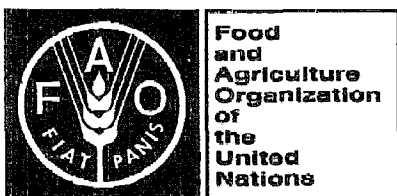


Report of the twenty-first session of the

COMMITTEE ON FISHERIES

Rome, 10-13 March 1995



Report of the

TWENTY-FIRST SESSION OF THE COMMITTEE ON FISHERIES

Rome, 10-13 March 1995

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome 1995

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PREPARATION OF THIS REPORT

This is the final version of the report as approved by the Twenty-First Session of the Committee on Fisheries.

Distribution

All FAO Members and Associate Members
Participants in the session
Other interested Nations and International Organizations
FAO Fisheries Department
Fishery Officers in FAO Regional Offices

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ABSTRACT

The Twenty-first Session of the Committee on Fisheries held from 10 to 13 March 1995 urged that the entire draft Code of Conduct for Responsible Fisheries be completed in time for its adoption by the Twenty-eighth Session of the FAO Conference in October 1995. The Committee took note of the International Conference on the Sustainable Contribution of Fisheries to Food Security, being organized by Japan in collaboration with FAO and scheduled to be held in Kyoto from 4 to 9 December 1995. The Committee urged FAO to study further the effects of subsidies to industrial fisheries on competition and trade, in particular with regard to impacts on fish exports from developing countries.

The Committee reviewed the role of regional fishery organizations and arrangements in fisheries management. It recognized the achievements of FAO fisheries bodies in their regions and supported their reinforcement. The Committee strongly endorsed the action proposed to establish an FAO programme of fisheries assistance to Small Island Developing States (SIDS) and urged FAO to utilize funding the programme as TCP in addition to seeking finance from the international donor community.

The Committee reviewed FAO's programmes and reaffirmed the clear mandate of FAO in fisheries and as the leading specialized agency within the UN system, having a broad and extensive range of fisheries expertise. FAO was urged to participate fully in international fora concerned with major international developments in fisheries and other related issues. The need to assign higher priority to aquaculture and the enhancement of inland fisheries and to improve the utilization of fisheries resources and to minimize by catches and discards was recognized.

The Committee welcomed, in principle, the proposal to expand the Commission on Plant Genetic Resources to include other Categories of organisms used for food and agriculture.



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17 March 1995

Sir,

I have the honour to transmit to you herewith the report of the Twenty-first Session of the Committee on Fisheries, which was held in Rome from 10 to 13 March 1995.

Accept, Sir, the assurance of my highest consideration.

Mohamed Tangi
Chairman
Committee on Fisheries

Mr. José Ramón López Portillo
Independent Chairman
Council of FAO

CONTENTS

	<u>Pages</u>
MATTERS REQUIRING ATTENTION OF THE COUNCIL	(ix-xii)
	<u>Paragraphs</u>
INTRODUCTION	1
OPENING OF THE SESSION	2
Statement of the Deputy Director-General	3
ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION	4-5
ELECTION OF CHAIRMAN AND VICE-CHAIRMEN	6-7
Statement of the Chairman	8
DRAFT CODE OF CONDUCT FOR RESPONSIBLE FISHERIES	9-15
PRESENT STATUS OF WORLD FISHERIES: PROBLEMS AND PROSPECTS	16-25
THE ROLE OF REGIONAL FISHERY ORGANIZATIONS AND ARRANGEMENTS IN FISHERIES MANAGEMENT	26-34
FISHERIES NEEDS OF SMALL ISLAND DEVELOPING STATES	35-46
FAO'S PROGRAMMES IN FISHERIES	47-65
ANY OTHER MATTERS	
Broadening the Mandate of the FAO Commission on Plant Genetic Resources to include Other Categories of Organisms Used for Food and Agriculture	66-68
DATE AND PLACE OF THE TWENTY-SECOND SESSION OF THE COMMITTEE	69
ADOPTION OF THE REPORT	70

		<u>Page</u>
APPENDIX A	Agenda	12
APPENDIX B	List of delegates and observers	13-50
APPENDIX C	List of Documents	51-52
APPENDIX D	Opening Statement of the Deputy Director-General	53-55
APPENDIX E	Report of the Pre-COFI Meeting of NGOs (COFI/95/Inf.17)	56-59
APPENDIX F	Statement by Mr. Raphael Conde de Saro (Spain), the outgoing Chairman of COFI	60-61

MATTERS REQUIRING ATTENTION OF THE COUNCIL

The Committee:

Draft Code of Conduct for Responsible Fisheries

- (i) **stressed** the importance of the Code of Conduct for Responsible Fisheries as an instrument which can support the implementation of the 1982 United Nations Convention on the Law of the Sea and UNCED. (para. 11)
- (ii) **agreed** to the proposal endorsed by the Hundred and Seventh Session of the Council that the final wording of those principles dealing mainly with issues concerning straddling fish stocks and highly migratory fish stocks and which indeed form only a small part of the Code, would be re-examined in the light of the outcome of the UN Conference. (para. 13)
- (iii) **took note** of the progress achieved in the review of the Draft Code of Conduct for Responsible Fisheries by the open-ended working group and **urged** that the entire Code be completed in time for its adoption at the Twenty-eighth Session of the FAO Conference in October 1995. (para. 14)
- (iv) **noted** that the technical guidelines in support of the implementation of the Code still required further elaboration and that they would be finalized in the near future depending upon the resources available. (para. 15)
- (v) **endorsed** the action taken by the Secretariat to prepare and circulate to potential donors a programme for assistance to developing countries for the implementation of the Code. (para. 15)
- (vi) **noted** with satisfaction the declaration of the Representative of the UNDP who indicated that the Code was considered a useful instrument for the implementation of relevant provisions of Agenda 21 of UNCED, and that there was the possibility that the Study of International Fisheries Research (SIFR) would also provide coordination support among international donor agencies. (para. 15)

Present status of world fisheries: problems and prospects

- (i) **agreed** that an improvement in fisheries conservation and management was essential for long term sustainable fisheries development (para. 17)
- (ii) **took note** of the "International Conference on the Sustainable Contribution of Fisheries to Food Security" being organized by Japan in collaboration with FAO and scheduled for 4-9 December 1995 in Kyoto and **requested** FAO to make financial provision in its programme to follow-up to this Conference. (para. 17 and 64)

- (iii) **noted** that international cooperation was essential for effective fisheries management, indicating that regional fishery bodies should be strengthened as a means of achieving such cooperation. (para. 18)
- (iv) **urged** FAO to study further the effects of subsidies to industrial fisheries on competition and trade, in particular with regard to impacts on fish exports for developing countries. (para. 19)
- (v) **supported** the view that discards should be minimized and that a reduction of post-harvest losses should be achieved. (para. 21)
- (vi) **requested** FAO to collaborate with the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (para. 22)
- (vii) **recognized** FAO's unique and essential role as a centre for the collection and analysis of world fisheries data. (para. 25)

The role of regional fishery organizations and arrangements in fisheries management

- (i) **urged** the FAO Members concerned to take the necessary action to accept the IOTC agreement in order that it be brought into force as soon as possible. (para. 28)
- (ii) **recognized** the achievements of FAO fisheries bodies in their regions and there was **strong support** for reinforcing regional bodies and increasing regional cooperation. (para. 30)
- (iii) **noted** that recent development in the conservation and management of fisheries had necessitated a review of the structures and functioning of FAO regional fishery bodies in order to improve their effectiveness to cope with additional responsibilities that might be conferred on them. (para. 31)
- (iv) **noted** that many of the existing FAO regional fishery bodies were established under Article VI of the FAO Constitution and had only limited advisory powers. If effective regional fisheries conservation and management bodies, are to be established within the constitutional framework of FAO, then agreements under Article XIV of the Constitution could provide for a more appropriate structure, with the necessary decision-making powers and flexibility. (para. 33)

Fisheries needs of small island developing States

- (i) **strongly endorsed** the establishment of an FAO programme of fisheries assistance for SIDS. (para. 38)

- (ii) **requested** the Organization to elaborate the programme for the international donor community. (para. 40)
- (iii) **urged** FAO to utilize funding for the SIDS programme of assistance, as appropriate, from internal sources, such as the Technical Cooperation Programme, and also seek finance from the international donor community for the implementation of the programme of assistance. (para. 46)

FAO's programmes in fisheries

- (i) **reaffirmed** that FAO has a clear mandate for fisheries and is the leading specialized agency within the UN system, having a broad and extensive range of fisheries expertise. (para. 49)
- (ii) **further recognized** that FAO has distinct comparative advantage in fisheries, particularly with regard to information collection and dissemination, data analysis, and normative functions, and the most should be made of these advantages in drawing up the Programme of Work. (para. 50)
- (iii) **took cognizance** of the recent decision of the Programme and Finance Committees to postpone the development of a long-term plan for the Organization. (para. 51)
- (iv) **while acknowledging** that the FAO had extensive capabilities in many areas, some delegations indicated that FAO, in order to direct its efforts to high priorities and remain within its budget, would have to reduce activities in lower priority areas. (para. 53)
- (v) **urged** FAO to participate fully in international fora concerned with major international developments in fisheries and other related issues. (para. 55)
- (vi) **hoped** that FAO would promote the implementation of the Code of Conduct in the course of the next biennium. (para. 55)
- (vii) **agreed** that an ecosystem approach to fisheries conservation and management should be pursued, taking into account mammal and fisheries interactions. (para. 56)
- (viii) **recognized** that FAO should assign higher priority to aquaculture and the enhancement of inland fisheries. (para. 61)
- (ix) **recognized** the need to improve the utilization of fisheries resources and to minimize by-catches and discards. (para. 62)
- (x) **recognized** that the fisheries needs of developing members could be met quickly and flexibly through TCP arrangements. (para. 63)

Any other matters

Broadening the Mandate of the FAO Commission on Plant Genetic Resources to include other categories of organisms used for food and agriculture

- (i) **welcomed**, in principle, the proposal to expand the FAO Commission on Plant Genetic Resources to include other categories of organisms used for food and agriculture. (para. 67)
- (ii) **recognized** that there are issues associated with the expansion that will be specific to fisheries and aquaculture that must be dealt with. (para. 67)
- (iii) **supported** the creation of a working group or group of experts to advise COFI and FAO on how best to integrate fisheries and aquaculture into an expanded Commission. (para. 68)
- (iv) **further recommended** a step by step approach to incorporating aquatic resources into the new Commission once it is established. (para. 68)
- (v) **noted** that the Technical Expert Working Groups (TEWG) should be operated in a clear and transparent manner and there should be representatives from developing and developed countries. (para. 68)

INTRODUCTION

1. The Committee on Fisheries held its Twenty-first Session in Rome from 10 to 13 March 1995. The Session was attended by 101 members of the Committee, by observers from 14 other FAO Member Nations, one non-Member Nation of FAO, and the Holy See, by representatives of the United Nations Development Programme (UNDP), the International Labour Organization (ILO) and the World Bank, and by observers from 23 other intergovernmental and international non-governmental organizations. The list of delegates and observers is given as Appendix B to this report. A pre-COFI meeting of non-governmental organizations (NGOs) was held at FAO Headquarters on 9 March 1995. The report of that meeting is given as Appendix E to this report.

OPENING OF THE SESSION

2. The meeting was called to order by the outgoing Chairman of the Committee, Mr. Raphael Conde de Saro (Spain). In his opening remarks, the Chairman highlighted a number of prevailing problems confronting the fishery sector. He expressed his satisfaction with the progress achieved so far in the preparation of the Draft Code of Conduct for Responsible Fisheries, and the finalization of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. He emphasized however that a lot remained to be done in the finalization of the Code of Conduct. He observed the complementarity of the current initiatives being undertaken by the Organization with the ongoing negotiations at the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks in New York and therefore exhorted all concerned to ensure the timely finalization of the Code of Conduct. The full text of his statement is reproduced in Appendix F.

Statement of the Deputy Director-General

3. The Session was inaugurated by the Deputy Director-General, Mr. H.W. Hjort. The full text of the Deputy Director-General's opening statement is reproduced in Appendix D.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

4. The Committee adopted the agenda as shown in Appendix A to this report. The documents which were before the Committee are listed in Appendix C.

5. The delegation of Japan called upon the Organization to ensure that the international non-governmental organizations (INGOs) invited to future sessions of the Committee included a balanced representation of the various interests of the sector.

ELECTION OF CHAIRMAN AND VICE-CHAIRMEN

6. As this was the first and only Session being held in the 1994-95 biennium, the Committee was required to elect a Chairman, a First Vice-Chairman and five other Vice-Chairmen. Mr Mohamed Tangi (Morocco) was unanimously elected Chairman of the Committee. Mr. Thomas A. Forbord (USA) was elected First Vice-Chairman and Mr.

Khal'al Al-Gnapi (Iraq), Mr. Atul Sinha (India), Mr. Jerzy Kleniewski (Poland), Mr. Alfonso Arias Schreiber (Peru), and Ms. Alison Turner (Australia), as other Vice-Chairmen.

7. The Committee agreed that the same countries which provided the Office Bearers would also designate their highest qualified persons for the Bureau of the Ministerial Session. The Committee also appointed Mr. Jeronimo Ramos (Mexico) to chair the Working Group on the Draft Code of Conduct for Responsible Fisheries and Mr. Samuel Fernandez Illanes (Chile) as Vice-Chairman. The Committee further agreed, in view of the special nature of the present Session, to appoint Mr. Francis Montanaro Mifsud (Malta) as the Rapporteur. Mr. T.A. Forbord (USA) was appointed Chairman of an open-ended Drafting Group which will elaborate a draft Statement for the consideration of the Ministerial Meeting.

Statement of the Chairman

8. Mr. Mohamed Tangi (Morocco) expressed his gratitude to the Committee. He underscored the particular importance of this Session of the Committee which will debate themes concerning the future of world fisheries.

DRAFT CODE OF CONDUCT FOR RESPONSIBLE FISHERIES

9. The Committee was informed of the progress achieved in the elaboration of the Code of Conduct for Responsible Fisheries which was presented as document COFI/95/2. It was also informed of the various steps the Secretariat had undertaken for the preparation of the draft Code of Conduct for consideration by the Committee on Fisheries at its present Session and its further submission to the Council with a view to submitting the final text to the Twenty-eighth Session of the Conference in October/November 1995.

10. According to instructions of COFI and FAO governing bodies, the draft Code has been formulated to be consistent with the 1982 United Nations Convention on the Law of the Sea and takes into account the 1992 Declaration of Cancún, the 1992 Rio Declaration and the provisions of Agenda 21 of United Nations Conference on Environment and Development (UNCED), the conclusions and recommendations of the 1992 FAO Technical Consultation on High Seas Fishing, the Strategy endorsed by the 1984 FAO World Conference on Fisheries Management and Development, and other relevant instruments. It will also take into account the outcome of the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks.

11. The Committee stressed the importance of the Code of Conduct for Responsible Fisheries as an instrument which can support the implementation of the 1982 United Nations Convention on the Law of the Sea and UNCED. The Committee then agreed to set up an open-ended Working Group in order to review the draft text of the Code.

12. The Committee was informed that the Agreement to Promote Compliance with International Conservation and Management Measures of Fishing Vessels on the High Seas, approved by the FAO Conference at its Twenty-seventh session in November 1993, had been ratified by seven countries.

13. The Committee agreed to the proposal endorsed by the Hundred and Seventh Session of the Council that the final wording of those principles dealing mainly with issues concerning straddling fish stocks and highly migratory fish stocks and which indeed form only a small part of the Code, would be re-examined in the light of the outcome of the UN Conference. However, some delegations expressed concern that the Code should not be delayed since it covered not only straddling fish stocks and highly migratory fish stocks, but all fishery management matters.

14. The Committee took note of the progress achieved in the review of the Draft Code of Conduct for Responsible Fisheries by the open-ended working group and urged that the entire Code be completed in time for its adoption at the Twenty-eighth Session of the FAO Conference in October 1995.

15. The Committee noted that the technical guidelines in support of the implementation of the Code, the first draft of which was presented to the Technical Consultation on the Code of Conduct for Responsible Fishing, Rome, 26 September to 5 October 1994, still required further elaboration and that they would be finalized in the near future depending upon the resources available. The Committee endorsed the action taken by the Secretariat to prepare and circulate to potential donors a programme for assistance to developing countries for the implementation of the Code. The Committee noted with satisfaction the declaration of the Representative of the UNDP who indicated that the Code was considered a useful instrument for the implementation of relevant provisions of Agenda 21 of UNCED, and that there was the possibility that the Study of International Fisheries Research (SIFR) would also provide coordination support among international donor agencies.

PRESENT STATUS OF WORLD FISHERIES: PROBLEMS AND PROSPECTS

16. The Agenda item was introduced by the Secretariat drawing attention to other documentation relating to trade in fish and fishery products and the role of fisheries in food security. The Committee expressed the hope that the debate under this item would enhance later discussions on the role of regional fishery bodies in fisheries management, and international technical assistance in fisheries to small island developing States.

17. The Committee agreed that an improvement in fisheries conservation and management was essential for long-term sustainable fisheries development. Wide support was expressed for FAO's view of the actions necessary to improve fisheries management and to maintain, and where possible increase, supplies of fish. In this connection, the Committee took note of the "International Conference on the Sustainable Contribution of Fisheries to Food Security" being organized by Japan in collaboration with FAO and scheduled for 4-9 December 1995 in Kyoto. While the emphasis on high seas fisheries conservation and management was endorsed, several delegates reminded the Committee of the importance of strengthening fishery conservation and management within EEZs, from where the major part of global catches originate.

18. Some delegations reported on innovations in their fisheries management schemes. The Committee noted that international cooperation is essential for effective fisheries management, indicating that regional fishery bodies should be strengthened as a means of

achieving such cooperation. It was also reported that some management schemes have contributed significantly to the rebuilding of marine fish stocks.

19. The problem of fleet overcapacity, over-investment, and excessive manpower in the fishing sector and the difficulty in finding a solution was mentioned by several delegates, and also the negative effects that increased overcapacity in the industrial sector can have on artisanal fisheries. In this respect, the question of subsidies paid to the industrial sector was raised. The Committee urged FAO to study further the effects of subsidies to industrial fisheries on competition and trade, in particular with regard to impacts on fish exports from developing countries.

20. Many delegates expressed the view that FAO should give increasing attention to promotion of aquaculture as one of the means of promoting increased fish supplies.

21. The Committee supported the view that discards should be minimized and that a reduction of post-harvest losses should be achieved. Some delegates, however, stressed that the effects of fishing on the marine ecosystem should not be emphasized beyond their actual environmental impact, and economic considerations should also be taken into account. In addition, the importance of assessing predator-prey relationships was stressed by several delegations, in terms of the management of those species on top of food chains.

22. Some delegations requested FAO to update its information on shark, and initiate data collection on catch, trade and utilization of shark by species. They also requested FAO to collaborate with the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) by contributing to a study on the biology and trade in sharks and shark products. The Committee was advised that the Fisheries Department would collaborate with CITES in the preparation of documents for an expert meeting on these subjects.

23. Moreover, several delegates requested that FAO take a stronger role in the discussion on fish trade and environment issues in other international bodies, e.g. in the World Trade Organization (WTO).

24. The representative of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) informed the Committee of its advances in mitigating incidental mortality of birds in long-line fishing operations and requested FAO members to forward any existing information on this matter to the Commission.

25. The Committee recognized FAO's unique and essential role as a centre for the collection and analysis of world fisheries data. It was pointed out that FAO is dependent on the quality of data received from members and it was proposed that the screening of the data be intensified as a means of enhancing quality.

THE ROLE OF REGIONAL FISHERY ORGANIZATIONS AND ARRANGEMENTS IN FISHERIES MANAGEMENT

26. This agenda item was introduced on the basis of documents COFI/95/4 and COFI/95/Inf.7. The main document reviewed the role of FAO regional fishery organizations

in the conservation, management and development of fisheries. The document COFI/95/Inf.7 summarized the ongoing negotiations in New York and related developments during the past four sessions of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks.

27. The Committee noted that the *modus operandi* of the FAO regional fishery bodies had been affected by a number of changes, including the extension of maritime jurisdiction and increasing awareness of the scarcity of fishery resources. This had resulted in emphasis being placed on conservation and management as well as on social and economic aspects of fisheries. These changes, the Committee noted, had made it necessary for some of the fishery bodies to adjust their operations in order to respond effectively to the new perceptions and needs of member nations. The Fishery Committee for the Eastern Central Atlantic (CECAF) had revised its terms of reference. Both the Indo-Pacific Fishery Commission (IPFC), now the Asia-Pacific Fishery Commission (APFIC), and the Indian Ocean Fishery Commission (IOFC) had embarked on a restructuring exercise.

28. The Agreement for the Establishment of the Indian Ocean Tuna Commission (IOTC) had been adopted and circulated for acceptance, and the Committee urged the FAO Members concerned to take the necessary action to accept the IOTC agreement in order that it be brought into force as soon as possible.

29. Some delegates mentioned the need to introduce a clear separation between the scientific function of data collection and processing and the political function of management decision making. Several delegates reiterated the views expressed at several fora on the need to strengthen further the General Fisheries Council for the Mediterranean (GFCM).

30. There was widespread support for strong fisheries management at the regional and sub-regional level, to achieve sustainable fisheries. The Committee recognized the achievements of FAO fisheries bodies in their regions and there was strong support for reinforcing regional bodies and increasing regional cooperation. Several delegations also recognized the important role being played by non-FAO regional bodies. Some delegations felt that irregular participation in the activities of regional management bodies, particularly by developing countries, was often a reflection of financial constraints rather than a lack of commitment.

31. The Committee noted that recent development in the conservation and management of fisheries (Declaration of Cancún, UNCED, FAO Technical Consultation on High Seas Fishing, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, preparation of the Code of Conduct for Responsible Fisheries, and the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks) had necessitated a review of the structures and functioning of FAO regional fishery bodies in order to improve their effectiveness to cope with additional responsibilities that might be conferred on them. To be effective, regional management bodies (whether FAO or non-FAO) would need a clear mandate to manage the resources in full respect of international law, political will on the part of the States concerned in order to ensure full and active participation and cooperation within these bodies, to improve compliance by the States with conservation and management measures adopted by the organizations.

32. Several delegates expressed the view that for the FAO regional fishery bodies to be effective, extra budgetary contributions would be required from their members. The bodies would also have to strengthen collaboration with other organizations concerned with fisheries and environment in order to reduce or avoid duplication of effort and to ensure optimal use of the scarce human and financial resources in their respective regions. It was pointed out that cooperation between FAO and the Sub-Regional Commission on Fisheries (CSRP) should be strengthened.

33. The Committee noted that many of the existing FAO regional fishery bodies were established under Article VI of the FAO Constitution and had only limited advisory powers. If effective regional fisheries conservation and management bodies, are to be established within the constitutional framework of FAO, then agreements under Article XIV of the Constitution could provide for a more appropriate structure, with the necessary decision-making powers and flexibility. However, the most appropriate approach would need to be decided upon on a region by region basis and would depend on the specific needs and wishes of potential members. A number of delegations expressed the view that any restructuring should take into account the outcome of the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks. Several delegations also expressed similar views with regard to the Code of Conduct for Responsible Fisheries being elaborated in FAO. It was suggested that such restructuring, including the creation of new bodies, should be based on identified needs and the needs analysis should include, as a first step, detailed comparative studies of FAO and non-FAO regional fishery bodies. These studies should include financial implications of any restructuring.

34. The importance of accommodating the specific needs of particular countries and regions or sub-regions was stressed by the Committee, as well as the sovereign rights of States in any restructuring exercise.

FISHERIES NEEDS OF SMALL ISLAND DEVELOPING STATES

35. The Secretariat introduced document COFI/95/5 which provided a broad analysis of the social and economic circumstances surrounding small island developing states (SIDS). The paper also outlined an FAO programme of fisheries assistance for SIDS, and sought direction from the Committee on the appropriateness of the programme proposed and on ways in which it might be funded. Many delegates from SIDS, and other delegations, commended FAO on the accurate description and recognition of the special needs of SIDS.

36. Delegations recognized that SIDS are economically disadvantaged and physically vulnerable, that they have particular fisheries needs and that the sustainable use of fisheries resources was essential to ensure continuing supplies of food for island populations and for economic development, including employment opportunities. While many SIDS were attempting to diversify economic activities, and despite the increasing importance of some other economic sectors such as tourism, most SIDS remain heavily dependant on the exploitation of their marine resources. Some delegations highlighted the customary nature of local fishing rights, which are enshrined in their national legislation, and the need for taking these into account in developing strategies for the conservation and management of fisheries resources.

37. Some delegations underscored the potential importance that the development of aquaculture might play in future in SIDS. It was noted that aquaculture could be vital for food and economic development, and could permit a reduction in fishing effort where this was called for.

38. The Committee **strongly endorsed** the establishment of an FAO programme of fisheries assistance for SIDS. The scope of the programme was broad and a number of delegations suggested that the programme be narrowed in scope so that it had a sharp and unambiguous focus, and concentrated on the highest priorities. Duplication of effort among other regional and international organizations would thus be avoided, and FAO would be well placed to address those fisheries issues of particular concern to SIDS in which the Organization had a comparative advantage. Some delegations recommended, in view of the economic constraints of SIDS and of the interdependence of the various sectors, a multi-disciplinary approach to development - with a specific thrust in support of fisheries.

39. Several delegations considered FAO assistance to SIDS should assign priority to the following six areas: (i) institutional strengthening and national capacity-building, especially with respect to human resource development; (ii) enhanced conservation and management of EEZ fisheries with particular emphasis on sustainable development, fisheries management planning, technical development and in-shore fisheries management; (iii) improved post-harvest management and marketing with a view to ensuring that best use is made of resources and post-harvest losses are minimized; (iv) safety at sea; (v) strengthening the economic role of national fisheries industries with the privatization of fisheries investment, where appropriate, and (vi) aquaculture and inland fisheries conservation, management and development.

40. The Committee requested that the Organization elaborate the programme for the international donor community. It was also proposed that for this purpose the term "small island developing State" be more precisely defined, and the least developed SIDS should be specifically targeted for support. In addition, the attention of the Committee was drawn to the important role played by women in the harvesting, processing and marketing of fish and fishery products. Consequently, it was requested that the programme address gender issues in an appropriate manner.

41. The importance of cooperating with FAO and non-FAO regional fishery bodies in the implementation of the SIDS programme of assistance was underlined by many delegations. Indeed, it was noted that greatest impacts were likely to be realized when assistance was implemented through, or in cooperation with, regional bodies.

42. In the Caribbean region, some delegations noted with disappointment, the working parties of the Western Central Atlantic Fishery Commission (WECAFC) had not met since 1990. As a consequence, SIDS in the Caribbean region were not benefitting from the valuable work undertaken by these working parties. These delegations requested FAO to consider reactivation of WECAFC's activities on resource assessment, institutional strengthening and provision of data, and in the interests of more fully meeting the fishery needs of SIDS in the region, to strengthen cooperative arrangements with other organizations, such as the fisheries programmes of the Caribbean Community (CARICOM).

43. Some SIDS delegations expressed concern at the difficulty of having their interests adequately represented in multilateral fisheries management bodies. Lacking the resources to join these bodies, they were nevertheless burdened with high compliance costs for low levels of fishing.

44. The importance of elaborating assistance programmes in consultation with SIDS and of strengthening fisheries technical cooperation among developing countries (TCDC) was stressed by some delegations. The merits of fostering and enhancing such cooperation among SIDS from the same and different regions was recognized, particularly since experiences could be readily transferred. Some SIDS indicated that they would avail themselves of opportunities for TCDC offered by other States.

45. It was noted that some FAO Members are already providing substantial programmes of fisheries technical assistance to SIDS, and the important contribution made by such assistance was acknowledged and appreciated. Some Members indicated that they would continue to provide this type of assistance both bilaterally and through regional multilateral arrangements, with a view to promoting self-sufficiency in recipient States. It was also noted that some FAO Members are contributing to national, regional and international initiatives of special significance to SIDS such as the preservation and management of coral reef ecosystems, the control of land based sources of pollution, assessment and minimization of the impacts of climate change, the implementation of fisheries monitoring, control and surveillance systems, institutional strengthening and capacity-building, fish marketing and the management and development of artisanal fisheries.

46. The Committee urged FAO to utilize funding for the SIDS programme of assistance, as appropriate, from internal sources, such as the Technical Cooperation Programme, and also seek finance from the international donor community for the implementation of the programme of assistance.

FAO'S PROGRAMMES IN FISHERIES

47. The Secretariat introduced together its report on the implementation of FAO's Programme of Work in the 1992-94 period (COFI/95/6) and its priorities for Major Programme 2.2 over the long and medium terms and for the 1996-97 biennium (COFI/95/7). The Secretariat pointed out that budgetary figures had not been included in the latter because of time constraints but that these details for the 1996-97 biennium would be submitted to FAO's Programme and Finance Committees for their Sessions in April 1995.

48. Many delegations commended FAO for the manner in which the Programme of Work and Budget had been implemented in the 1992-94 period. Delegations highlighted benefits which their respective countries had received from FAO, in particular the enhancement of capacity to better conserve and manage fisheries resources.

49. The Committee reaffirmed that FAO has a clear mandate for fisheries and is the leading specialized agency within the UN system, having a broad and extensive range of fisheries expertise.

50. It was further recognized that FAO has distinct comparative advantage in fisheries, particularly with regard to information collection and dissemination, data analysis, and normative functions, and that the most should be made of these advantages in drawing up the Programme of Work. The Organization should also coordinate its activities to the maximum extent possible with other appropriate international bodies, particularly those undertaking fisheries related work, to avoid unnecessary duplication.

51. The Committee reviewed the objectives proposed over the long and medium terms, together with the orientations set forth for the 1996-97 biennium. However, the Committee **took cognizance** of the recent decision of the Programme and Finance Committees to postpone the development of a long-term plan for the Organization.

52. In the discussion of the medium-term and 1996-97 biennium requirements in fisheries, delegations requested FAO to concentrate on and develop those areas where it is recognized as a centre of excellence and in which it has a comparative advantage. In addition to the areas mentioned in paragraph 50 above, delegates outlined the role of FAO for the enhancement of international cooperation, its policy advice function including technical assistance, particularly for capacity building at national and regional levels. Delegations indicated that efforts to strengthen the Organization's role in this area, particularly with respect to the collection and dissemination of socio-economic data, should be reflected in the resources allocated over the medium-term and the 1996-97 biennium.

53. While the Committee acknowledged that the FAO had extensive capabilities in many areas, some delegations indicated that FAO, in order to direct its efforts to high priorities and remain within its budget, would have to reduce activities in lower priority areas. These areas should include those which are better left to other institutions that have more specialized technical and policy competence. Some delegations mentioned that this could also include areas where FAO had no normative role.

54. Some delegations also raised the difficulties of assessing the relative values of the programme priorities offered without a clear indication of where FAO saw the priorities and any budgetary information.

55. Recognizing the major international developments in fisheries such as the Compliance Agreement, the Code of Conduct for Responsible Fisheries and the entry into force of the 1982 Convention on the Law of the Sea, follow-up to the United Nations Conference on Environment and Development and the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, the Committee urged FAO to participate fully in international fora concerned with these developments and other related issues. The Committee hoped that FAO would promote the implementation of the Code of Conduct in the course of the next biennium.

56. The Committee was advised that the supply/demand gap for fish food envisaged in COFI documentation probably represented an under-estimation given that factors other than population increase would affect demand for fish. If fisheries were to make a sustainable contribution to world food security, the Committee agreed that an ecosystem approach to fisheries conservation and management should be pursued, taking into account mammal and fisheries interactions.

57. Several delegations called on FAO to activate the Advisory Committee on Fisheries Research (ACFR) as soon as possible. The Secretariat noted that, while the ACFR had not been formally inaugurated, work had been commenced through an Expert Consultation in 1994. A view was expressed that studies to find solutions to narrow the supply/demand gap be included in the ACFR's work.

58. Despite advances being made in fisheries conservation and management in many countries through the implementation of national programmes, many delegations advised the Committee that ongoing support from FAO would be required to further strengthen conservation and management practices. As part of their efforts to better manage capture fisheries, some Members pointed to the need to further develop and strengthen their monitoring, control and surveillance (MCS) capabilities because MCS was a critical aspect of fisheries management. At the same time, the Organization was encouraged to give full effect to the establishment of its sub-regional and regional offices as a means of better serving the fishery needs of developing members.

59. Many delegations made reference to the need to improve the management, exploitation and utilization of small pelagic resources. These resources appear to hold good prospects for increasing the availability of fish, and therefore many delegations called upon FAO to increase its activities with respect to small pelagics so that members might more fully benefit from the utilization of these resources.

60. The need to strengthen human resource development was also given priority by many delegations. As part of this process, some delegations requested FAO to facilitate TCDC and ECDC exchanges and utilize these programmes in FAO projects. Some delegations indicated their readiness to receive officials from other similarly placed members. However, the Secretariat noted that the implementation of human resource development programmes depended largely on the availability of funding from extrabudgetary sources.

61. Given that many capture fisheries are experiencing severe fishing pressure, the Committee recognized that FAO should assign higher priority to aquaculture and the enhancement of inland fisheries. Increased production from aquaculture would be essential if per caput rates of fish consumption were to be maintained.

62. The Committee recognized the need to improve the utilization of fisheries resources and to minimize by-catches and discards. Some delegations suggested that the Bay of Bengal Programme of FAO could take up work on fish utilization for fish meal production. While acknowledging that FAO had already initiated work in this area, the Committee felt that efforts should be intensified in line with the call made at the last session of the United Nations General Assembly.

63. Reference to the importance of FAO's Technical Cooperation Programme (TCP) was made by several delegations. The Committee recognized that the fisheries needs of developing members could be met quickly and flexibly through TCP arrangements. Members who had benefitted from TCP assistance expressed their appreciation to FAO.

64. The Secretariat noted that projections of the gap between supply and demand would be refined in 1995 as part of FAO's preparation for the International Conference on

Sustainable Contribution of Fisheries to Food Security, scheduled to be held in Kyoto, Japan, in December 1995. A request was made that FAO should make financial provisions in its programme to follow-up to this Conference.

65. A number of delegates mentioned that FAO had not followed up on a request to the Twentieth Session of COFI, to report separately on programmes in the South West Pacific region. The Secretariat indicated that such reporting posed difficulties in that FAO did not report on a regional or sub-regional basis at the present time, but that the matter would be considered further. However, it was pointed out that separate reporting for the South West Pacific was provided to the Regional Conference for Asia and the Pacific.

ANY OTHER MATTERS

Broadening the Mandate of the FAO Commission on Plant Genetic Resources to Include Other Categories of Organisms Used for Food and Agriculture

66. The Secretariat introduced document COFI/95/10 and sought the advice of the Committee as to whether the mandate of the FAO Commission on Plant Genetic Resources should be broadened to include other categories of organisms used for food and agriculture.

67. The Committee welcomed, in principle, the proposal to expand the FAO Commission on Plant Genetic Resources to include other categories of organisms used for food and agriculture, although some delegations felt that such expansion was still premature. It was noted and recommended that many issues surrounding the expansion of the Commission will be submitted to and discussed in greater detail by the Committee on Agriculture (COAG). The Committee recognized that there are issues associated with the expansion that will be specific to fisheries and aquaculture that must be dealt with.

68. The Committee supported the creation of a working group or group of experts to advise COFI and FAO on how best to integrate fisheries and aquaculture into an expanded Commission. It was recommended that COFI be advised of any work done by FAO on fishery genetic resources. It was suggested that the practical and budgetary implications of the enlargement of the Commission's mandate be carefully assessed. The Committee further recommended a step by step approach to incorporating aquatic resources into the new Commission once it is established and when there is support for utilizing the mechanism of Technical Expert Working Groups (TEWG). However, the Committee noted that the TEWG should be operated in a clear and transparent manner and there should be representatives from developing and developed countries. FAO was acknowledged as an appropriate institution for the Secretariat of the expanded Commission.

DATE AND PLACE OF THE TWENTY-SECOND SESSION OF THE OF THE COMMITTEE

69. It was agreed that the Committee should meet in Rome in the spring of 1997. The exact date would be determined by the Director-General in consultation with the Chairman.

ADOPTION OF THE REPORT

70. This report was adopted on 13 March 1995.

APPENDIX A

Agenda

1. Opening of the Session
2. Adoption of the agenda and arrangements for the Session
3. Election of officers
4. Draft Code of Conduct for Responsible Fisheries
5. Present status of world fisheries: problems and prospects
6. The role of regional fishery organizations and arrangements in fisheries management
7. Fisheries needs of small island developing States
8. FAO's Programmes in Fisheries
9. Any other matters

Broadening the Mandate of the FAO Commission on Plant Genetic Resources to include Other Categories of Organisms used for Food and Agriculture
10. Date and Place of the Twenty-second Session of the Committee
11. Adoption of the Report

APPENDIX B

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APPENDIX C

List of Documents

- | | |
|---------------|--|
| COFI/95/1 | Provisional annotated agenda and timetable |
| 2 | Draft Code of Conduct for Responsible Fisheries |
| 3 | World fisheries: Problems and prospects |
| 4 | The role of regional fishery organizations and arrangements in fisheries management |
| 5 | Fisheries needs of small island developing States |
| 6 | Programme Implementation Report 1992-94 |
| 7 | Priorities for Major Programme 2.2: Fisheries over the long- and medium-term and for the 1996-97 biennium |
| 8 | FAO follow-up to UNCED recommendations relevant to fisheries and aquaculture |
| 9 | Report of the High-Level Panel of External Experts in Fisheries (Rome, 17-20 January 1995) |
| 10 | Broadening the Mandate of the FAO Commission on Plant Genetic Resources to Include other Categories of Organisms used for Food and Agriculture |
| 11 | Report on the Fourth Session of the COFI Sub-Committee on Fish Trade (Rome, 5-8 October 1993) |
| COFI/95/Inf.1 | Provisional list of documents |
| Inf.2 | Provisional list of delegates |
| Inf.3 | Statement by the Director-General at the Ministerial Session |
| Inf.4 | Report on the Technical Consultation on the Code of Conduct for Responsible Fishing (Rome, 26 September - 5 October 1994) |
| Inf.5 | Written comments received by the FAO Secretariat on those aspects of the draft Code on Conduct for Responsible Fishing dealing with high seas issues |
| Inf.6 | Recommendations for the marking of fishing gear (FAO Fisheries Report No. 485 and FAO Fisheries Report No. 485, Supplement) |
| Inf.7 | Report on the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks |

- Inf.8 Not issued
- Inf.9 Fish utilization and trade
- Inf.10 The role of fisheries in food security
- Inf.11 Technical Assistance Projects in fisheries executed by FAO during 1992-94
- Inf.12 Report on the progress in implementing the 1984 FAO World Fisheries Conference Strategy for Fisheries Management and Development
- Inf.13 Report of the Twentieth Session of the Committee on Fisheries (Rome, 15-19 March 1993)
- Inf.14 Report of the Fourth Session of the COFI Sub-Committee on Fish Trade (Rome, 5-8 October 1993)
- Inf.15 FAO Assistance to Small-scale Fisheries (Extract from the Programme Evaluation Report 1992-93 (C 93/4))
- Inf.16 European Community and Member States: Declaration of competence and the right to vote
- Inf.17 Report of the Pre-COFI Meeting of Non-Governmental Organizations

APPENDIX D

OPENING STATEMENT BY MR. H.W. HJORT, DEPUTY DIRECTOR-GENERAL ON BEHALF OF THE DIRECTOR-GENERAL TO THE 21ST SESSION OF THE COMMITTEE ON FISHERIES

10-15 MARCH 1995

Mr. Chairman,
Excellencies,
Distinguished Delegates and Observers,
Ladies and Gentlemen,

It is with great pleasure that I welcome you on behalf of the Director-General to the Twenty-first Session of the Committee on Fisheries which takes place in the year FAO will celebrate its 50th Anniversary.

As you are aware, last year the Director-General undertook a review of FAO's programmes, structures and policies and submitted proposals to enhance *inter alia* the Organization's support to world food security and sustainable development of agriculture. These proposals, which were adopted by the Council at its 106th Session in June 1994, would also ensure increased focus on other programme priorities particularly in the fisheries sector and in the follow-up to UNCED.

In this context, a series of special events will take place including, as you know, a Meeting of Minister responsible for Fisheries. The Director-General will address this Ministerial Meeting next week but he has requested me to greet all of you, in particular Mr. Rafael Conde de Saro, who is concluding his excellent work as Chairman of this Committee.

I would also like to welcome the numerous intergovernmental, governmental and non-governmental organizations present at this session. Indeed, FAO is continuing to strengthen relationships with all organizations concerned with matters related to food and agriculture and encourage their participation in appropriate FAO fora, taking into account, of course, the relevant rules of the Organization. To this end, FAO has undertaken informal and formal consultations with an increasing number of international organizations that are non-governmental in nature.

In this regard, I am pleased to refer to the NGOs Meeting on Fisheries which was held yesterday with an agenda relating to the main items to be discussed at your meeting. The focus of that meeting was to discuss how to strengthen collaboration between FAO and non-governmental organizations, in particular, in the elaboration and implementation of the Code of Conduct for Responsible Fisheries and the follow up to UNCED in the area of fisheries and aquaculture. The outcome of this meeting will be submitted to this Committee in document COFI/95/Inf.17. I have been told that the meeting was most fruitful and should augur well for a closer future relationship between FAO and the NGO community.

I should like to inform you of some changes in the Fisheries Department and in the COFI Secretariat since the last COFI meeting: Dr. Kato, former Director of the Fishery Operations Service, has been appointed Director of the Fishery Policy and Planning Division; he replaces Mr. Dada who has been nominated Assistant Director-General, Regional Representative for Africa; Mr. González Alberdi, former Assistant to the Assistant Director-General (Fisheries) and Secretary

of COFI, has been appointed Chief of the Fishery Operations Service in the new Technical Cooperation Department; Mr. Kambona, Chief of the International Institutions and Liaison Service, and former Assistant Secretary of COFI, has been appointed Secretary of COFI; and Dr. Lizárraga has been appointed as Assistant Secretary of COFI.

Mr. Chairman,

This meeting is an important event, not only because of its substantial agenda, but also because it will be followed by a Ministerial Meeting. This is the first time that the Ministers responsible for fisheries are meeting again in Rome since the 1984 World Conference on Fisheries Management and Development.

I am firmly convinced that your technical debate will provide most useful food for thought for the Ministerial Meeting. I do not wish at this stage to enter into the details of the many vital fisheries issues that are on your agenda. They will be addressed by the Director-General when opening the Ministerial Meeting next Tuesday. However, I should like to underscore our strong wish that further progress can be made in the preparation of the Code of Conduct for Responsible Fisheries at this meeting. We are following the schedule set by your Committee at its last meeting, and which was confirmed subsequently by the Council and the Conference. That schedule foresees that the Code should be adopted by the Conference this year.

Notwithstanding the well known fact that some provisions of the Code, namely those essentially relating to high-seas fisheries, will be subject to revision only at a later stage, namely, when the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks has agreed on the text being negotiated there, we sincerely hope that the other 90 percent of the draft text will be finalized for onforwarding to the June Session of FAO Council, as foreseen in the schedule. I am confident that the Working Group, which is proposed to be set up to consider the matter, will experience a good spirit of collaboration and understanding.

We consider the two special issue items on your agenda to be very important and timely. As a result of the current discussion on international fishery conservation and management systems a significant role could be attributed to regional organizations and arrangements, and we hope that your review of this matter will give some general guidance on how such regional fishery bodies could be strengthened so that they are fully equipped to carry out this role effectively. We would also appreciate your views on the particular situation of such bodies set up under the FAO Constitution and how the closer association of the Members could be ensured.

The item on "Fisheries needs of small island developing States" has been chosen carefully to give a much needed opportunity to focus on the problems specific to the fisheries sector of these countries and to suggest necessary action. We are therefore pleased to have a significant number of delegations from small island States present and we look forward to their views and suggestions.

Mr. Chairman,

Your Committee will also, as is usual, discuss FAO's Programme on Fisheries. You will review both the Regular and Field Programme implementation and you will also look toward the next biennium and the medium term. That part of the document dealing with the proposals for the 1996-97 biennium is somewhat less detailed than you have become accustomed to from your previous sessions. The reason that we could not precisely follow our former approach has to do with the creation of new, or changed, structures in FAO, which evidently have their implications on functions, programmes and staffing of some units. This process is now complete and the Summary Programme

of Work and Budget to be submitted to the Programme and Finance Committees next month will provide you with all the budgetary details. I do hope, however, that the Programme priorities for 1996-97, described in some detail in document COFI/95/7, will provide you with ideas precise enough to allow you to give us your technical comments and guidance on the proposed content of the next Programme on Fisheries. In this context, I may add that the initial budgetary proposal of the Director-General, included in the Outline Programme of Work and Budget which the Joint Session of the Programme and Finance Committees considered at the end of January, provided for a slight increase in the allocation to the Fisheries Programme within an overall no-growth budget proposal.

Finally, Mr. Chairman, we look forward to an Executive Summary of the main conclusions and recommendations reached at the Session of COFI which, in your view, should be considered by the Ministers.

Mr. Chairman, I shall stop here and let you start your deliberations. I wish you every success in your meeting.

Thank you.

APPENDIX E

FAO MEETING WITH NON-GOVERNMENTAL ORGANIZATIONS ON FISHERIES (Summary Report)

Rome, Italy, 9 March 1995

1. The FAO meeting with the Non-Governmental Organizations in Fisheries was attended by some 20 individuals representing national and international NGOs, which represented a variety of interests and constituencies including environmental, developmental, cooperatives, workers, fishing industry, women's rights etc. A list of NGOs who participated is attached.
2. The meeting elected Ms Gracie Fong, **Women and Fisheries Network (Fiji)**, as chairperson. Mr Sebastian Mathew, **International Collective in Support of Fishworkers (ICSF)** and Mr Lee Weddig, **International Coalition of Fisheries Associations (ICFA)**, were elected as rapporteurs.
3. The draft agenda of the meeting proposed by FAO was adopted with a modification in the sequence of the agenda items.

Collaboration Between FAO and NGOs in the Area of Fisheries

4. The meeting considered the modalities and procedure for NGO participation in the meetings and work of FAO. It agreed that more precise guidelines for NGO participation in meetings and work of FAO were needed, particularly with regard to NGO participation in statutory bodies such as FAO's Committee on Fisheries (COFI).
5. A view expressed by several NGOs was that FAO should not solicit or expect consensus from NGOs, maintaining that their very divergence precluded either consensus input or the ability of NGOs to express their specific views.
6. In order to set guidelines for NGO interaction with FAO, to maximise NGO usefulness, and to provide procedures that permit FAO proceedings to go forward in an orderly fashion, it was suggested for consideration that NGO input be restricted to written statements; that oral input at meetings be prohibited; that a single representative of each NGO be allowed in the meeting at one time, that international NGOs be singular and not representative of many NGOs; and that fees be charged to cover the FAO costs.
7. Several other NGOs, however, disagreed with the imposition of any kinds of restrictive measures which would impede comprehensive and constructive collaboration between NGOs and FAO. NGO participation in FAO's work was considered essential to give voice to the various interest groups in the fisheries sector which could not be assumed to be always well represented through governmental interactions. In particular, the proximity of many NGOs to the grass roots will ensure that there is a reciprocal flow of information which will help both policy making and implementation. The NGOs with these views recommended that FAO consider adopting the procedures of International Maritime Organization (IMO) which provided for comprehensive NGO participation.
8. In response to the presentation by the FAO Secretariat of the long term and medium term priorities for fisheries, some NGOs observed that no specific reference was made to areas of FAO/NGO collaboration. They encouraged FAO to delineate in future areas for collaboration in greater detail.

Issues of Concern to NGOs in the Context of Follow-up to UNCED

9. Some NGOs expressed concern that fishery resources and technical issues appeared to be the main focus, rather than people (including both fishworkers and consumers), of the UNCED implementation process. The importance of fishworkers and establishing guidelines and indicators on the status of fishworkers were stressed. It was proposed by some NGOs that FAO undertake to document the status of fishworkers, in the same way that they document the status of fish resources and fishing effort.

10. Attention was drawn to high seas fisheries and Flags of Convenience (FoCs), and how FoCs are used to flout international regulations. Concern was expressed by some NGOs about the lack of political will of several Flag States in implementing internationally agreed regulations.

11. It was also noted by an NGO that shore based activities can have a negative impact on fisheries resources. The longer term impact of such activities, and methods for estimating the full economic, social and environmental costs need greater attention.

12. The importance of technology considerations in the conservation and sustainable development of marine resources was stressed by one participant. It was pointed out that technical efficiency and short term economic gain were afforded higher priority over longer term sustainable development of resources, livelihood and food security. This NGO asked for guidelines and recommendations for restricting the use of non-selective and environmentally damaging techniques.

13. Another NGO observed that while there may be examples of implementing Agenda 21 at the country level, at the international level implementation has been weak. As an example there is no inclusion of small-scale fisheries issues in the text of the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks. The need for international lending institutions to pay heed to Agenda 21 was also stressed.

14. Some NGOs noted that although the role of women in fisheries is recognised by FAO and UNCED, nothing has really been achieved. Citing the case of the South Pacific, it was observed that women are vital to conservation and management of coastal areas and that recognition of women's role should not stay at the rhetorical level.

15. The meeting noted that many government representatives appear to be unaware of the content of the Rio Declaration and Agenda 21. There is a need to raise awareness about Agenda 21 and its implications among governments and NGOs.

16. Some NGOs observed that the importance of the artisanal sector is not adequately recognised. Concern was expressed about the transgression of long distance fleets into artisanal fishing zones. The role of artisanal sector in producing food for domestic consumption was highlighted, particularly when drought conditions curtail agricultural production.

Code of Conduct for Responsible Fisheries

17. After a briefing by the FAO Secretariat on the status of the Code of Conduct, many NGOs expressed concern over actual implementation of the code, questioning if and how countries would adopt it and put its provisions into practice. The draft document does not say how implementation is to occur.

18. The need for COFI to recommend strongly to governments that they respect the Code of Conduct and support coastal and worker organizations as a means of implementing the Code was expressed by some NGOs. Good information flow to organizations of fishers is deemed essential to successful implementation of the Code.

19. A view was expressed by an NGO that a nation could be considered 'responsible' in its fishery policies even if it did not conform to all precise details of the Code, provided that its decisions on how to manage and utilize resources of its economic zone were made in a manner that best served its citizens and economy.

20. Some NGOs observed that the Code of Conduct is a very positive step towards sustainable fisheries practices. However, the importance of ensuring the real participation of fishworkers, and their organizations (including cooperatives) at all levels of decision making was stressed. It was further observed that the fishworkers are the people who live in close contact with the marine environment, and their participation in the implementation of the Code is essential to ensure its success.

21. A view expressed by an NGO was that the Code needs stronger emphasis on elements other than the technical provisions of management, such as social, environmental and nutritional concerns. The Code also should apply to such organizations as development banks, and it should reflect the impact of international trade in fishery products on the environment and food security.

22. Several NGOs stated that responsible fishing should encompass social and employment aspects. In respect to health and safety at sea, it was observed that a precautionary approach to the safety of workers on-board vessels is needed, and that responsibilities to strengthen safety and health of workers be added.

23. One NGO raised the problem of abandoned fishermen, and suggested that where the company was bankrupt the responsibility for their repatriation should devolve onto the flag state. It was also suggested that there was a need to collate, on an international basis, the data on accidents to fishermen.

FAO's Work Programme

24. Several NGOs offered comments on the FAO work programme. Included were suggestions that research be conducted on the effects of pollution, and global warming, stock enhancement and the impact of marine mammal populations on fish stocks, and that education and public awareness development is a very important need.

Appreciation

25. NGO representatives thanked FAO for organising the meeting, and for providing opportunity for participating in COFI. Some NGOs welcomed such new and constructive initiatives made by FAO to ensure participation of NGOs in important FAO Meetings. NGOs would like this spirit of cooperation to continue, and observed that this NGO/FAO Conference is the first step in a process of getting to know how FAO and NGOs can work together.

List of Non-Governmental Organizations which participated in the meeting

International

Earth Council
European Bureau for Conservation and Development
Greenpeace International
Intermediate Technology Development Group
International Coalition of Fisheries Associations
International Collective in Support of Fishworkers (ICSF)
International Cooperative Alliance (ICA)
International Council of Women
International Transport Workers' Federation (ITF)
International Wildlife Management Consortium (IWMC)
Women and Fisheries Network

National

BIKIS-LAKAS
Collectif national des pêcheurs artisanaux du Sénégal (CNPS)
Comitato Internazionale per lo Sviluppo dei Popoli (CISP) - Movimondo
Comité catholique contre la faim et pour le développement (CCFD)
Confederación de Pescadores Artesanales de Chile (CONAPACH)
Global Guardian Trust
SOLAGRAL

APPENDIX F

STATEMENT BY MR. RAFAEL CONDE DE SARO (SPAIN) THE OUTGOING CHAIRMAN OF COFI

Two years ago, on the occasion of my election as Chairman of this Committee on Fisheries I stated that we were at a particular moment in history.

We were, in fact, faced by a challenge and the pressing need to meet this challenge.

The challenge was nothing more or less than to ensure responsible fisheries, and the solution to this lay in responsible fishing itself. Thus the problem and its solution were inter-related: this is inevitable since the many problems confronting fisheries today at world level, at the same time (although this may appear paradoxical) condition their solution.

In this connection, I said that responsible fishing had three main aspects which overlapped and were inter-related, both in time and nature: responsible fisheries as a concept, process and obligation. Over the last two years, we have strengthened responsible fisheries as a concept and identified its basic aspects. We have also been able to make considerable progress in shaping responsible fisheries as an obligation.

Lastly, I should point out that the FAO Committee on Fisheries has addressed, at least in part, the challenge of responsible fisheries as an obligation. In this respect, while emphasizing the achievements, I would also like to express a degree of bittersweet frustration, arising from the fact that when taking stock of the last two years, the great potential secured by our agreement with the concept of responsible fisheries itself, has not been equally reflected in our work.

Firstly, our achievements: We have agreed in real time, on a text of Convention to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, known to all of us veterans as the "Reflagging Agreement".

We have also agreed that the Code of Conduct for Responsible Fisheries should be implemented on a "fast track" basis.

Now, I am uncertain as to how far the initial potential of responsibility, dictated by responsible fisheries as a process and obligation has been achieved. We have in fact uniformly responded to some of the problems confronting fisheries today. Basically, with respect to the "not me" of the sociologist, Adorno, or more simply, the common enemy as represented by reflagging.

We have been unable to overcome our country institutions, or we have been unable, or unwilling, to adequately overcome our mistrust or our caution, which amounts to the same thing. I see this as the framework for the problems we have encountered in bringing together the two parallel processes which we are implementing under FAO and the United Nations.

Although the reasons for such caution are evident, so too are the advantages to be gained from overcoming it. The key to the solution lies in complementarity and international cooperation. Unfortunately, unilateral confrontation and actions which contravene the requirements of international law inevitably lead to the failure of the responsible fishing process.

The FAO Secretariat's proven technical expertise and knowledge in the fisheries sector is indispensable not only for focusing on fisheries problems, but also for resolving them.

Since my speech is becoming quite lengthy, I would like to quote, on a humorous note, a Spanish saying which, referring to the advantages and disadvantages of legal proceedings, states that they "have lawsuits and win them". Although the United Nations is an indispensable figure in responsible fisheries, it cannot be either the sole figure or the main one. The New York process must be integrated into the more global view afforded to us by the concept and commitment of responsible fisheries.

I mentioned before that leaving the chair is for me, to some extent, bittersweet. Sweet because of our many achievements, less sweet because much still remains to be done. I am sure that, under the new chairmanship, we will fulfil the responsibility entailed by responsible fishing as a concept, process and obligation.

I warmly thank the Director-General of FAO for his particular consideration of the Committee on Fisheries, the FAO Secretariat for its support, commitment and professionalism. I should also like to thank the translating and support services, in particular the messengers, who are the best expression of the helpfulness of Roman climes. I thank also all the delegations, not only for their support two years ago, but also for their commitment and dedication to the new Chairman.

Finally, I should like to thank the FAO Statutes which allow Chairmen of COFI to take, after two years, a "Chairman's smoking break".

Many thanks.

The twenty-first session of the Committee on Fisheries, held from 10 to 13 March 1995, urged that the entire draft *Code of conduct for responsible fisheries* be completed in time for adoption by the twenty-eighth session of the Conference of FAO in October 1995. The committee noted that the International Conference on the Sustainable Contribution of Fisheries to Food Security, being organized by Japan in collaboration with FAO, is scheduled to be held in Kyoto from 4 to 9 December 1995. The committee urged FAO to study further the effects of subsidies to industrial fisheries on competition and trade, in particular with regard to impacts on fish exports from developing countries. It reviewed the role of regional fishery organizations and arrangements in fisheries management. It recognized the achievements of FAO fisheries bodies in their regions and supported their reinforcement. The committee strongly endorsed the proposal to establish an FAO programme of fisheries assistance to small island developing States (SIDS) with funding from FAO's Technical Cooperation Programme (TCP) as well as the international donor community. The committee reviewed FAO's programmes and reaffirmed the Organization's clear mandate as the leading specialized agency for fisheries in the United Nations system. FAO was urged to participate fully in fora concerned with major international developments in fisheries and related issues. The committee recognized the need to assign higher priority to aquaculture and enhancement of inland fisheries, to improve the utilization of fisheries resources and to minimize by-catches and discards. It welcomed, in principle, the proposal to expand the Commission on Plant Genetic Resources to include other categories of organisms used for food and agriculture.

