIFIC
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Bangkok, Thailand, 1996**

PREPARATION OF THIS REPORT

This is the final version of the report approved by the Twenty-fifth Session of the Asia-Pacific Fishery Commission.

ABSTRACT

This is the final version of the report of the Twenty-fifth Session of the Asia-Pacific Fishery Commission (APFIC), held in Seoul, Republic of Korea, from 15 to 24 October 1996. Major topics discussed were: environmental aspects of responsible fisheries; the state of fisheries and aquaculture in Asia and the Pacific; future role of APFIC in fishery management in the region; and the proposed amendments to the APFIC Agreement and Rules of Procedure.

Distribution:

Participants in the Session
Members of the Commission
Other interested nations and international organizations
FAO Fisheries Department
Fishery Officers in FAO Regional Offices

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OPENING OF THE SESSION

1. The Asia-Pacific Fishery Commission (APFIC) held a Symposium on Environmental Aspects of Responsible Fisheries, followed by its Twenty-fifth Session from 15 to 24 October 1996 at the Hotel Lotte, Seoul, Republic of Korea. The Session was attended by sixty-one representatives of seventeen Members of the Commission and observers from the Russian Federation, the Network of Aquaculture Centres in Asia-Pacific (NACA), the Southeast Asian Fisheries Development Center (SEAFDEC), the South Pacific Commission (SPC), and the International Center for Aquatic Living Resources Management (ICLARM). The list of delegates and observers is attached as Appendix A.
2. At the official opening of the Session, held on 21 October 1996, the Commission was welcomed by the Chairman of APFIC, Mr Kyu-Seok Park, Director-General for International Cooperation, Ministry of Maritime Affairs and Fisheries (MOMAF) of the Republic of Korea.
3. On behalf of the Director-General of FAO, Dr Y. Kato, Director of the Fishery Policy and Planning Division, Fisheries Department of FAO, expressed gratitude to the Republic of Korea for hosting the Twenty-fifth Session of APFIC. He referred to efforts made by FAO in developing the Code of Conduct for Responsible Fisheries and other international initiatives for attaining sustainable fisheries. He also urged member countries to develop concerted action at the national level to ensure that policies and programmes were put in place to implement the Code. At the subregional or regional level, appropriate coordinated programmes based on regional needs could be developed and implemented in order to ensure effective implementation of the Code.
4. He underlined that APFIC and FAO were striving in the same direction and that, consequently, collaboration between the Organization and the Commission was required to ensure that both organizations focused on the same goals and objectives. The Members of APFIC must seek to use the Commission to achieve sustainable utilization of resources while FAO would provide the technical support required by APFIC Members. It was envisaged that Members themselves would take greater initiative and responsibility for the activities of the Commission which would then be more integrated and rational; thus working mechanisms should be developed to ensure a partnership with FAO in this process.
5. Inaugurating the Session, H.E. Mr Chang-Yuel Lim, Vice Minister of the Ministry of Maritime Affairs and Fisheries, Government of the Republic of Korea, recalled that Korea became a Member of APFIC in 1950 and hosted the Tenth Session in 1962. As the new Ministry of Maritime Affairs and Fisheries (MOMAF) was established only in August 1996, the Government of the Republic of Korea was pleased to host this Session of APFIC as the first international event of MOMAF. He stressed the important role of fisheries and the recent international instruments and initiatives to achieve sustainable development. An international framework such as APFIC to promote cooperation in the region should be reinforced in order to seek ways and means to conserve and use rationally the marine resources in the region.
6. Through 20 years of economic development, Korea has finally reached a stage where it will join the Organization for Economic Cooperation and Development (OECD) by

December 1996. The Vice Minister stressed, nonetheless, that such rapid economic development in Korea had also resulted in an increased level of pollution and other environmental degradation, causing unfavourable conditions to the well-being of aquatic resources. The APFIC Symposium was, therefore, appropriate and timely. In addition to the need for continued national effort in sustainable fisheries development, he also mentioned the importance of various instruments developed by the United Nations, which were of relevance to governments in an effort to find ways and means for sustainable use of marine resources in the region.

ADOPTION OF THE AGENDA

7. The Commission adopted the Agenda as shown in Appendix B. The documents placed before the Commission are listed in Appendix C.

REPORT OF THE SYMPOSIUM ON ENVIRONMENTAL ASPECTS OF RESPONSIBLE FISHERIES

8. A Symposium on Environmental Aspects of Responsible Fisheries was held from 15 to 18 October 1996 in conjunction with the Twenty-fifth Session of APFIC. The report of the Symposium was presented to the Commission by the Convenor, Dr Derek Staples.

9. The Symposium highlighted the strong link between sustainable development and a sustainable environment but noted that there were many non-sustainable human activities in the APFIC region which were threatening the health of fisheries and the well-being of fishing communities. These included overfishing in coastal waters, habitat degradation resulting from some fishing practices (such as bottom trawling in fragile habitats), oil and gas extraction and illegal practices such as dynamiting and cyanide poisoning, discarding, reef and tin mining, mangrove clearing and pollution of the aquatic environment.

10. Current efforts to mitigate these increasingly serious pressures on the marine environment were discussed. The Symposium strongly recommended that an integrated and holistic approach to coastal zone management be taken in addressing these problems, following the guidelines already in place as a result of integrated coastal management (ICM) projects initiated throughout the region and the FAO voluntary Code of Conduct for Responsible Fisheries. Promoting awareness of the impact that the inappropriate use of resources was having on fisheries and aquaculture was considered to be of major importance. The participation and cooperation of all users of the coastal zone, including public and private sectors and relevant NGOs, was seen as being particularly important.

11. The Symposium noted that, in some respects, the region was leading the world in adopting a more integrated management approach in the coastal zone and strongly recommended that this approach be supported and encouraged by Member Nations. It noted that, because the resources in the coastal area were finite, the sustainable development and the economic performance of both fisheries and aquaculture depended on better management and sustainable use of existing resources rather than concentrating on increased production as carried out by many countries in the past.

12. The Session underlined the importance of the Symposium for the Asia-Pacific region which produced about half of the world fish catch. In this regard, reference was also made to the forthcoming Technical Consultation on the Reduction of Wastage in Fisheries to be organized by the Government of Japan, in collaboration with FAO, in Tokyo (28 October to 1 November 1996).

13. The Commission took note of the conclusions and recommendations, commended the well-balanced report of the Symposium and fully endorsed the proposals (Appendix D) made at the Symposium.

14. The Commission also considered the theme of the next Symposium. Four topics were proposed for consideration, namely: (a) application of remote sensing technology for fishery purposes; (b) reduction of wastage in fish capture and processing; (c) safety and quality aspects of fishery products in the Asia-Pacific region; and (d) ensuring future supplies of fish for the poor.

15. After deliberation, the Commission decided that the theme for the next Symposium should be selected following consultation between the Secretariat and APFIC Members. The Secretariat agreed to submit the four themes to Members for decision.

INTER-SESSIONAL ACTIVITIES OF APFIC AND MATTERS REFERRED FOR THE ATTENTION OF THE COMMISSION

16. The Commission was informed of the activities undertaken during the inter-sessional period (December 1993 to September 1996) which included, *inter alia*, the entry into force of the amendments to the Agreement, including the new title of the Commission (Asia-Pacific Fishery Commission, APFIC) in November 1994 after the concurrence of the FAO Council at its 107th Session.

17. During the inter-sessional period, APFIC convened six sessions of its subsidiary bodies and a Regional Symposium on Sustainable Development of Inland Fisheries under Environmental Constraints. It also collaborated with FAO, SEAFDEC and SIFR (Strategy for International Fisheries Research) in organizing a Regional Workshop on Fishery Information and Statistics in Asia and cooperated with other regional/international bodies concerned with fisheries in the region.

18. The Secretariat presented the reports and recommendations of the APFIC subsidiary bodies at their sessions as follows:

- (a) Reports of the Ninth and Tenth Sessions of the Joint Working Party on Fish Technology and Marketing

19. The Technical Secretary of the APFIC Joint Working Party on Fish Technology and Marketing reported on the activities of the Working Party during the inter-sessional period. During this period, two sessions were conducted. The Ninth Session was held in Cochin, India, 7-9 March 1994 and the Tenth Session was held in Colombo, Sri Lanka, 4-7 June 1996.

20. The Technical Secretary noted that the Working Party had been fortunate to have been able to meet at a two year interval. This has been important in view of the fast changing situation facing the post-harvest sector in the region and new important developments in quality assurance rules, fisheries management arrangements and aquaculture technologies.

21. During the inter-sessional period, the Working Party had shown its vitality by securing external funds for some of its own activities. One example was the STD3 research programme "Improved utilization of low value fish species" which was funded by the EU but had been catalyzed by the programme of the Working Party. It was a collaborative project between seven institutes in the region and three in Europe.

22. The Working Party proposed three major thrusts for its future programme:

- Increased utilization of low-value species for direct human consumption;
- Improved quality assurance for exports and imports based on hazard analysis critical control points (HACCP) system; and
- Further development of a research information exchange network through a home page on the Internet, supplemented by an E-mail discussion group for those still without full access to the Internet.

23. The programme on increasing utilization was important in view of the rapidly increasing demand for fish products from a region which will shortly become a net fish importer. Rising prices will seriously constrain the opportunities for the poor to retain access to their accustomed supply of fish products. Research and development efforts needed to be directed to making better use of low-value catches and bycatches in products for low-income consumers.

24. The major fish importing countries have established new quality assurance arrangements based on the principles of HACCP. Although promising initiatives have been taken by some countries of the region, further research support was required. This could best be provided by a cooperative effort through the Working Party.

25. During the inter-sessional period a research information network on the Internet, as well as an E-mail discussion group, had been set up. This has already increased the opportunity for academics, government research workers and the private sector to access and exchange information on research and development efforts in the fish post-harvest field.

(b) Report of the Sixth Session of the Working Party of Experts on Inland Fisheries

26. The Secretary of the APFIC Aquaculture and Inland Fisheries Committee (AIFIC) presented the report of the Sixth Session of the Working Party of Experts on Inland Fisheries, held in Bangkok, Thailand, 17-21 October 1994, as well as the report of the Regional Symposium on Sustainable Development of Inland Fisheries under Environmental Constraints which were held concurrently.

27. The Working Party reviewed and discussed: fisheries potential of multi-purpose water bodies; fisheries potential of saline inland water bodies; cold water fisheries resources; fisheries resources of rivers (national and international); predictive fish yield models, *etc.*

The Symposium reviewed the status of inland fisheries under environmental constraints and concluded that fisheries production from inland waters was declining, due mainly to environmental degradation caused by the negative impacts of agriculture, deforestation and pollution from municipal and industrial sources. The Symposium also discussed measures to counteract the decline in inland fisheries.

28. The Commission reviewed and endorsed the following recommendations put forward by the Working Party and the Symposium:

- (1) priority should be given to assembling information on small water bodies in the region;
- (2) the status of the inland saline water bodies in the region should be reviewed;
- (3) a workshop should be held with the support of FAO to focus on breeding and rearing technologies of some of the cold water species;
- (4) the existing laws and regulations governing riverine fisheries should be reviewed;
- (5) guidelines for the management of fisheries in water bodies established or arising from irrigated agriculture in arid countries should be proposed;
- (6) a list of existing guidelines on environmental concerns related to inland fisheries should be prepared; and
- (7) guidelines for collection of data/information for the management and conservation of inland fisheries should be proposed.

(c) Report of the Eighth Session of the Working Party on Aquaculture

29. The Secretary of AIFIC presented the summary report and recommendations of the Eighth Session of the IPFC Working Party on Aquaculture, held at the FAO Regional Office for Asia and the Pacific, Bangkok, Thailand, 19-25 October 1994. The Session was attended by nine members of the Working Party and four observers from the Asian Institute of Technology (AIT), the Department of Fisheries of the Royal Thai Government and the ASEAN/EEC Aquaculture Development and Coordination Programme (AADCP).

30. The Working Party discussed Aquaculture by 2000 and Beyond; reviewed the critical issues related to its sustainable development; discussed aquaculture research priorities; and reviewed the draft Code of Conduct for Responsible Fisheries and Aquaculture.

31. The Commission reviewed and endorsed the following recommendations made by the Working Party:

- (i) government and donor agencies should give high priority to and provide adequate support for further development of aquaculture and culture-based fisheries, with special attention to the production of low-cost fish species as these contribute to food security;
- (ii) research, development and extension agencies should identify aquaculture techniques appropriate for small-scale farmers;

- (iii) government authorities, development agencies, researchers, extension workers and the private sector involved in aquaculture should increase consultation and cooperation with other sectors, especially with agriculture, forestry, waste management agencies, etc.;
- (iv) government, research/development agencies and the private sector should make special efforts to increase productivity and profitability through genetic improvement of cultured stocks;
- (v) FAO should assist the member countries to carry out case studies on the environmental implications of intensification of aquaculture; and
- (vi) FAO should help organize a regional workshop on legal aspects of aquaculture and, upon request, provide individual assistance to countries in drafting relevant legislation.

(d) Report of the Ninth Session of the APFIC Committee on Marine Fisheries

32. The Secretary of the Committee on Marine Fisheries (COMAF) highlighted the results of the Ninth Session of APFIC/COMAF, held from 3 to 7 October 1995 in Yogyakarta, Indonesia, and informed the Commission of current initiatives for the implementation of some recommendations of that Session.

33. The Committee reviewed and discussed marine fisheries management issues in the region, including requirements for better management, as a response to the common overexploitation of coastal resources, particularly the demersal resources. While the responsibility for management rested with the national agency, the Committee felt that communication and coordination between countries could stimulate the introduction of better and more relevant management strategies throughout the region. The Committee also recommended that management-oriented resources research be strengthened to back up management decisions. In response to the above recommendations, the Secretariat of APFIC had undertaken in the initial stage of launching a study on the marine fisheries management framework in countries bordering the South China Sea as a basis for enhancing potential cooperation in fisheries management in the region.

34. As regards research needs, the Committee endorsed the establishment of a regional cooperative research programme based on 14 priority areas in coastal capture fisheries, offshore fisheries and coastal aquaculture similar to those for the Bay of Bengal. In pursuance of this recommendation, the Secretariat had initiated arrangements for networking of national research institutions in South and Southeast Asia, to facilitate the formulation of project proposals according to the research priority identified.

35. As timely availability of fishery statistics was an important basis for resources assessment to support fisheries management, the Committee recommended that further study on the collection and dissemination of fishery statistical systems in the APFIC region should be conducted. In this respect, the existing cooperation on fisheries statistics with SEAFDEC needed to be further enhanced.

36. The Commission took note of the Report of the Ninth Session of APFIC/COMAF and supported the actions that have been initiated by the Secretariat in accordance with the recommendations of the APFIC/COMAF Session.

(e) Report of the Sixty-sixth Session of the APFIC Executive Committee

37. The Executive Committee, at its Sixty-sixth Session held in Bangkok, Thailand, 12-14 March 1996, reviewed the follow-up activities to the recommendations of the Commission at its last session as well as the inter-sessional activities of the APFIC subsidiary bodies. The Committee also reviewed the functions and responsibilities of APFIC in fisheries management and aquaculture development in the Asia-Pacific region.

38. The Committee considered options as to the future of the Commission and agreed that the role of APFIC should be expanded and its activities be strengthened in response to recent international developments. However, the proposed expanded role of the Commission required close scrutiny, in particular its responsibility with respect to the formulation of and recommendations on fisheries management measures, without prejudice to the sovereignty of the coastal States concerned.

39. In strengthening the role of the Commission, the Executive Committee considered the need to amend the APFIC Agreement and Rules of Procedure, which had remained almost unchanged since 1948, to allow for a greater degree of autonomy as a regional body established under Article XIV of the FAO Constitution. The amendments as proposed by the Committee were discussed further under Agenda item 7.

40. The Committee also considered the need for additional financial support to enable APFIC to discharge effectively the extended duties and responsibilities required in compliance with recent developments in world fisheries. It was suggested that support costs must be reduced to the greatest extent possible and extra-budgetary resources should be sought to support cooperative programmes.

41. The Executive Committee endorsed the provisional agenda and the preparations for the Twenty-fifth Session of the Commission, to be held in Seoul, Republic of Korea, in October 1996.

42. The Commission took note of the recommendations of the Executive Committee on the future role of APFIC and the proposed amendments to the Agreement and Rules of Procedure but deferred its decision for discussion under Agenda items 6 and 7.

**THE STATE OF FISHERIES AND AQUACULTURE IN ASIA AND THE PACIFIC:
PROBLEMS AND PROSPECTS**

43. The status of fisheries and aquaculture in the region was presented by the Secretariat, noting that the region was now responsible for half of world fisheries production and nearly 90% of world aquaculture production.

Marine Fisheries

44. Marine fish catches of the member countries of APFIC largely originated from the four major FAO fishery statistical areas: the Western Indian Ocean (Area 51); the Eastern Indian Ocean (Area 57); the Western Central Pacific (Area 71); and the Northwest Pacific Ocean

(Area 61). Overall catch showed a slightly increasing trend (20.5%) in the last decade from 25.8 million tonnes in 1984 to 32.1 million tonnes in 1994. In terms of top contribution to the overall catch China had replaced Japan. The Northwest Pacific contributed 57%, the Western Central Pacific 25%, the Eastern Indian Ocean 11% and the Western Indian Ocean 7%.

45. The trends in the last decade reflected the same pattern for nearly all major species groups. The overall catch of the demersal group only increased slightly, from 4.0 million tonnes to 4.5 million tonnes from 1984 to 1994. Increases were noted primarily for the miscellaneous fish. The region's small pelagic catches declined from 10.5 million tonnes in 1984 to 10.1 million tonnes in 1994.

46. Shrimp catches rose from about 1 million tonnes in 1984 to 1.9 million tonnes in 1994, mainly from China, Thailand, India and Indonesia. Tuna, the second most important commodity, dominated the catch in the Western Central Pacific where Indonesia and the Philippines were the main contributors for coastal tuna, with Japan, the Republic of Korea and USA for offshore tuna.

47. The rate of increase in the marine catch in the region was less than in the 1970's, indicating generalized high levels of fishing pressure in coastal areas. Overfishing in coastal areas was a common problem in the region, as discussed in the APFIC Symposium which preceded this Session.

Inland Capture Fisheries and Aquaculture

48. The inland capture fisheries in the region showed a moderate increase from 2.6 million tonnes in 1984 to 3.4 million tonnes in 1994, which was slightly higher than the relative increase of marine fisheries production. China, Bangladesh, India, Indonesia and Pakistan were the main producers. Compared to marine fisheries, inland fisheries were more affected by environmental conditions due to their proximity to centres of human population. The continued increase in population, industry development and deforestation, have all impacted on the aquatic environment.

49. Production from the aquaculture sector increased from 4.5 million tonnes to 15.6 million tonnes during the last decade (worth US \$ 31.7 billion in 1994), with China and India as the main producers. China alone produced 10.6 million tonnes valued at US \$ 14.8 billion, while India produced 1.6 million tonnes worth US \$ 2.1 billion. The rise of shrimp exports was mainly due to the rapid development of shrimp culture in coastal areas which has been a contributory factor to environmental degradation.

50. Following this introduction, the Commission noted the problems facing the fisheries and aquaculture sectors in the region. More attention was needed as regards the collection of statistics and some member countries in the region requested assistance from FAO through APFIC.

51. During the discussion that followed, some Members of the Commission indicated that they were paying increased attention to the implementation of UNCLOS, with Japan and the Republic of Korea emphasizing management in their EEZs, while those with a significant small-scale fisheries sector had paid more attention to management of coastal fisheries. The

process of developing a proper legal framework, through revision of fisheries laws. Ongoing in many countries and various management measures were progressively being introduced.

52. In view of the high level of fisheries expertise now available in the region, the prospects of making full use of the FAO Programme of Technical Cooperation between Developing Countries (TCDC) were noted for follow up by the Secretariat.

FUTURE ROLE OF APFIC IN FISHERY MANAGEMENT IN THE REGION

53. The Commission recalled that the past two decades had witnessed a rapid development in world fisheries due mainly to technological improvement and increasing demand for food supply from the steadily expanding world population. This has given rise to great concern for the environment and for the sustainability of fisheries.

54. This concern had culminated in the adoption in 1982 of the United Nations Convention on the Law of the Sea (UNCLOS), which came into force in November 1994, and subsequently the UN Agreement for the Implementation of the UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks in 1995 (the 1995 UN Agreement). The concept of extended jurisdiction had subsequently become the principle of exclusive economic zones (EEZs) which was embodied in the UNCLOS.

55. The Commission recalled further that, since the adoption of UNCLOS, several major international instruments and/or initiatives aimed at the conservation and sustainable development of fishery resources had been promulgated or adopted. These were: Declaration of Cancun; Agenda 21 of UNCED; Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (Compliance Agreement) and Code of Conduct for Responsible Fisheries of FAO; Rome Consensus on World Fisheries; the 1995 UN Agreement; and the 1995 Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security.

56. Finally, the Commission recalled that in 1994/95 the aspirations and needs of the countries in the Asia-Pacific region to achieve the long-term goal of self-reliance in fisheries management and sustainable development had been raised at several fisheries fora. The results of these meetings showed that the common areas which required attention at the regional or sub-regional level may be broadly categorized as: (i) strengthening of regional fishery information and statistical databases; (ii) management of shared, migratory and transboundary fish stocks; (iii) development of deep sea fisheries (e.g., in the central Sunda Shelf); (iv) aquaculture development; (v) protection of fish habitat and environment; (vi) post-harvest technology development; (vii) marketing and trade; (viii) cooperative fishery research; and (ix) technology transfer, human resource development and capacity building.

57. In the discussion all Members underlined their continuing support for the Commission. They recognized that it would be necessary to reinforce and update its terms of reference in order to take full account of the fundamental changes which had taken place in the past few years as reflected by the foregoing international initiatives. The role of the Commission would

thus need to be broadened whilst, at the same time, avoiding duplication with other regional bodies.

58. The Commission discussed priority actions which should be taken in the medium term by APFIC in response to recent international initiatives and instruments concerned with rational management and sustainable development of aquatic resources. The Commission agreed that the following areas, *inter alia*, were of high priority for the APFIC region:

- (a) collection, dissemination and exchange of fishery information and statistics;
- (b) sustainable development of inland capture fisheries and aquaculture;
- (c) assessment of fish stocks and trends in production;
- (d) development of suitable fishing gear and methods that are not harmful to aquatic habitats and minimize bycatch and wastages;
- (e) cooperative programmes on management of transboundary fish stocks, MCS and prevention of marine pollution; and
- (f) improvement of quality assurance of fishery products and harmonizing of fish trade policy.

59. Observers from other regional and international fisheries organizations (NACA, SEAFDEC and ICLARM) indicated their willingness to continue close cooperation with APFIC.

60. The discussion focused on ensuring adequate funding to guarantee that the Commission could carry out its enhanced responsibilities. The Commission recalled that core funding would continue to be provided by FAO pursuant to Article VIII.2 of the APFIC Agreement, in spite of the financial difficulties being faced by FAO just as in other public international institutions. However, it was recognized that, in future, FAO might not be able to fund all of the Commission's activities. Thus, Members underlined that it was essential that national delegations of Member Nations should make every effort at meetings of FAO governing bodies to ensure that fisheries be given high priority by the Organization.

61. Three options for contributions by Members were considered for the future:

- (i) Members could pay annual contributions based on an agreed scale;
- (ii) For specific activities or projects, voluntary contributions by participating countries only would be placed in a trust fund; and
- (iii) Members would provide travel expenses for their representatives at sessions of APFIC Committees and Working Parties.

62. The Commission requested that Members discuss the above options with their competent authorities in order that this matter be discussed further at the forthcoming session of the Committee on Fisheries (COFI) which will take place in March 1997.

63. The Commission further requested that the Secretariat prepare programmes of action that required funding by its Members, together with detailed workplans, for consideration at the Twenty-sixth Session.

PROPOSED AMENDMENTS TO THE APFIC AGREEMENT AND RULES OF PROCEDURE

64. The Commission noted that document APFIC/96/8 had been prepared by the Secretariat, bearing in mind the enhanced role which the Commission and the Executive Committee would play in the new context of world fisheries which has been created by many recent international initiatives as mentioned in paragraph 55 above.

65. The Commission recalled that the APFIC was established in 1948 and that the Asia-Pacific region, excluding the Southeast Pacific (South America), represented 50.9% of the total world capture and 90.0% of world aquaculture production in 1994. Twenty countries were Members of the Commission at present.

66. The Committee noted further that the APFIC was established under Article XIV of the FAO Constitution. Consequently, it enjoyed considerable independence and the scope of its activities and powers was defined in the Agreement itself as adopted and accepted by its own Members. The Agreement may also be amended by the Members, the only condition being that amendments must be consistent with the purposes of FAO and the provisions of the FAO Constitution. Thus, the role of the Commission did not have to be limited to making recommendations alone but may cover the adoption of management measures as envisaged by the Law of the Sea.

67. The Committee recognized that the Commission must be equipped to play its role in the implementation of the "Law of the Sea" as it exists today and the promotion of the FAO Code of Conduct for Responsible Fisheries. The Law of the Sea has changed very substantially since the establishment of the Commission some fifty years ago. The success of recent international initiatives will depend not only on individual nations but also on regional fishery organizations. The Commission's authority with respect to management measures should be considerably reinforced. It must be prepared to fulfill its new role. In order to do so, it must be given a more active and dynamic stance by assigning to it a concrete role, in particular, as concerns fisheries management.

68. The Committee considered that it would also be an appropriate opportunity to amend the Agreement and the Rules of Procedure to bring them into conformity with the Principles and Procedures which should govern conventions and agreements concluded under Articles XIV and XV of the FAO Constitution and commissions and committees established under Article VI of the Constitution (Part R of Volume II of the Basic Texts of FAO) as revised by Resolutions 8/91 and 13/93 of the FAO Conference in November 1991 and 1993 respectively. These revisions were designed to give more flexibility to FAO Members in drawing up agreements under Article XIV and XV of the Constitution and to allow for a greater degree of autonomy for bodies established under such agreements.

69. The Commission considered the amendments recommended by the Executive Committee at its Sixty-sixth Session. After deliberation, it adopted the following amendments to the Agreement (Appendix E):

- (a) Article II.7: Replace all the words from “which shall be ...” to the end of the paragraph by the words: “provided that such Rules of Procedure or the amendments thereto are not inconsistent with this Agreement or with the Constitution of the Organization.”;
 - (b) Article III.4: Delete the word “and” after the first sentence;
 - (c) Article IV: Add a new sub-paragraph (d) as follows: “(d) to promote programmes for mariculture and coastal fisheries enhancement;” and re-designate former sub-paragraphs (d) to (g) as sub-paragraphs (e) to (h);
 - (d) Article VIII.4: In the third and fourth lines, re-designate references (d) and (e) to (e) and (f);
 - (e) Article IX: Add a full stop after the word “Commission” in the third line and

Delete all words from “any amendment becoming effective ...” to “...Organization, as appropriate.” in line 10.

Replace the foregoing by the words: “Amendments to this Agreement shall be reported to the Council of the Organization which may disallow an amendment which is inconsistent with the objectives and purposes of the Organization or the provisions of the Constitution of the Organization. If the Council of the Organization considers it desirable, it may refer the amendment to the Conference of the Organization which shall have the same power.”; and
 - (f) Article XVI: Delete all words from “after approval ...” to “... as appropriate” in the sixth and seventh lines, and from “by the Chairman ...” to “... Organization and” in the seventh to ninth lines.
70. The Commission also adopted the following amendments to its Rules of Procedure:
- Rule I: In the paragraph entitled “Agreement”, second line, and the paragraph entitled “Commission”, first line, replace the word “Indo” by the word “Asia”;
 - Rule III.1 (j): Replace the word “Indo”, second line, by the word “Asia”;
 - Rule VIII: Add the following new paragraph 7: “7. If the quorum of a two-thirds majority of all the Members of the Commission is not present at the time of the vote on a proposed amendment to the Agreement, as provided for in Article IX of the Agreement, the Commission may decide that absent Members be informed thereof and requested to vote by a written communication addressed to the Director-General of FAO within ninety days of the closing of the Session at which the proposal was put to vote, provided, however, that the vote must be either affirmative or negative and

will not be valid if it were conditional. Such amendments will be considered as adopted only when the required majority has been obtained.”

Renumber former paragraph 7 as paragraph 8;

Rule IX.4: In the fourth and ninth lines, replace the word “Indo” by the word “Asia”;

Rule XI: In paragraph 3, eighth to tenth lines, delete the words “All such relations ... Organization.”;

In paragraph 5, second line, delete “and”, add the word “and (f)” after (e); in the fifth and sixth lines, delete the words “All such ... Organization.”; and

Rule XVI: Delete all words after the word “English.” in the second line.

71. The Commission, after a preliminary discussion, decided to suspend until a future session its deliberations in respect of the proposed amendments to Articles III, IV (b) and IV bis (Appendix F).

ANY OTHER MATTERS

(a) Progress Report on the Implementation of the Code of Conduct for Responsible Fisheries

72. The Secretariat informed the Commission on progress with the implementation of the FAO Code of Conduct for Responsible Fisheries. The Commission noted that FAO had been requested to draft the Code in 1991 and that it had finally been approved by the FAO Conference in 1995. The Conference called on all States and interested parties to implement the Code which covered all areas and all fisheries. In addition, it set out the principles and standards for international behaviour in fisheries and called for attention to the special needs of developing countries.

73. FAO had produced and distributed 10,000 copies of the Code which was also being translated into various languages. An easy-reading version for fishers will be prepared, if funds were available. Technical guidelines for implementation will be published by FAO in 1997. Some governments have already initiated action to accommodate the Code of Conduct in their national policy and translated the Code into national languages. Meanwhile, a programme of assistance for developing countries, consisting of ten components, has been submitted to donors. Norway has agreed to fund two components (one on management and the other on monitoring, control and surveillance (MCS)), and other donors have the programme under active consideration.

74. The Commission called for further support from all national authorities and NGO's in strengthening its implementation and reminded its Members that FAO needed information on the implementation of the Code in order to report to its Governing Body, the Committee on

Fisheries (COFI), on the monitoring of progress of the implementation of the Code and to enable it to revise the context in accordance with the progress of the implementation.

(b) APFIC Information Network

75. The Secretariat presented the plan of action for the APFIC Information Network. Following earlier discussions, it was noted that the Asia-Pacific fisheries faced a number of challenges: to supply enough fishery products to feed an increasing population; to satisfy market demands and to maximize foreign exchange earnings from exports. This should be accomplished without depleting and damaging the environment and the resources in an economically and socially equitable manner.

76. It was also noted that the technical reports of the APFIC Working Parties stressed the need to facilitate data and information exchange and improve accessibility and availability of data and information. At its Sixty-sixth Session, the APFIC Executive Committee recognized that information networking was a means of mobilizing experiences and expertise and proposed cooperative management actions in the region. The Executive Committee recommended that the member countries encourage the development of an information exchange mechanism to support decision and policy making.

77. In order to implement this recommendation, the APFIC Secretariat carried out a survey assessing interest in developing and participating in an information network. Taking into consideration the inputs received so far from six countries, the Secretariat formulated an action plan for discussion. Additional information from other Members would assist in improving the plan.

78. In supporting the work of APFIC, the proposed information network would have the following specific objectives: to facilitate the exchange of fishery data and information; to disseminate information relevant to regional fisheries through appropriate information analysis and packaging; and, to serve as a mechanism for addressing issues and needs in effective utilization of data and information for regional fishery management.

79. The main activities of the proposed action plan were: establishment of an APFIC information network; review of status of fisheries resources and management options; preparation of national and sub-regional fisheries profiles; and publication of an APFIC newsletter highlighting events and issues relevant to national and regional fishery management.

80. The Commission supported the proposed action plan for an APFIC information network and requested the Secretariat to take the necessary further steps to establish the information network.

(c) Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security

81. The Commission was also informed of the follow-up to the Kyoto Declaration and Plan of Action which had been adopted by the 95 States attending the Kyoto Conference on the Sustainable Contribution of Fisheries to Food Security, held in December 1995. The Kyoto

Declaration and Plan of Action was now amalgamated in the preparatory work for the 1996 FAO World Food Summit, especially in its Declaration and Plan of Action. A follow-up programme with seven components had been proposed by FAO to the Government of Japan.

82. The Japanese delegation confirmed its endorsement of the programme and advised the Commission that the Government of Japan had agreed to provide US\$ 900,000 to FAO Trust Funds to support the Programme of Action.

83. The Commission unanimously endorsed the Kyoto Declaration and Plan of Action for consideration and implementation by its Member Nations.

(d) Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

84. The Japanese delegation informed the Commission that, in advance of the Tenth Session of the Conference of the Parties (CoP) to CITES to be held in Zimbabwe in June 1997, the US, through the Federal Register, had solicited public comment on adding some shark species to the CITES list of species. As sharks were widely used as food in the region and given the difficulties of accurate species identification, it would unduly encumber trade if some species were listed without scientific evidence that they were threatened by extinction. In order to ensure that appropriate decisions were made, the Japanese delegation encouraged Members of the Commission to include fishery experts in their delegations to the CITES Conference.

85. The US delegation stated its appreciation for the information from Japan and informed the Commission that the Federal Register only contained possible proposals and that a final decision on whether to proceed had not yet been made.

ELECTION OF OFFICERS

86. The People's Republic of China and India were unanimously elected Chairman and Vice-Chairman of the Commission respectively.

87. Malaysia and Australia were unanimously elected to serve as members of the Executive Committee, in addition to the outgoing Chairman (Republic of Korea).

DATE AND PLACE OF THE TWENTY-SIXTH SESSION

88. The Commission accepted with great pleasure the offer of the People's Republic of China to host the Twenty-sixth Session in 1998. The exact date and place of the Session will be decided by the Director-General of FAO in consultation with the Chairman and the authorities of the host country.

ADOPTION OF THE REPORT

89. The report of the Session was adopted on 24 October 1996.

90. In making his concluding remarks, the outgoing Chairman of APFIC expressed his appreciation for the active participation of the delegates and declared the closure of the Twenty-fifth Session of APFIC.

APPENDIX A

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APPENDIX B

AGENDA

1. Opening of the Session
2. Adoption of the Agenda
3. Report of the Symposium on Environmental Aspects of Responsible Fisheries
4. Inter-sessional Activities of APFIC and Matters Referred for the Attention of the Commission:
 - (a) Reports of the Ninth and Tenth Sessions of the Joint Working Party in Fish Technology and Marketing
 - (b) Report of the Sixth Session of the Working Party of Experts on Inland Fisheries
 - (c) Report of the Eighth Session of the Working Party of Experts on Aquaculture
 - (d) Report of the Ninth Session of the APFIC Committee on Marine Fisheries
 - (e) Report of the Sixty-sixth Session of the APFIC Executive Committee
5. The State of Fisheries and Aquaculture in Asia and the Pacific: Problems and Prospects
6. Future role of APFIC in fishery management in the region
7. Proposed amendments to the APFIC Agreement and Rules of Procedure
8. Any Other Matters
 - (a) Progress Report on the Implementation of the Code of Conduct for Responsible Fisheries
 - (b) APFIC Information Network
 - (c) Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security
 - (d) Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
9. Election of Officers
10. Date and Place of the Twenty-sixth Session
11. Adoption of the Report

APPENDIX C

LIST OF DOCUMENTS

APFIC/96/1, Rev.1	Provisional Annotated Agenda and Timetable
APFIC/96/2	Prospectus of the APFIC Symposium on Environmental Aspects of Responsible Fisheries
APFIC/96/3	Report of the APFIC Symposium on Environmental Aspects of Responsible Fisheries
APFIC/96/4	Inter-sessional Activities of the Asia-Pacific Fishery Commission, 1994-1996
APFIC/96/5	Report of the Sixty-sixth Session of the APFIC Executive Committee, Bangkok, 12-14 March 1996
APFIC/96/6	Status of Fisheries and Aquaculture in the APFIC Region
APFIC/96/6, Add.1	Regional Review of the Fisheries and Aquaculture Situation and Outlook in South and Southeast Asia
APFIC/96/7	Future Role of APFIC in Fisheries Management in the Region
APFIC/96/8	Proposed Amendments to the APFIC Agreement and Rules of Procedure
APFIC/96/8, Supple.	Comments by Members
APFIC/96/9	APFIC Information Network: A Plan of Action

Information Documents

APFIC/96/Inf.1, Rev.2	List of Documents
APFIC/96/Inf.2	List of Participants
APFIC/96/Inf.3	Report of the Ninth Session of the Joint Working Party on Fish Technology and Marketing, Cochin, India, 7-9 March 1994
APFIC/96/Inf.4	Report of the Tenth Session of the Joint Working Party on Fish Technology and Marketing, Colombo, Sri Lanka, 4-7 June 1996
APFIC/96/Inf.5	Report of the Sixth Session of the IPFC Working Party of Experts on Inland Fisheries, Bangkok, Thailand, 17-21 October 1994

- APFIC/96/Inf.5, Add.1 Summary Report of the Eighth Session of the IPFC Working Party on Aquaculture, Bangkok, Thailand, 19-25 October 1994
- APFIC/96/Inf.6 Report of the Ninth Session of the APFIC Committee on Marine Fisheries, Yogyakarta, Indonesia, 3-7 October 1995
- APFIC/96/Inf.7 The State of World Fisheries and Aquaculture
- APFIC/96/Inf.8 The UN 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
- APFIC/96/Inf.9 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas
- APFIC/96/Inf.10 Code of Conduct for Responsible Fisheries
- APFIC/96/Inf.11 Rome Consensus on World Fisheries adopted by the FAO Ministerial Conference on Fisheries, Rome, Italy, 14-15 March 1995
- APFIC/96/Inf.12 Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security
- APFIC/96/Inf.13 APFIC Agreement and Rules of Procedure
- APFIC/96/Inf.14 APFIC: Structure, Functions and Directory of its Subsidiary Bodies
- APFIC/96/Inf.15 Progress Report on the Implementation of the Code of Conduct for Responsible Fisheries
- APFIC/96/Inf.16 Supporting Fisheries Management in Asia: An APFIC Information Network
- APFIC/96/Inf.17 The Internet: The Asian Fish Technology Network
- APFIC/96/Inf.18 Regional Expert Consultation on Insurance & Credit for Sustainable Fisheries Development in Asia, Tokyo, Japan, 11-15 November 1996
- APFIC/96/Inf.19 Report of FAO for the United Nations General Assembly Concerning Resolutions 50/24 and 50/25 Adopted on 5 December 1995
- APFIC/96/Inf.20 Technical Consultation on the Reduction of Wastage in Fisheries, Tokyo, Japan, 28 October - 1 November 1996

APPENDIX D

MAJOR RECOMMENDATIONS OF THE APFIC SYMPOSIUM ON ENVIRONMENTAL ASPECTS OF RESPONSIBLE FISHERIES

Noting the decline in coastal fish stocks and coastal water quality and recognizing the need for basing fisheries and other coastal activities on the principles of sustainability, the Symposium on Environmental Aspects of Responsible Fisheries recommends that the Asia-Pacific Fishery Commission should request its Member Governments to:

- (1) Accede to, ratify and implement relevant existing international instruments and review and harmonize national legislation and regulations accordingly;
- (2) Implement the voluntary Code of Conduct for Responsible Fisheries thus improving sustainable fisheries management, economic environmental valuation and habitat protection as well as strengthening the information base and collaborative research;
- (3) Fully participate in the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and other cooperative arrangements to address impacts on the coastal environment from climate change as well as fishing and other human activities;
- (4) Improve arrangements for monitoring, control and surveillance (MCS), and enforcement of national regulations;
- (5) Fully integrate fisheries and aquaculture in coastal zone management schemes to be administered preferably under the responsibility of local authorities. Administrative coordination should be ensured between all users of coastal zone resources, but the fisheries sector should be assigned a leading role where fisheries is a predominant stakeholder. and
- (6) Track the following three performance indicators of the region's fisheries issues on a continuing basis: (a) state of the resource basis; (b) health of the habitats; and (c) welfare of the fisheries communities.

In addition, FAO and other relevant international bodies as well as interested NGO's are requested to assist, where required: in the harmonization of national laws and regulations necessary for the implementation of the Code of Conduct for Responsible Fisheries; in the establishment of coastal management schemes; and in full participation by their members in regional and global action programmes related to protection and management of the coastal environment.

APPENDIX E

**AMENDMENTS TO THE AGREEMENT AND RULES OF PROCEDURE
OF THE ASIA-PACIFIC FISHERY COMMISSION***



ASIA-PACIFIC FISHERY COMMISSION (APFIC)

**Agreement as last amended at the Twenty-Fourth Session of the Commission
(Bangkok, Thailand, 23 November-4 December 1993)
and approved by the FAO Council at its Hundred and Seventh Session
(Rome, Italy, 15-24 November 1994)**

AGREEMENT

PREAMBLE

The contracting Governments having a mutual interest in the development and proper utilization of the living aquatic resources of the Asia-Pacific area and desiring to further the attainment of these ends through international cooperation by the establishment of an Asia-Pacific Fishery Commission, agree as follows:

ARTICLE I

The Commission

1. The contracting Governments agree to establish within the framework of the Food and Agriculture Organization of the United Nations (hereinafter referred to as "the Organization") a Commission to be known as the Asia-Pacific Fishery Commission, for the purpose of carrying out the functions and duties hereinafter set forth in Article IV.

2. The Members of the Commission shall be such Member Nations and Associate Members of the Organization and such non-member States of the Organization as are Members of the United Nations, or any of its Specialized Agencies or the International Atomic Energy Agency that accept this Agreement in accordance with the provisions of Article X thereof. As regards Associate Members, this Agreement shall, in accordance with the provisions of Article XIV-5 of the Constitution and Rule XXI-3 of the General Rules of the Organization be submitted by the Organization to the authority having responsibility for the international relations of such Associate Members.

* The Commission, at its Twenty-fifth Session, adopted the amendments as proposed by the APFIC Executive Committee at its Sixty-sixth Session. Words in square brackets are deleted and words underlined are added to the current texts of the Agreement and Rules of Procedure.

ARTICLE II

Organization

1. Each Member shall be represented at sessions of the Commission by a single delegate, who may be accompanied by an alternate and by experts and advisers. Participation in sessions of the Commission by alternates, experts and advisers shall not entail the right to vote, except in the place of a delegate during his absence.

2. Each Member shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast, except when a greater majority is required by this Agreement or by the Rules governing the procedure of the Commission.

A majority of the total membership of the Commission shall constitute a quorum.

3. The Commission shall at each regular session elect a Chairman and a Vice-Chairman who shall serve until the end of the next regular session.

4. The Chairman of the Commission in consultation with the Director-General of the Organization shall convene a regular session of the Commission at least once in every two years unless otherwise directed by a majority of the Members. The site and date of all sessions shall be determined by the Commission in consultation with the Director-General of the Organization.

5. The seat of the Commission shall be at the seat of the Regional Office of the Organization most conveniently situated within the area defined in Article VI.

6. The Organization shall provide the Secretariat for the Commission and the Director-General shall appoint its Secretary, who shall be administratively responsible to him.

7. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure [~~which shall be consistent with the General Rules of the Organization. The Rules of Procedure of the Commission and any amendments thereto shall come into force as from the date of approval by the Director-General of the Organization~~] provided that such Rules of Procedure or the amendments thereto are not inconsistent with this Agreement or with the Constitution of the Organization.

ARTICLE III

Committees and working parties

1. There shall be an Executive Committee consisting of the Chairman, the Vice-Chairman, the immediately retired Chairman and two members elected by the Commission. In the unavoidable absence of one or two members of the Executive Committee from a Committee session, the Chairman shall have the power to co-opt the chairman of one or two of the committees which may from time to time be established in accordance with the Rules governing the procedure of the Commission, at his discretion, to substitute the absent Committee member or members for that Committee session only, provided that two permanent members of the Executive Committee shall always be present and that the number of voting members attending the Committee session shall in no case exceed five.

2. The Commission may in addition establish temporary, special or standing committees to study and report on matters pertaining to the purpose of the Commission.

3. The Commission may establish working parties to study and recommend on specific technical problems. These working parties shall be convened by the Director-General of the Organization at such times and places as are in accordance with the objectives for which they were established.

4. The establishment of committees and working parties referred to in paragraphs 2 and 3 above shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization; [and] the determination of such availability shall be made by the Director-General. Before taking any decision involving expenditures in connexion with the establishment of committees and working parties, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.

ARTICLE IV

Functions

The purpose of the Commission shall be to promote the full and proper utilization of living aquatic resources by the development and management of fishing and culture operations and by the development of related processing and

marketing activities in conformity with the objectives of its Members, and to these ends it shall have the following functions and responsibilities:

- (a) to keep under review the state of these resources and of the industries based on them;
- (b) to formulate and recommend measures and to initiate and carry out programmes or projects to,
 - (i) increase the efficiency and sustainable productivity of fisheries and aquaculture;
 - (ii) conserve and manage resources;
 - (iii) protect resources from pollution;
- (c) to keep under review the economic and social aspects of fishing and aquaculture industries and recommend measures aimed at improving the living and working conditions of fishermen and other workers in these industries and otherwise at improving the contribution of each fishery to social and economic goals;
- (d) to promote programmes for mariculture and coastal fisheries enhancement;
- (e) to encourage, recommend, coordinate and, as appropriate, undertake training and extension activities in all aspects of fisheries;
- (f) to encourage, recommend, coordinate and undertake, as appropriate, research and development activities in all respects of fisheries;
- (g) to assemble, publish or otherwise disseminate information regarding the living aquatic resources and fisheries based on these resources.
- (h) to carry out such other activities as may be necessary for the Commission to achieve its purpose as defined above.

ARTICLE V

Reports

The Commission shall transmit after each session to the Director General of the Organization a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organization as may seem to it necessary or desirable. Reports of the committees and working parties of the Commission provided for in Article III of this Agreement shall be transmitted to the Director-General through the Commission.

ARTICLE VI

Area

The Commission shall carry out the functions and responsibilities set forth in Article IV in the Asia-Pacific Area.

ARTICLE VII

Cooperation with international bodies

The Commission shall cooperate closely with other international bodies in matters of mutual interest.

ARTICLE VIII

Expenses

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the Commission and the expenses of representatives on committees or working parties established in accordance with Article III of this Agreement shall be determined and paid by their respective governments.

2. The expenses of the Secretariat, including publications and communications, and of the Chairman, Vice-Chairman and the immediately retired Chairman of the Commission and of the other two members of the Executive Committee when performing duties connected with the Commission's work during intervals between its sessions, shall be determined and paid by the Organization within the limits of a biennial budget prepared and approved in accordance with the Constitution, the General Rules and Financial Regulations of the Organization.

3. The expenses of research or development projects undertaken by individual Members of the Commission, whether independently or upon the recommendation of the Commission, shall be determined and paid by their respective governments.

4. The expenses incurred in connexion with activities undertaken in accordance with the provisions of Article IV, paragraphs [(d)] (e) and [(e)] (f), unless otherwise available shall be determined and paid by the Members in the form and proportion to which they shall mutually agree. Cooperative projects shall be submitted to the Council of the Organization prior to implementation. Contributions for cooperative projects shall be paid into a trust fund to be established by the Organization and shall be administered by the Organization in accordance with the Financial Regulations and Rules of the Organization.

5. The expenses of experts invited, with the concurrence of the Director-General, to attend meetings of the Commission, committees or working parties in their individual capacity shall be borne by the budget of the Organization.

ARTICLE IX

Amendments

The Commission may amend this Agreement by a two-thirds majority of all the Members of the Commission [~~any amendment becoming effective only after concurrence of the Council of the Organization unless the latter considers it desirable to refer the amendment to the Conference of the Organization for approval. An amendment shall become effective as from the date of the decision of the Council or Conference of the Organization, as appropriate]. Amendments to this Agreement shall be reported to the Council of the Organization which may disallow an amendment which is inconsistent with the objectives and purposes of the Organization or the provisions of the Constitution of the Organization. If the Council of the Organization considers it desirable, it may refer the amendments to the Conference of the Organization which shall have the same power.~~ However, any amendment involving new obligations for Members shall come into force with respect to each Member only on acceptance of it by that Member. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of the Organization, who shall inform all the Members of

the Commission as well as the Secretary-General of the United Nations of the receipt of acceptances and the entry into force of such amendments. The rights and obligations of any Member of the Commission that has not accepted an amendment involving additional obligations shall continue to be governed by the provisions of this Agreement as they stood prior to the amendment.

ARTICLE X

Acceptance

1. This Agreement shall be open to acceptance by Member Nations and Associate Members of the Organization.

2. The Commission may, by a two-thirds majority of its membership, admit to membership such other States that are Members of the United Nations, of any of its Specialized Agencies or the International Atomic Energy Agency as have submitted an application for membership and a declaration made in a formal instrument that they accept this Agreement as in force at the time of admission. Participation by such States in the activities of the Commission shall be contingent upon the assumption of a proportionate share in the expenses of the Secretariat, as determined by the Organization.

3. Acceptance of this Agreement by any Member Nation or Associate Member of the Organization shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organization and shall take effect on receipt of such instrument by the Director-General.

4. Acceptance of this Agreement by non-member nations of the Organization shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organization. Membership shall become effective on the date on which the Commission approves the application for membership, in conformity with the provisions of paragraph 2 of this Article.

5. The Director-General of the Organization shall inform all Members of the Commission, all Member Nations of the Organization and the Secretary-General of the United Nations of all acceptances that have become effective.

6. Acceptance of this Agreement may be made subject to reservations, which shall become effective only upon unanimous approval by the Members of the Commission. The Director-

shall have the power to
* ~~amendment~~
* ~~which is inconsistent with the objectives and purposes of the Organization or the provisions of the Constitution of the Organization.~~
* ~~It may refer the amendments to the Conference of the Organization which shall have the same power.~~
from it at funds that such

General of the Organization shall notify forthwith all Members of the Commission of any reservations. Members of the Commission not having replied within three months from the date of the notification shall be deemed to have accepted the reservation. Failing such approval the nation making the reservation shall not become a party to this Agreement.

ARTICLE XI

Entry into force

This Agreement shall enter into force upon the date of receipt of the fifth instrument of acceptance.

ARTICLE XII

Territorial application

The Members of the Commission shall, when accepting this Agreement, state explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the Member is responsible. Subject to the provisions of Article XIII below, the scope of the territorial application may be modified by a subsequent declaration.

ARTICLE XIII

Withdrawal

1. Any Member may withdraw from this Agreement at any time after the expiration of two years from the date upon which the Agreement entered into force with respect to that Member, by giving the written notice of such withdrawal to the Director-General of the Organization, who shall immediately inform of such withdrawal all the Members of the Commission and the Member Nations of the Organization as well as the Secretary-General of the United Nations. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General.

2. A Member of the Commission may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. When a Member gives notice of its own withdrawal from the Commission, it shall state to which territory or territories the withdrawal is to apply. In the absence of such a

declaration, the withdrawal shall be deemed to apply to all the territories for the international relations of which the Member of the Commission is responsible, except that such withdrawal shall not be deemed to apply to an Associate Member.

3. Any Member of the Commission that gives notice of withdrawal from the Organization shall be deemed to have simultaneously withdrawn from the Commission and this withdrawal shall be deemed to apply to all the territories for the international relations of which the Member concerned is responsible, except that such withdrawal shall not be deemed to apply to an Associate Member.

ARTICLE XIV

Interpretation and settlement of disputes

Any dispute regarding the interpretation or application of this Agreement, if not settled by the Commission, shall be referred to a committee composed of one member appointed by each of the parties to the dispute, and in addition an independent chairman chosen by the members of the committee. The recommendations of such a committee, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it shall be referred to the International Court of Justice in accordance with the Statute of the Court, unless the parties to the dispute agree to another method of settlement.

ARTICLE XV

Termination

This Agreement shall be considered terminated if and when the number of Members of the Commission drops below five unless the remaining Members of the Commission unanimously decide otherwise.

ARTICLE XVI

Certification and registration

The text of this Agreement was originally formulated at Baguio the 26th day of February one thousand nine hundred and forty-eight, in the English language. Two copies in the English and French languages of this Agreement as amended

shall ~~[after approval by the Council or Conference of the Organization, as appropriate,]~~ be certified ~~[by the Chairman of the Conference or Council of the Organization and]~~ by the Director-General of the Organization. One of these copies shall be deposited in the archives of the Organization. The other copy shall be transmitted to the Secretary-General of the United Nations for registration. In addition, the Director-General shall certify copies of this Agreement and transmit one copy to each Member Nation of the Organization and to such non-member nations of the Organization that may become parties to this Agreement.

RULES OF PROCEDURE

RULE I

For the purpose of these Rules, the following definitions apply:

Agreement:

The Agreement for the Establishment of the ~~[Indo]~~Asia-Pacific Fishery Commission formulated at Baguio, Philippines, 26th February 1948 as amended in conformity with Article IX thereof

Commission:

The ~~[Indo]~~Asia-Pacific Fishery Commission

Chairman:

The Chairman of the Commission

Delegate:

The representative of a Member as specified in Article II-1 of the Agreement

Delegation:

The delegate and his alternate, experts and advisers

Member:

Member Nations and Associate Members of the Organization and non-member states of the Organization that are Members of the United Nations, or any of its Specialized Agencies or the International Atomic Energy Agency

Secretary:

The Secretary of the Commission

Organization:

The Food and Agriculture Organization

Conference:

The Conference of the Organization

Director-General:

The Director-General of the Organization

Observer Nation, Associate Member or organization:

A non-member of the Organization or international organization invited to attend a session of the Commission or a Member Nation or Associate Member of the Organization attending a session of the Commission while not a Member of the Commission

Observer:

The representative of an Observer Nation, Associate Member or organization

Session:

A properly convened continuing assemblage of delegates which may be adjourned from day to day

Meeting:

A period of a session during which delegates do not separate except for a short recess

RULE II

Sessions of the Commission

1. In pursuance of, and in accordance with, Article II-4 of the Agreement, the Commission, in consultation with the Director-General, shall at each session consider whether a session should be held in the second year following and shall decide the time and place for the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held. The Chairman, accordingly, shall issue the announcement of the session, provided that, if the Commission at a regular session is unable to fix a time and place for the next session, it shall, in consultation with the Director-General, take a decision as to the calendar year in which the next session is to be held, and the Chairman, in consultation with the Director-General, is then authorized to fix the time and place of the session, provided that the approval of the majority of the Members of the Commission has been secured.

2. The Chairman, in consultation with the Director-General, may call a special session of the Commission at:

- (a) the direction of the Commission;

- (b) the direction of the Executive Committee with the approval of a majority of the Members; or
- (c) the request of a majority of the Members.

The Executive Committee, in consultation with the Director-General, shall decide the time and place of such a session.

3. Invitations to a regular session of the Commission shall be issued not less than sixty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the date fixed for opening of the session.

RULE III

Agenda

1. The Agenda of each regular session shall include:

- (a) Adoption of the Agenda;
- (b) The election of the Chairman and Vice-Chairman as provided for under Article II-3 of the Agreement and the election of two members of the Executive Committee as provided for in Article III-1 of the Agreement;
- (c) A report of the Executive Committee on its activities during the intersessional period, including a report of the work performed on behalf of the Commission by the Secretariat;
- (d) A report by the Secretary on the financial affairs of the Commission;
- (e) Consideration of the proposed budget for the ensuing two years;
- (f) Proposals for amendments, if any, to the Agreement, in accordance with Article IX of the Agreement and the provisions of Rule XIV of these Rules;
- (g) Applications for membership, if any, in accordance with Article X-2 of the Agreement from States which

are not members of the Organization;

- (h) Reports of Committees;
- (i) Consideration of the time and place of the next session;
- (j) Items, if any, referred to the ~~[Indo]~~ Asia-Pacific Fishery Commission by the Conference, Council or the Director-General of the Organization.

2. The agenda shall also include, upon approval by the Commission:

- (a) Items approved at the previous session;
- (b) Items proposed by the Executive Committee;
- (c) Items proposed by a Member.

3. A provisional agenda, consisting of items (a) to (j) of paragraph 1 of this Rule and such other items as may have been proposed shall be sent by the Secretary to Members and observer nations, Associate Members and organizations not less than sixty days before the date fixed for the opening of the session, together with reports and documents available in connection therewith.

4. The agenda of a special session shall consist only of items relating to the purpose for which the session was called.

RULE IV

The Secretariat

1. The Secretariat shall consist of the Secretary and such staff responsible to him as may be determined by the Director-General and shall provide secretarial services for the Commission.

2. The duties of the Secretary shall include the receipt, collation and circulation of documents, reports and resolutions of the sessions of the Commission and its committees, the preparation of the records of their proceedings, the certification of expenditures and financial commitments and the performance of such other duties as the Commission or the Executive Committee may direct.

3. The originator shall send to the Secretary, for information and record, copies of correspondence concerning the affairs of the Commission.

RULE V

Plenary Meetings of the Commission

Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers.

RULE VI

Election of Chairman and Vice-Chairman and of other members of the Executive Committee

1. The Commission shall, during each regular session, elect the Chairman and Vice-Chairman of the Commission who shall serve until the end of the next regular session.
2. The Chairman and Vice-Chairman shall assume office at the end of the regular session in which they are elected. They shall be eligible for re-election.
3. The Commission shall, during each regular session, also elect the two members of the Executive Committee referred to in Article III-1 of the Agreement.

RULE VII

Functions of the Chairman and Vice-Chairman

1. The Chairman shall exercise the functions conferred on him elsewhere in these Rules, and in particular shall:
 - (a) Declare the opening and closing of each plenary meeting of the Commission;
 - (b) Direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions;

- (c) Rule on points of order;
- (d) Subject to these Rules, have complete control over the proceedings of plenary meetings;
- (e) Appoint such *ad hoc* committees of the session as the Commission may direct;

2. The Vice-Chairman shall exercise the functions of the Chairman in the Chairman's absence or at the Chairman's request.

RULE VIII

Voting Arrangements and Procedures

1. Except as provided in para. 4 of this Rule, voting in plenary meetings shall be oral or by show of hands, except that a vote by roll call shall be taken if a special majority is required by the Agreement of these Rules, or if a request of a vote by roll call is made by any delegation.
2. A vote by roll call shall be conducted by calling upon delegations in the English alphabetical order of the respective Members.
3. The record of any roll call vote shall show the votes cast by each delegation and by abstentions.
4. Voting on matters relating to individuals, except the election of officers, shall be by secret ballot.
5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairman shall decide between the candidates by drawing lots.
6. If the Commission is equally divided when a vote is taken on a question other than an election, a second vote shall be taken at the next meeting of the current session. If the Commission is then again equally divided, the proposal shall be regarded as rejected.
7. If the quorum of a two-thirds majority of all the Members of the Commission is not present at the time of the vote on a proposed amendment to the Agreement, as provided for in Article IX of the Agreement, the Commission may decide that absent Members be informed thereof and requested to vote

by a written communication addressed to the Director-General of FAO within ninety days of the closing of the Session at which the proposal was put to vote, provided, however, that the vote must be either affirmative or negative and will not be valid if it were conditional. Such amendments will be considered as adopted only when the required majority has been obtained.

[7]8. Voting arrangements and other related matters not specifically provided for by the Agreement or by these Rules shall be governed "mutatis mutandis", by the provisions of the General Rules of the Organization.

RULE IX

Committees

1. The Executive Committee shall consist of the Chairman, the Vice-Chairman and the immediately retired Chairman and two members elected by the Commission. The Secretary shall be an ex-officio member without vote. The Chairman shall be the Chairman of the Executive Committee. The Executive Committee shall:

- (a) Meet at least once a year between regular sessions;
- (b) In addition to the duties prescribed elsewhere under these Rules, direct the conduct of the business and affairs of the Commission between its sessions, except that issues of policy, unless previously decided by the Commission shall be formulated by the Executive Committee as a motion and referred to the Members.
Upon receipt by the Secretary of affirmative replies from a majority of the Members, the motion shall be considered adopted;
- (c) Prepare estimates of expenses for the next succeeding two years for presentation to the Commission for submission to the Organization, in accordance with the provisions of Article VIII-2 of the Agreement;
- (d) Co-ordinate the work of the committees and working parties;
- (e) Function as an editorial and publications committee.

2. The Commission may establish such committees or working parties as it deems necessary for the accomplishment of its tasks.

- (a) The terms of reference of such committees and working parties shall be laid down by the Commission at the time of their establishment.
- (b) Each committee or working party shall select a chairman from among its members, who shall act as rapporteur.
- (c) The committees and working parties shall report to the Commission through the Executive Committee either at the session at which they were appointed or at the next regular session, according to their terms of reference, and the Commission shall then decide whether or not they shall continue to operate during the ensuing period.
- (d) The committees and working parties may from time to time set up such sub-committees as may be required to comply effectively with their terms of reference as laid down by the Commission.

3. The establishment of committees and working parties referred to in paragraph 2 above shall be subject to the provisions of Article III-3 of the Agreement.

4. Each committee or working party may adopt and amend its own rules of procedure, which shall be consistent with the Rules of Procedure of the [Indo]Asia-Pacific Fishery Commission and the General Rules of the Organization. Such rules of procedure shall come into force upon approval by the Commission. In the absence of rules of procedure, the Rules of Procedure of the [Indo]Asia-Pacific Fishery Commission shall apply "mutatis mutandis" to its committees and working parties.

RULE X

Budget and finance

1. Except as otherwise provided in these Rules, the Financial Regulations of the Organization, as implemented by the financial rules,

Manual and memoranda and the procedures based thereon, shall apply to the Commission.

2. A proposed budget of the Commission for the next two succeeding financial years consisting of proposed expenses of the Secretariat, including publications and communications, and of the proposed travelling expenses of the Chairman, Vice-Chairman, the immediately retired Chairman and the two other members of the Executive Committee when engaged in the work of the Commission between its sessions shall, after approval by the Commission, be submitted to the Director-General for consideration in the preparation of the general budget estimates of the Organization.

3. When adopted by the Conference in its biennial session as part of the general budget of the Organization, the budget of the Commission shall constitute the limits within which funds may be committed for purposes approved by the Conference.

RULE XI

Participation by observers

1. Members and Associate Members of the Organization that are not Members of the Commission may, upon their request, be represented by an observer at sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

2. States that are not Members of the Commission nor Members or Associate Members of the Organization, but are Members of the United Nations, of any of its Specialized Agencies or the International Atomic Energy Agency may, upon request, and with the approval of the Council of the Organization and of the Commission, attend sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

3. Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution and the General Rules of the Organization as well as by the rules and relations with international organizations adopted by the

Conference or Council of the Organization. [~~All such relations shall be dealt with by the Director-General of the Organization.~~]

4. Notwithstanding the provisions of paragraphs 1 and 2 above, the Commission and its subsidiary bodies may elect to hold meetings in private, without the attendance of observers. Except in these circumstances, observers may participate fully in the discussions of the Commission and its subsidiary bodies.

5. In the furtherance of the activities provided for in Article IV [~~(d) and~~] (e) and (f) of the Agreement, arrangements may be made with governments that are not Members of the Commission. [~~All such arrangements shall be made by the Director-General of the Organization.~~]

RULE XII

Reports and recommendations

1. At each session, the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested, a statement of minority views.

2. The conclusions and recommendations of the Commission shall be transmitted to the Director-General of the Organization at the close of each session, who shall as soon as possible after the session circulate them through the Secretary to Members of the Commission, nations, Associate Members and international organizations that were represented at the session and make them available to other Member Nations and Associate Members of the Organization for their information.

3. Recommendations having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council of the Organization for appropriate action.

4. The Director-General may request Members of the Commission to supply the Commission or the Director-General with information on action taken on the basis of recommendations made by the Commission.

5. Pending the formal transmission of the reports of the committees and working parties, as provided for in Article V of the Agreement, the

Director-General may, at the request of the Executive Committee, transmit informally these reports to the Members of the Commission.

6. Reports of committees, technical papers and other documents shall be published as the Executive Committee may consider practicable.

RULE XIII

Recommendations to Members

1. The Commission may make recommendations for action by Members on any matters pertaining to the functions described in Article IV of the Agreement.

2. The Secretary shall receive on behalf of the Commission the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communication for presentation at the next session.

RULE XIV

Amendments to the Agreement

1. Proposals for the amendment of the Agreement as provided by Article IX of the Agreement may be made by any Member in a communication addressed to the Secretary. The Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt.

2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session unless it has been included in the provisional agenda of the session.

RULE XV

Suspension and Amendment of Rules

1. Subject to the provisions of the Agreement, any of the foregoing Rules, other than Rules III, IV, X, XI, XII and XIV, may be suspended on the motion of any delegation by a two-thirds majority of the votes at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting and copies of the proposal for suspension have been distributed to the delegations not less than 48 hours before the meeting at which action is to be taken.

2. Amendments of, or additions to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the membership of the Commission at any plenary meeting of the Commission, provided that an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than 24 hours before the meeting at which action is to be taken.

3. The Executive Committee may propose amendments and additions to these Rules, and any such proposals may be considered at the next session of the Commission.

4. Any amendment to Rule XIV, which may be adopted in accordance with the provisions of paragraph 2 of this Rule, shall not become effective until the next session of the Commission.

RULE XVI

Official languages

The official languages of the Commission shall be English [~~and French. Delegations may use either language at sessions; reports, manuscripts and communications may be written in either language; publication of reports and manuscripts shall be in the language in which they are submitted and, when required by the Commission or the Executive Committee, abstracts in translation may be published~~].

APPENDIX F

**SUSPENDED RECOMMENDATIONS FOR FURTHER AMENDMENTS
TO THE AGREEMENT***

Article III - Committees and Working Parties

Replace paragraph (1) by the following:

“1. There shall be an Executive Committee consisting of the Chairman, the Vice-Chairman, the immediately retired Chairman and five members elected by the Commission. In selecting the members, the Commission shall take into account the need for the various sub-regions and fisheries interests to be represented in the Executive Committee. In the unavoidable absence of one or two members of the Executive Committee from a Committee session, the Chairman shall have the power to co-opt the chairman of one or two of the committees which may from time to time be established in accordance with the Rules governing the procedure of the Commission, at his discretion, to substitute the absent Committee member or members for that Committee session only, provided that five permanent members of the Executive Committee shall always be present and that the number of voting members attending the Committee session shall in no case exceed eight.”

Article IV - Functions

Replace sub-paragraph (b) by the following:

- “(b) to formulate and recommend, in accordance with the provisions of Article IV bis, appropriate measures:
- (i) for the responsible utilisation, conservation and rational management of living aquatic resources, including measures:
 - regulating fishing methods and fishing gear;
 - prescribing the minimum size for individual of specified species;
 - establishing open and close fishing seasons and areas;
 - regulating the amount of total catch and fishing effort and their allocation among Members; and
 - (ii) for the implementation of these recommendations;”

* These proposed amendments were submitted by the APFIC Executive Committee at its Sixty-sixth Session to the Commission for consideration. The Commission decided to suspend its deliberations in respect of these amendments until a future Session of APFIC (Para. 71 of the Report of the Twenty-fifth Session).

Article IV bis

Add the following new Article IV bis:

“Article IV bis - Recommendations on Management Measures

1. The recommendations referred to in Article IV, paragraph (b), shall be adopted by a two-thirds majority of Members of the Commission present and voting. The text of such recommendations shall be communicated by the Chairman of the Commission to each Member.
2. Subject to the provisions of this Article, the Members of the Commission undertake to give effect to any recommendations made by the Commission under Article IV, paragraph (b), from the date determined by the Commission, which shall not be before the period for objection provided for in this Article has elapsed.
3. Any Member of the Commission may, within one hundred and twenty days from the date of notification of a recommendation, object to it and, in that event, shall not be under obligation to give effect to that recommendation. In the event of an objection being made within the one hundred and twenty days period, any other Member may similarly object at any time within a further period of sixty days. A Member may also, at any time, withdraw its objection and give effect to a recommendation.
4. If objections to a recommendation are made by more than one-third of the Members of the Commission, the other Members shall be relieved forthwith of any obligation to give effect to that recommendation; notwithstanding the foregoing, any or all of them may agree among themselves to give effect to it.
5. The Chairman of the Commission shall notify each Member immediately upon receipt of each objection or withdrawal of objection.”

APPENDIX G

**SUMMARY OF MAJOR RECOMMENDATIONS, DECISIONS AND
DIRECTIVES OF THE COMMISSION**

I. Recommendations

**Agenda Item 3 - Report of the Symposium on Environmental Aspects of
Responsible Fisheries**

- 1) The Commission fully endorsed the conclusions and recommendations of the Symposium given in Appendix D. (paragraph 13 of the Report)
- 2) The Commission decided that the theme for the next Symposium should be selected following consultation between the Secretariat and APFIC Members. (paragraph 15 of the Report)

**Agenda Item 4 - Intersessional activities of APFIC and matters referred for the
attention of the Commission**

- 1) The Commission reviewed and endorsed the recommendations of the APFIC Working Parties. (paragraph 28 and 31 of the Report)
- 2) The Commission took note of the report of the Ninth Session of APFIC/COMAF and supported the actions that have been initiated by the Secretariat in accordance with the recommendations of the said Session. (paragraph 36 of the Report)

**Agenda Item 5 - The state of fisheries and aquaculture in Asia and the Pacific:
problems and prospects**

- 1) The Commission agreed that more attention was needed on the collection of fish statistics and some member countries requested assistance from FAO through APFIC. (paragraph 50 of the Report)

Agenda Item 6 - Future role of APFIC in Fishery Management in the Region

- 1) All Members underlined their continuing support for the Commission and recognized that it would be necessary to reinforce and update its terms of reference in order to take full account of the fundamental changes which take place in the past few years as reflected by the foregoing international initiatives. The role of the Commission would need to be broadened whilst avoiding duplication with other regional bodies. (paragraph 57 of the Report)
- 2) The Commission agreed that the following areas, *inter alia*, were of high priority for the APFIC region:

- (a) collection, dissemination and exchange of fishery information and statistics;
- (b) sustainable development of inland capture fisheries and aquaculture;
- (c) assessment of fish stocks and trends in production;
- (d) development of suitable fishing gear and methods that are not harmful to aquatic habitats and minimize bycatch and wastages;
- (e) cooperative programmes on management of transboundary fish stocks, MCS and prevention of marine pollution; and
- (f) improvement of quality assurance of fishery products and harmonizing of fish trade policy. (paragraph 58 of the Report)

Agenda Item 7 - Proposed amendments to the APFIC Agreement and Rules of Procedure

- 1) The Commission adopted the amendments to Articles II, IV, VIII, IX and XVI of the Agreement as endorsed by the Executive Committee. (paragraph 69 of the Report and Appendix E):
- 2) The Commission also adopted the amendments to Rules I, III, VIII, IX, XI and XVI of the Rules of Procedure: (paragraph 70 of the Report and Appendix E)
- 3) The Commission decided to suspend until a future session its deliberations in respect of the proposed amendments to Articles III, IV (b) and IV bis. (paragraph 71 of the Report and Appendix F)

II. Other Decisions and Directives of the Commission

- 1) In view of high level of fisheries expertise now available in the region, the prospects of making full use of the FAO Programme of Technical Cooperation between Developing Countries (TCDC) were noted for follow-up by the Secretariat. (paragraph 52 of the Report)
- 2) Members of the Commission underlined that it was essential that national delegations of Member Nations should make every effort at meetings of FAO governing bodies to ensure that fisheries be given high priority by FAO. (paragraph 60 of the Report)
- 3) In discussing possible financial support by Members to the Commission, three options for contributions by Member were considered for the future:
 - i) Members could pay annual contributions on an agreed scale;
 - ii) For specific activities or projects, voluntary contributions by participating countries only would be placed in a trust fund; and
 - iii) Members would provide travel expenses for their representatives at sessions of APFIC Committees and Working Parties. (paragraph 61 of the Report)
- 4) The Commission requested that Members discuss the above options with their competent authorities in order that this matter be discussed further at the forthcoming session of the Committee on Fisheries (COFI) which will take place in March 1997. (paragraph 62 of the Report)

- 5) The Commission requested the Secretariat to prepare programmes of action that required funding by its members, together with detailed workplans, for consideration at the Twenty-sixth Session of APFIC. (paragraph 63 of the Report)
- 6) The Commission called for further support from all national authorities and NGO's in strengthening the implementation of the Code of Conduct for Responsible Fisheries. (paragraph 74 of the Report)
- 7) The Commission supported the proposed action plan for an APFIC Information Network and requested the Secretariat to take the necessary further steps to establish the information network. (paragraph 80 of the Report)
- 8) The Commission unanimously endorsed the Kyoto Declaration and Plan of Action for consideration and implementation by its Member Nations. (paragraph 83 of the Report)
- 9) The People's Republic of China and India were unanimously elected Chairman and Vice Chairman of the Commission respectively. Malaysia and Australia were unanimously elected to serve as members of the Executive Committee. (paragraphs 86 and 87 of the Report)
- 10) The People's Republic of China offered to host the Twenty-sixth Session. (paragraph 88 of the Report)