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منظمة  
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# COMMITTEE ON FISHERIES

## Thirty-fourth Session

Rome, 13-17 July 2020

### MINUTES OF THE FIRST MEETING OF THE JOINT TASK FORCE FOR INVESTIGATION OF THE PROPOSAL TO ESTABLISH A NEW SUB-COMMITTEE ON FISHERIES MANAGEMENT (JTF 1)

## Executive Summary

This background document provides the background information for COFI/2020/10, PROPOSAL FOR A NEW SUB-COMMITTEE ON FISHERIES MANAGEMENT.

## **Minutes of the 1<sup>st</sup> Meeting of the Joint Task Force for Investigation of the Proposal to Establish a New Sub-Committee on Fisheries Management (JTF 1)**

10:00-12:00 and 14:00-15:30, Monday, 25 March 2019, in Canada Room (A357)  
10:00-11:00, Tuesday, 26 March 2019, in Mexico Room (D211)

**Present: Annex 1**

### **Discussion:**

#### **1. Adoption of the Provisional Agenda**

The draft provisional agenda was adopted with the addition of new Agenda item 3, Introduction of the concept note by Norway, as attached in **Annex 2**. The Secretariat also reminded the meeting of the change in the venue of the Tuesday meeting to be held in Mexico Room.

#### **2. Introduction of the background paper by the Secretariat**

The Secretariat introduced the Non-Paper (**Annex 3**).

With regard to Annex II, Extract from the summary note prepared for the Director-General, the Representative of Chile mentioned that Brazil had not supported the new subcommittee, but supported the further discussion on the proposal. She also requested to include a timeline of the process for consideration. With regard to the cost implication, she also pointed out that a back-to-back organization of more than two subcommittees could impose more cost on a host country. She also requested some clarification about the relation with other international fora to deal with trade-related issues. She also expressed a difficulty to accept only three official languages to be used for the subcommittees.

The representative of New Zealand expressed a concern about attendance by the Members in the Regional Group at the new subcommittee as well as availability of host countries for three subcommittees. New Zealand pointed out that three committees will need three sponsoring members to meet their costs (USD 300-400,000) and require three lots of attendance by members. As an example, Pacific Island members already have full annual fisheries meetings scheduled and would not likely be able to meet the time and/or cost required to attend an additional subcommittee meeting. Pacific Island countries already find it very difficult to attend the Committee on Fisheries (COFI). Other low, medium and high-income countries may also be unable to attend an additional meeting due to time and cost implications. In the event that there is no host country, then the fallback option of FAO hosting an additional subcommittee meeting in Rome would have additional cost implications for FAO that need to be considered. In this regard New Zealand underscored the importance of an analysis on cost for FAO and Members.

#### **3. Introduction of the concept note by Norway**

The Representative of Norway introduced the concept note (**Annex 4**). It was highlighted that fisheries management is faced with new and more complicated challenges today than what used to be the case. It is therefore a need to enhance COFI's discussions on capture fisheries, and a new subcommittee on fisheries management is the best way to address this issue. The creation of a new subcommittee on fisheries management for technical discussions could enable COFI to focus on strategic policy discussions. Another important aspect of a subcommittee on fisheries management is that it will provide us with a forum to address the Small-scale Fisheries (SSF) related issues and implementation of the SSF guidelines. It would also provide for more intersessional work and continuity of the biennial COFI-meetings. .

In response to a question about replacement of the SCFT<sup>1</sup> by the proposed new subcommittee, she clarified that in Norway's view the SCFT remained. It could however be useful to show the options with pros and cons, and review the structure of the subcommittees from a financial aspect.

With respect to keeping the aggregate costs of the subcommittee on a manageable level, Norway suggested to shorten both the subcommittee meetings on Fish Trade and Aquaculture as well COFI with 1 or 2 days, and thereby "make space" for an extra committee. Norway also suggested looking into whether having the new committee permanently in Rome, would contribute positively to cost control. Moreover Norway suggested that establishment of a fund for participation from developing countries, should be further discussed

The Representative of Chile expressed her interest in the replacement of the SCFT by the two subcommittees on fisheries and aquaculture which could deal with trade-related matters respectively similar to other cross-cutting issues such as climate change and eradication of poverty.

The Representative of New Zealand supported keeping the current two subcommittees and noted concerns that covering trade separately in Fisheries Management and Aquaculture Sub-Committees would likely result in incoherence and inefficiency on trade related fisheries issues.

In response to Norway's suggestion for the new fisheries management subcommittee to be permanently hosted in Rome, New Zealand suggested that further analysis would be needed on this option, as it would result in higher travel costs for some countries every year, relative to rotating the location every year.

#### **4. Discussion on potential options**

(1) The following options were proposed and discussed:

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<sup>1</sup> Sub-Committee on Fish Trade

Option 1: To further utilize the existing bodies (COFI and SCFT/SCA<sup>2</sup>);

Option 2: To create a particular (new) body (COFI will have three subcommittees); and

Option 3: To keep two subcommittees, but rearrange the terms of reference:

Option 3-1: To change SCFT to a “Sub-Committee on Fisheries Management” and keep SCA, and discuss trade-related issues at each subcommittee respectively; and

Option 3-2: To change SCA to a “Sub-Committee on Fisheries Management and Aquaculture” and keep SCFT while removing the trade related issues from the ToR of the former, and for sessions of both SC’s to be run in parallel at the COFI meeting under Option 1.

The Representative of New Zealand proposed to remove the trade elements from the SCA to avoid duplication with the SCFT while shortening the time required for SCA meetings. A further option proposed was to hold a combined fisheries management and SCA meeting at the start of COFI Plenary and then split into parallel sessions for 2-3 days before reporting back to plenary for conclusions and recommendations.

The Representative of Norway raised concerns with combining fisheries and aquaculture in one subcommittee because the same set of experts will in most cases not be able to cover these rather different fields. Each subject is highly demanding and merits its own subcommittee

The Representative of Chile proposed to establish a subcommittee on fisheries and a subcommittee on aquaculture, which could be organized back-to-back and trade experts could attend sessions of both subcommittees.

The Representative of New Zealand also requested to review the current process of COFI and proposed to organize a parallel meeting on technical fisheries management issues during COFI. The representative of Chile mentioned that the parallel meeting might not be a good option for delegations from developing countries. The representative of Norway noted that having parallel sessions would not give COFI time to act on work and proposals from such meetings, and thus not address one of the major reasons proposing a new subcommittee.

Norway also noted that participation in different committees will vary between countries. It was agreed that the Secretariat would provide relevant statistics on subcommittee participation prior to the next meeting.

[Note: Following the meeting New Zealand proposed that a way to address this would be to hold the Fisheries Management technical discussions 2-3 days immediately prior to COFI, and that this option should also be analysed].

(2) It was also proposed the following measures to be considered:

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<sup>2</sup> Sub-Committee on Aquaculture

- To establish a fund for supporting participants from developing Members;
- To evaluate the new arrangements after 5-6 sessions; and
- Possible financial gains by organizing subcommittees permanently in Rome rather than rotating among Members.

(3) With regard to the “Possible Areas to be Covered by a New Subsidiary Body” in Paragraph 30 of the Non-Paper prepared by the Secretariat, the Representative of Norway proposed some revision, including highlighting small-scale fisheries related issues. The Representative of Chile expressed some difficulty with the term “ocean governance”. The addition of the reference to measures against illegal, unreported and unregulated (IUU) fishing, such as the Port State Measures Agreement (PSMA) and the Voluntary Guidelines on Catch Documentation Schemes, was also proposed, while it was also proposed to keep general terms of reference (ToR) to be flexible and broad and develop an Appendix (similar to Appendix E of the Expert Consultation on the Proposed Sub-Committee on Aquaculture) where specific activities and areas of work are to be elaborated as well as activities under the FAO’s Strategic Framework are to be reflected. The revised version is attached in **Annex 5**.

## **5. Conclusion: Proposed ways forward for further discussion in BM 3**

(1) It was confirmed that the Task Force should analyze the options in accordance with paragraph 23 of the Non-Paper prepared by the Secretariat, including likely cost to FAO and members as well as likely ability of members to participate. This analysis with the necessary administrative and legal processes and a concrete timeline of next steps should be reported back to the Bureau for discussion and a decision. The analysis/report should also contain a recommendation, or in the event that no agreement can be found, 2 or more alternative options could be presented.

(2) As conclusions of the meeting, in addition to the minutes, it was agreed to prepare a note (**Annex 6**) for the Bureau Meeting to consider the following points:

- The JTF agreed that among the subsidiary bodies listed in Rule VII of the Rules of Procedure of COFI, a new subcommittee on fisheries management is the preferred option to deal with fisheries matters either as a new subcommittee or through utilizing the existing COFI-structure.
- The JTF reviewed several options, but without further analysis the taskforce could not reach agreement on a preferred option.
- The JTF requested further analysis on the following three options, with analysis on pros & cons based on the criteria stipulated in Paragraph 23 of the Non-Paper prepared by the Secretariat, and also regarding cost to FAO and members as well as likely ability of members to participate:

Option 1: Status quo: To further utilize the existing bodies (COFI and SCFT/SCA) including parallel sessions during COFI on technical matters, or a 2-3 day session immediately prior to COFI;

Option 2: To create a new subcommittee according to the proposal made by Norway and

Option 3: To keep two subcommittees, but rearrange the terms of reference:

Option 3-1: To change SCFT to a Sub-Committee on Fisheries Management (SCFM) and keep SCA, and discuss trade-related issues at each subcommittee respectively; and

Option 3-2: To change SCA to a Sub-Committee on Fisheries Management and Aquaculture (SCFMA) and keep SCFT while removing the trade related issues from the ToR of the former to avoid duplication. The former subcommittee, namely SCFMA, may organize split sessions on fisheries and aquaculture respectively for 2-3 days in parallel to Plenary, and then report the outcomes to the main session of SC (a possible approach could be also applied during COFI under Option 1).

- The JTF also proposed the following issues to be considered by the Bureau Meeting:
  - Funding options to ensure developing country participation, e.g. such as establishing a fund to support participants from developing Members, or for subcommittee host countries to pay for attendance;
  - To evaluate the new SC/arrangements after 5-6 sessions;
  - To organize SCs permanently in Rome rather than rotating among Members.
  - To have Rome as a backup in the event that no host country can be found for a new subcommittee.
  - Effects of shortening both the subcommittee meetings on Fish Trade and Aquaculture as well COFI with 1 or 2 days, and thereby "make space" for an additional committee.
- The Secretariat informed that the draft Minutes of the meeting could be circulated for the participants' review by the end of the 1<sup>st</sup> week of April, hopefully together with the draft note of the JTF for consideration by the Bureau. The Secretariat was also requested to revise and further elaborate the draft Non-Paper, including analysis of the options based on the criteria, including cost and likely representation, the legal/administrative analysis and a timeline. This paper will be circulated by 10 May 2019 (10 working days prior to the next meeting) at the latest.

## **5. Next meeting**

It was agreed to organize the 2<sup>nd</sup> Meeting of JTF on Monday, 27 May 2019 in the FI Meeting Room (F313).

## **6. Any other matters**

No other matter was discussed.

(ANNEX 1)

**List of Participants in the 1<sup>st</sup> Meeting of the Joint Task Force Meeting for Investigation of  
Proposal to Establish a New Sub-Committee on Fisheries Management**

25-26 March 2019  
In Canada and Mexico Room

**Chile:** Ms Tamara Villanueva

**New Zealand:** Mr Don Syme

**Norway:** Mr Kristoffer Bjørklund, Mr Alf-Håkon Hoel and Ms Ann Kristin Westberg

**Secretariat:** Mr Audun Lem, Mr Marcio CastroDeSouza, Ms Nicole Franz, Mr Marcelo Vasconcellos, Ms YoonJee Kim, Hiromoto Watanabe (Secretary of COFI)

**Agenda for the 1<sup>st</sup> Meeting of the Joint Task Force Meeting for Investigation of Proposal to  
Establish a New Sub-Committee on Fisheries Management**

10:00-12:00 and 14:00-16:00 (or later if required), Monday, 25 March 2019, in Canada Room  
(A357)

10:00-12:00 and 14:00-16:00 (or later if required), Tuesday, 26 March 2019 (if necessary), in  
Mexico Room (D211)

1. Adoption of the Provisional Agenda
2. Introduction of the background paper by the Secretariat
3. Introduction of the concept note by Norway
4. Discussion on potential options
5. Conclusion: Proposed ways forward for further discussion in BM 3
6. Next meeting
7. Any other matters



## (DRAFT)

# NON-PAPER

### POSSIBLE OPTIONS FOR THE CREATION OF A NEW SUB-COMMITTEE TO DEAL WITH FISHERIES

#### Background

1. The proposal for a “separate sub-committee for fisheries” was first made during the 8<sup>th</sup> Meeting of COFI 33 Bureau in April 2018. The representative of the Netherlands, on behalf of Norway, proposed discussing a new sub-committee for fisheries during COFI 33 and circulated a non-paper<sup>1</sup>. This non-paper was distributed during the 3<sup>rd</sup> Informal Meeting for COFI Members also in April 2018.

2. During COFI 33, the matter was first raised under agenda item 4 (“state of world fisheries and aquaculture”), where Norway proposed a sub-committee on fisheries management, which would include small-scale fisheries management<sup>2</sup>. COFI Report refers to the issue as follows:

11. *To address these challenges, the Committee expressed strong interest in discussing the establishment of a sub-committee on fisheries management in order to assist the international community, especially developing states<sup>3</sup>.*

3. The issue was addressed again in more details under agenda item 14.2 (“any other matters”) <sup>4</sup>. Norway proposed the establishment of a new subcommittee on fisheries management for several reasons. First, the absence of a specific body dedicated to capture fisheries reduces the likelihood and opportunities for in-depth technical discussions of various issues that reflect to a strategic and multifaceted area of the competence of COFI. Second, the current framework of existing subcommittees and other relevant bodies imposes additional discussions at a technical level for COFI, which is supposed to be driven by policy and high-level discussions on issues already explored at the technical level by the subordinate bodies. Third, taking into consideration that several members supported strengthening ocean and inland water governance, a dedicated fisheries body would be an important discussion *locus*. In light of the technical complexity of issues centered on common goods and various governance frameworks in place shaping fisheries management,

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<sup>1</sup> See Annex 1.

<sup>2</sup> Supported by Senegal, Iceland, Japan, India, Argentina, USA, Saint Kitts and Nevis, South Africa and Somalia

<sup>3</sup> COFI Report available at [http://www.fao.org/fileadmin/user\\_upload/bodies/Conference\\_2019/MX970\\_23/MX970\\_C\\_2019\\_23\\_en.pdf](http://www.fao.org/fileadmin/user_upload/bodies/Conference_2019/MX970_23/MX970_C_2019_23_en.pdf).

<sup>4</sup> See an extract of the summary notes prepared for the Director-General in Annex 2

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in-depth discussion at the subcommittee level could enhance the high-level policy discussion at COFI.

4. The Norwegian delegation proposed that the COFI Bureau, together with the FAO Secretariat, prepares terms of reference for the new subcommittee, as well as its financial implication to present to the COFI 34<sup>5</sup>, as reflected at the COFI Report as follows:

128. *The Committee requested the Secretariat, in close cooperation with the Bureau, and mindful of the rules of procedure for establishing subsidiary bodies, to develop a proposal for the possible establishment of a new sub-committee on fisheries management, to be submitted for the consideration of Members at the next session of COFI. The Committee underlined that the proposal should elaborate on all relevant aspects, including financial and administrative implications and terms of reference for such a sub-committee, including identifying ways to achieve efficiencies and avoid duplication with other COFI sub-committees. The Committee noted that such a sub-committee could include a standing agenda item on sustainable SSF. The document should be available at least six months prior to the 34th Session of COFI.*

5. During the 1<sup>st</sup> Meeting of COFI 34 Bureau on 13 July 18, the following key points were raised in connection with the development of this topic:

- to address the matter of the creation of a new subcommittee in future Bureau meetings;
- to conduct a “wash up” of what was expressed during the session of COFI 33 on this matter;
- to prepare a “chapter list” of the final document expected to be submitted to COFI 34;
- to examine what kinds of options could be available to address the problems, instead of focusing only on one option;
- to have a summary of the discussions and outcomes of COFI 33.

6. Following the Chairperson’s proposal during the 1<sup>st</sup> Meeting of COFI 34 Bureau, the FIA Department has established a Task Force, headed by one of the Deputy-Directors, to address all relevant issues and orientation received. The Task Force proposed establishing a joint Task Force with the representatives of the Bureau of COFI 34, during the 2<sup>nd</sup> Meeting of COFI 34 Bureau on 29 November 2018, for addressing this matter with the terms of reference as follows:

- to analyze the relevant discussion during and after COFI 33;
- to investigate potential options, including the establishment of the new subcommittee, addressing the issues behind the proposal in consideration, including the relationship with the existing bodies, the relevant legal processes, administrative and financial implications; and

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<sup>5</sup> The United States of America and Japan expressed strong support, while some Members (South Sudan, Kuwait) expressed some concerns. Not a few Members (EU, New Zealand, China, and Afghanistan) requested further consideration in particular with regards the terms of reference, particularly in relation with the existing two Sub-Committees, financial and administrative implications and a legal process for the establishment.

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- to propose the best ways forward for further consideration by the Bureau of COFI 34.

7. The 2<sup>nd</sup> Meeting of COFI 34 Bureau agreed to establish a Joint Task Force of the representatives of the Bureau (New Zealand, Chile, and Norway – as the original proposer as proposed by Iceland) and the Secretariat, with the terms of reference proposed by the Secretariat. Informal consultations of the Joint Task Force would be held toward the end of March 2019 in order to propose best ways forward for further consideration in the next Bureau Meeting, scheduled to be held on 20 June 2019.

### **The FAO Committee on Fisheries (COFI)**

8. The terms of reference of the FAO Committee on Fisheries can be summarized as follows<sup>6</sup>:

- to review and implement the FAO work programmes in the field of fisheries;
- to conduct periodic general reviews of international fishery problems and examine possible solutions; and
- to review specific matters relating to fisheries and to make recommendations as appropriate.

### **The Subcommittees on Aquaculture and Fish Trade**

9. COFI has two subcommittees<sup>7</sup> – the Subcommittee on Fish Trade (COFI-FT)<sup>8</sup> and the Subcommittee on Aquaculture (SCA)<sup>9</sup> established in 1985 and 2001 respectively, in accordance with Rule XXX.10 of the General Rules of the Organization and Rule VII of the COFI Rules of Procedure.

10. The current two subcommittees on aquaculture and fish trade have specific mandates and terms of reference. Taking into consideration the horizontal aspects of international trade, the Subcommittee on Fish Trade (COFI-FT) covers technical and economic aspects applicable to both aquaculture and capture fisheries. The Subcommittee on Aquaculture embodies technical and policy matters related to aquaculture.

11. The subcommittees have the following common objectives in their terms of reference, applicable to fish trade and aquaculture, which stress their technical profile<sup>10</sup>:

- to identify and discuss major issues and trends
- to perform periodic reviews, analysis and produce outlooks;

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<sup>6</sup> The detailed Terms of Reference of the FAO Committee on Fisheries is presented in Annex III.

<sup>7</sup> In FAO, there are other committees with larger number of subsidiary bodies - For example, the Committee on Commodity Problems (CCP) has 10 subsidiary bodies established Rule XXIX.10 of the General Rules of the Organization and Rule VII of the CCP Rules of Procedure – Available at <http://www.fao.org/unfao/govbodies/gsbhome/ccp/en>

<sup>8</sup> Available at <http://www.fao.org/unfao/govbodies/gsb-subject-matter/statutory-bodies-details/en/c/104/>

<sup>9</sup> Available at <http://www.fao.org/unfao/govbodies/gsb-subject-matter/statutory-bodies-details/en/c/333/>

<sup>10</sup> The detailed Terms of Reference for both Subcommittees are presented in Annex IV.

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- to promote discussion of specific problems and possible solutions, based on special studies;
  - to discuss suitable measures to promote related activities, particularly to improve the participation of developing countries;
  - to recommend international actions to address specific issues;
  - to promote harmonization and endorsement of policies and actions, as appropriate;
  - to advise on the strengthening of international collaboration to assist developing countries.

### **Possible Options**

12. In order to fulfill this lack of a specific forum to allow an in-depth discussion of fisheries topics, which are not covered by the other subcommittees and are creating additional burden by inducing technical discussions in a political body such as COFI, two options can be foreseen – (1) the existing bodies can be further utilized; or a (2) particular body can be created.

### **Utilization of the Existing Bodies to deal with Fisheries Issues**

13. In order to have the COFI dealing with more policy-oriented and high-level discussions, after having the topics technically addressed at lower level bodies, issues related to fisheries can be addressed either (1) in the framework of the current two subcommittees; or (2) during COFI meetings.

14. The utilization of the current framework of the two subcommittees to deal with fisheries issues can pose problems in terms of the representation of countries to attend these sessions. Taking into consideration the particular nuances of each subcommittee, currently, the country delegates attending the current sessions of both subcommittees are usually experts on aquaculture or trade. If additional topics focusing on fisheries were discussed in one of those subcommittees, some changes would have to be implemented.

15. Those changes can be at a country level, where additional fisheries experts would have to be present for each session of the subcommittee (experts on aquaculture and fisheries, or experts on trade and fisheries). In addition, the effective time allocated to the current covered topics of the sessions of the subcommittees would have to be reduced in order to incorporate fisheries, decreasing the time designated for the analysis of aquaculture or trade issues. Alternatively, the length of the session of the subcommittee incorporating the debate on fisheries could be extended to more than a week, generating cost spillovers for the participation of countries. Furthermore, in the case that countries start sending just one expert of the two themed subcommittees, having non-experts intervening in one of the three themes (aquaculture, fisheries or trade) may indeed lead to

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formal statements in plenary, reducing a proper debate which is fundamental for the activities of the subcommittee.

16. This option would have reduced implication costs, since it will take advantage of the already established subcommittees. However, taking into consideration the crosscutting nature of the Subcommittee on Fish Trade (COFI-FT) and the specific nature of the Subcommittee on Aquaculture, bringing fisheries issues to those subcommittees will imbalance their nature and can create difficulties in promoting and discussing specific topics, either in the original area of each subcommittee or in the new topic of fisheries.

17. Alternatively, the utilization of FAO Committee on Fisheries (COFI) itself to deal with fisheries is, to a certain extent, keeping the *status quo* on how those issues have been addressed in the last years. However, utilizing COFI for technical debate has the corollary of diminishing its policy-oriented and high-level discussion profile. The last COFI Sessions devoted a considerable amount of time to technical debates on fisheries, having regard the lack of a proper body to promote a comprehensive analysis and debate, and eventually endorsing a technical position, as the case for aquaculture and trade with the two subcommittees.

18. Within the COFI framework, another alternative would be to organize parallel meetings during the session of COFI to address technical issues in more depth. However, this approach can also pose representation problems for countries with reduced participants in their delegations, particularly from developing countries. In addition, in order to have the necessary working autonomy at a technical level of those parallel meetings, the Chair of the COFI would need to call for such a meeting in each COFI Session.

### **Establishment of New Subsidiary Bodies**

19. COFI may establish subsidiary bodies, which may take the form of:

- subcommittees;
- subsidiary working parties; or
- study groups.

20. Subsidiary working parties are created to study and report on selected matters. In this regard, working parties usually do not have a comprehensive topic, such as fisheries, to serve as a discussion forum. In addition, working parties are formed by selected countries (including FAO Associate Members), but as well as individuals appointed in their personal capacity. The format of the working party, by allowing individuals to be participating in it, is not aligned with the overall objective of the envisaged subsidiary body on fisheries.

21. Study groups are also created to study or review selected matters, being able to convene expert groups or other subsidiary bodies of national experts. It is formed by selected countries, usually restricted to a region. The format and the reliance of the study group on third-parties are also not aligned with the overall objective of the envisaged subsidiary body on fisheries.

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22. Regarding subcommittees, COFI may establish any additional one provided that two basic conditions are met – (1) the new subcommittee is considered necessary; and (2) necessary funds are available<sup>11</sup>.

23. In addition, it is important to recognize an in-force FAO policy of restricting the creation of new statutory bodies, including subsidiary bodies, having regard some unproductive experiences in the past leading to many inactive bodies. In this regard, as directed by the Conference<sup>12 13</sup>, any new Statutory Bodies, including subsidiary bodies, must:

- be flexible task-oriented;
- have time-bound working arrangements;
- be strictly necessary;
- be central to the FAO mandate and current priorities;
- have clarity of the definition of the task;
- have a positive impact at the level of FAO Members;
- avoid overlap;
- create synergy with the work of other bodies;
- have an inclusive representation of countries; and
- have an willingness of their members to contribute financially and through non-monetary inputs.

24. Nevertheless, it is important to observe that the Subcommittee on Aquaculture was created after this restrictive general policy.

25. In terms of costs associated with the subcommittee, they can be usually divided into two groups – the costs linked with carrying out each session of the subcommittee itself, as well as the costs related with staff time for the preparation of the documents for the session, and other activities within the overall area of competence of each subcommittee.

26. For the costs associated with carrying out each session, customarily, the sessions of two existing COFI subcommittees are hosted by a country which, by its turn, provides financial support for its execution. The direct costs for any session include documentation, translation, and interpretation. Additional costs can include venues, support for the participation of developing countries, and other related activities of the subcommittee. On average, each session costs between USD 300 000 and USD 400 000, borne by the host country, being the interpretation and translation of the documents into the six official languages the main individual cost.

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<sup>11</sup> Rule VII of the Rules of Procedures of COFI, available at <http://www.fao.org/3/K8024E/K8024E.pdf>

<sup>12</sup> <http://www.fao.org/3/W7475e/W7475e0f.htm#xv> and

<sup>13</sup> <http://www.fao.org/3/a-mo153e.pdf>

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27. In connection with the costs associated with FAO staff time linked with the preparation of the documents and other activities within the overall area of competence of each subcommittee, they can be considered minimum in terms of the additional costs to the Regular Program of the Organization. The activities linked to the sessions of the subcommittees are already related to the performance of regular activities by FAO staff within the mandate of the Fisheries and Aquaculture Department<sup>14</sup>. Additional work is basically associated with transposing those activities into working documents for the sessions.

### **Possible Areas to be Covered by a New Subsidiary Body**

28. Taking into consideration the specificities of each subcommittee in their Terms of Reference, there is no potential overlapping with any new subsidiary body to deal with fisheries and the current activities carried out by the other two subcommittees.

29. In terms of alignment, a new body covering the activities on fisheries will mirror the Terms of Reference of the Subcommittee on Aquaculture, since the Subcommittee on Fish Trade will continue to have its duties encompassing both aquaculture and wild capture fisheries.

30. In this regard, a possible Terms of Reference for the new subsidiary body, taking the form of a third subcommittee could be:

#### **Subcommittee on Fisheries**

The Subcommittee shall provide a forum for consultation and discussion on fisheries issues, advising COFI and the work to be performed by the Organization on related technical and policy matters.

In particular, the Subcommittee shall:

- identify and discuss major issues and trends in global fisheries management and development, and oceans governance;
- determine those issues and trends of international importance requiring action in the domain of fisheries management, within the particular framework of food security, economic development, small-scale fisheries and poverty alleviation;
- support, assist and provide a technical forum for countries and all those engaged in fisheries management to discuss and implement measures for the long-term conservation and sustainable use of fisheries resources, within an appropriate policy, legal and institutional framework;
- recommend international action to address fisheries management and development needs and, in this regard (1) to advise on mechanisms to prepare, facilitate and implement action programmes identified, as well as on the expected contribution of partners; (2) to advise on the liaison with other relevant groups and organizations with a view to promoting harmonization and endorsing policies and actions, as appropriate; (3) to advise on the strengthening of international collaboration to assist developing countries in the implementation of FAO instruments in the domain of fisheries management, particularly the Code of Conduct for Responsible Fisheries, the Voluntary Guidelines for Flag State Performance; and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication;
- advise on the preparation of technical reviews and of issues and trends of international significance in the domain of fisheries management;

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<sup>14</sup> See Annex V

- 
- collaborate and provide inputs to the Subcommittee on Fish Trade on issues linking fisheries management and trade; and
  - address any specific matters relating to fisheries referred to it by its Members, the Committee on Fisheries or the Director-General of FAO.

31. Within the FIA Department, a possible new subcommittee will be more oriented towards the work already carried out by the Fishery Policy, Economics and Institutions Branch (FIAP), the Fishing Operations and Technology Branch (FIAO) and the Marine and Inland Fisheries Branch (FIAP). It would be advisable to have one of those branches acting as the Secretary of this new subcommittee.

32. For the remaining subcommittees, the Subcommittee on Aquaculture remains linked to the Aquaculture Branch (FIAA) and the Subcommittee on Fish Trade to the Product, Trade and Marketing Branch (FIAM).

### **Other Relevant Associated Issues**

33. Having regard the FAO general policy of restricting the creation of new statutory bodies, it should also be analyzed the possibility of converting the Advisory Committee on Fisheries Research (ACFR)<sup>15</sup> into the new suggested subcommittee, with a broader scope and open participation to country members. This committee has been dormant for the last several years. Alternatively, this Advisory Committee could simply be terminated having regard the creation of a new subcommittee to deal with fisheries.

34. In terms of costs for any session of the COFI subcommittees, interpretation and translation are major components. It is important to recall that other important FAO Statutory Bodies only have three working languages (English, French and Spanish)<sup>16</sup>. Having the COFI subcommittees to start to operate only with three working languages would reduce substantially the costs associated with each Session (around 20%), with no direct negative impact for member countries. The sessions of COFI would continue to operate in the six official UN languages.

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<sup>15</sup> [http://www.fao.org/unfao/govbodies/gsb-subject-matter/statutory-bodies-details/en/c/199/?no\\_cache=1](http://www.fao.org/unfao/govbodies/gsb-subject-matter/statutory-bodies-details/en/c/199/?no_cache=1)

<sup>16</sup> See for example the Codex Committee on Food Import and Export Inspection and Certification Systems, the Intergovernmental Group on Bananas and Tropical Fruits at the FAO Governing and Statutory Bodies Web site <http://www.fao.org/unfao/govbodies/gsb-subject-matter/subject-matter/en/>.



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## **ANNEX I**

### **NON-PAPER**

#### **A model for strengthening COFI – establishment of a separate Sub-Committee for Fisheries**

##### **Proposal**

This non-paper argues for establishing a separate sub-committee for fisheries under COFI. Both aquaculture and trade issues are dealt with in sub-committees, which report to COFI, whereas fisheries issues currently are treated only in the biannual COFI meetings.

The rationale behind the establishment of a new sub-committee on fisheries would be to:

- Provide members with the opportunity to address detailed and technical issues more in depth, free from the COFI-meetings schedule.
- Free up time in the COFI-meetings and thereby allow COFI to focus the discussions on policy developments and principal matters.
- Contribute to a more efficient use of COFI's resources. This would again generally strengthen COFI's ability to influence policy development and allow FAO to maintain its role as the leading global arena when fish is the topic of discussion.

##### **Background**

Fisheries issues now feature on the agenda of numerous international organizations where policy is developed. Increased attention to fisheries is a positive development. However, it also means that COFI's role, as the main platform for developing the global normative instruments, needs to be strengthened.

However, because of their size, time constraints, and structure, the current COFI-meetings are not well suited for in-depth, technical discussions. The experiences from the sub-committees for aquaculture and trade are that they have provided an opportunity to address technical issues more in depth, as well as freeing up time in COFI to discuss policy issues.

We believe that establishing a Sub-Committee for Fisheries will emulate the success of the sub-committees for aquaculture and trade respectively, and that it meets a number of other objectives. In addition to providing COFI with the means and ability to focus on policy issues, the call for a separate sub-committee for Small-Scale Fisheries can be incorporated by addressing SSF on a regular basis. A Sub-Committee for Fisheries will give a regular opportunity to address and review the small-scale fisheries and follow the progress in implementing the SSF Guidelines.

The financial implications of an additional sub-committee are likely to be minor, and manageable, cf. the expenses currently required for the other sub-committees.

Norway will raise this issue at COFI 33 with a view to introduce it formally on the agenda of COFI 34 for a formal adoption.

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## ANNEX II

### Extract from the summary note prepared for the Director-General

<b>Chairperson</b>	Closed the item 14.1 and the World Fisheries University under item 14.2 at 15:11 (hours). Opened the item under 14.2 regarding Norway's proposal of the establishment of a new sub-committee on fisheries management.
<b>Norway</b>	Proposed the establishment of a new subcommittee on fisheries management for several reasons: current COFI process does not allow for the in-depth discussion many topics deserve. For example, the follow up on the Voluntary Guidelines for Flag State Performance. Indicated that it would also allow COFI to address the SSF guidelines on a regular basis and to discuss matters of principle, and cross cutting themes (Climate Change, food security). Noted several members supported strengthening ocean governance that during the week and a subcommittee on fisheries management would be useful given the increase in complexity of ocean governance. Stressed the financial implication should not be large and proposed holding subcommittee meetings back to back. Proposed that the COFI Bureau prepare terms of reference for the new subcommittee as well as its financial implementation together with the FAO secretariat to present to the COFI 34, hoping the proposal could be submitted 6 months before COFI 34 to give members enough time to consider.
<b>United States</b>	Strongly supported the proposal and completely endorsed all the specific aspects in it. Recognized the workload and looks forward to review the work methods of the existing two subcommittees. Recommended that the new subcommittee should be held at alternating regional locations to share travel costs and in the same region in each biennium and two core functions; 1) Standing mandate to cover in depth small-scale capture fisheries; 2) Variable agenda such as bycatch.
<b>Argentina</b>	Welcomed the proposal. Urged COFI to explore the mandate and scope and conduct analyses of the proposal in consultation with members.
<b>Canada</b>	Concerned that the current structure of COFI has led to a crowded agenda. Welcomed the new subcommittee, as it will enable COFI to review more in-depth details. Recommended Small Scale Fisheries should be a standing agenda item. Suggested holding these new committee meetings back-to-back with the other two subcommittees on in rotation in the regions. Agreed that the COFI Bureau and FAO secretariat be tasked by exploring the establishment.
<b>Pakistan</b>	Considered the new subcommittee proposal rational and agreed to its establishment.
<b>South Sudan</b>	On behalf of African regional group, believed it could be a good proposal if a more technical discussion is possible to inform policies. The intention is to provide a regular opportunity to discuss fisheries management, especially SSF and progress of the implementation of the SSF voluntary guidelines. Expressed concern of a potential outcome of separation of Sovereignty of member states. Requested clarification for the modality of process to the establishment, the objectives, and its relation with existing mechanisms. Suggested the COFI bureau, with support of FAO secretariat, carry out a review of existing COFI structure and provide a clear and coherent proposal with funding schemes at COFI34.
<b>Austria</b>	On behalf of the EU and 28 member states, considered the subcommittee possible, however, prior to decision, implications and funding issues, etc. need to be outlined.
<b>New Zealand</b>	Agreed the COFI agenda has become crowded. Noted agenda of the subcommittee of fish trade has been lighter. Is concerned with the resource implications, Small Islands Developing States of the Pacific may have difficulty to attend these ocean meetings. Requested FAO to explore the implications, especially on the cost because the other two existing subcommittees have received significant extra-budgetary funds.
<b>Kuwait</b>	Is concerned with additional bureaucracy. Stressed COFI should understand the mandate of the new subcommittee. Requested a mandate of the new subcommittee be inherently unique to COFI.
<b>Namibia</b>	Supported the proposal by Norway. Believed it will streamline the fishery management related issues.
<b>China</b>	Questioned if the new subcommittee is necessary. China noted the pending questions and supported New Zealand's position.
<b>Russia</b>	Supported the proposal in principle. Russia underlined the others' statement and the potential consequences. Russia requested further information.
<b>Brazil</b>	Support the proposal by Norway, especially for the inclusion of small scale and artisanal fisheries in the new subcommittee's mandate.
<b>St Kitts and Nevis</b>	Supported the proposal by Norway.
<b>Japan</b>	Strongly supported the proposal. Required a report 6 month before COFI 34. Requested the COFI Bureau and FAO secretariat to review at least two issues: 1) avoid duplication of the other two mandates, 2) minimize the financial and personnel. Japan recommended holding the meetings back to back.
<b>Angola</b>	Thanked Norway for initiating the discussion on the matter. Supported South Sudan and requested a report on the mandate and budgetary issues for consideration before COFI 34.

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<b>Afghanistan</b>	Expressed no objection but supported New Zealand and China's position. Requested clarity about the legitimate entity to establish the new subcommittee.
<b>Chile</b>	Appreciated the proposal in principle. Chile looks forward to further information. Recognized the importance of a forum to discuss topics such as SSF, with such heavy agendas as COFI.
<b>Mexico</b>	Noted support for the proposal by Norway, recognized that it will always be up to member states to agree upon items for agenda, but to ensure no duplicate discussions. Mexico welcomed further information, specifically what kind of mandate proposal would receive.
<b>Senegal</b>	Supported, but noted it would be important to consult the other two subcommittees regarding issues such as mandate, cost implication, and endorsed the initiative with the concern over the previous message from African group. Suggested a working group be best way forward.
<b>Indonesia</b>	Very interested in Norway's proposal. Encouraged Norway to provide more information and present in the next COFI meeting.
<b>Belize</b>	On behalf of OSPESA, in principle supported proposal, however requested need to define the mandate. Proposed the best approach as working group to discuss main issues for the new subcommittee.
<b>Iceland</b>	Supported the proposal by Norway. As an incoming Bureau, stressed today is not dedicated to deciding, as it is the mandate for the Bureau and Secretariat is to devise a proposal. The bureau is the more appropriate way than the working group. The aquaculture subcommittee development could be seen as an example and suggested doing the same. Bureau and Secretariat to prepare a proposal in close consultation with members to be discussed with ToR. Recommended reference to the establishment of subcommittee of Aquaculture. Sited COFI rules and FAO rules, as well as support to Afghanistan's mention. Look forward to the task.
<b>Cook Islands</b>	Noted there are not many SIDs in attendance at COFI33 despite the importance of fisheries and aquaculture to their economies, partially because much can be achieved in own region, and partly because it is not easy for SIDs to attend subcommittee meetings as well as COFI. Recommended attaching new subcommittee to existing meeting, asking that the burden to be alleviated in this way for small nations. Mandate to add in small-scale fisheries and intergovernmental, yet it should not undermine existing mandate.
<b>Cameroon</b>	Noted that the Africa group received this proposal too late. However, they support it, but feel legal counsel was absent. Stressed the need to understand better with written legal texts. Requested how to proceed, whether COFI is to create or have FAO Council? Noted agreement with Afghanistan.
<b>Sudan</b>	Supported the proposal, as it can solve many problems cited by other members, such as giving space to urgent topics in fisheries management.
<b>Guatemala</b>	Stressed the need to further explore the matter, not only the marine environment perspective.
<b>Chair</b>	Noted the concerns and stressed that Norway's proposition is to initiate the discussion, with understanding of submitting at least 6 months prior to next COFI for member countries to review thoroughly. Proposal would include the ToR and funding considerations. Inside will be administrative analyses and legal process. Understands there is support for beginning to explore the proposal.
<b>FI ADG</b>	Noted that 18 months are not a long time to complete such a process. Suggested this would be an FAO Secretariat paper, which conducts research and consults through the bureau and regions. Regarding the establishment of a working group, believes Bureau and Secretariat is the most expedient approach. Noted the Committee can decide in the next session to report to the council. Underlined the close cooperation with bureau and members. Noted that the Secretariat has no interest in presenting proposal unfavourable to the members.
<b>Chair</b>	Closed 16:04 this subcommittee time.

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## ANNEX III

### TERMS OF REFERENCE – COMMITTEE ON FISHERIES

The terms of reference of the Committee, as laid down in Rule XXX of the General Rules of the Organization<sup>17</sup>:

- review the programmes of work of the Organization in the field of fisheries and their implementation;
- conduct periodic general reviews of fishery problems of an international character and appraise such problems and their possible solutions with a view to concerted action by nations, by FAO and by other intergovernmental bodies;
- similarly review specific matters relating to fisheries referred to the Committee by the Council or the Director-General, or placed by the Committee on its agenda at the request of a Member Nation in accordance with the Rules of Procedure of the Committee, and make recommendations as may be appropriate;
- consider the desirability of preparing and submitting to Member Nations an international convention under Article XIV of the Constitution to ensure effective international cooperation and consultation in fisheries on a world scale; and
- report to the Council or tender advice to the Director-General, as appropriate, on matters considered by the Committee.

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<sup>17</sup> Available on page 51 at <http://www.fao.org/3/K8024E/K8024E.pdf>.

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## **ANNEX IV**

### **TERMS OF REFERENCE OF THE COFI SUBCOMMITTEES**

#### **Subcommittee on Fish Trade**

The Sub-Committee shall provide a forum for consultations on technical and economic aspects of international trade in fish and fishery products including pertinent aspects of production and consumption. In particular, the work of the Sub-Committee will include:

- Periodic reviews on the situation and outlook of principal fishery commodity markets covering all factors influencing them;
- on the basis of special studies, discussion of specific fish trade problems and possible solutions;
- discussion of suitable measures to promote international trade in fish and fishery products and formulation of recommendations to improve the participation of developing countries in this trade, including trade-related services;
- in conjunction with the FAO/WHO Codex Alimentarius Commission, formulation of recommendations for the promotion of international quality standards and the harmonization of quality control and inspection procedures and regulations;
- consultation and formulation of recommendations for economically-viable fishery commodity development, including processing methods, the upgrading of products and production of final products in developing countries.

#### **Subcommittee on Aquaculture**

The Sub-Committee shall provide a forum for consultation and discussion on aquaculture and advise COFI on technical and policy matters related to aquaculture and on the work to be performed by the Organization in the subject matter field of aquaculture. In particular, the Sub-Committee shall:

- identify and discuss major issues and trends in global aquaculture development;
- determine those issues and trends of international importance requiring action to increase the sustainable contribution of aquaculture to food security, economic development and poverty alleviation;
- recommend international action to address aquaculture development needs and, in this regard (1) to advise on mechanisms to prepare, facilitate and implement action programmes identified, as well as on the expected contribution of partners; (2) to advise on the liaison with other relevant groups and organizations with a view to promoting harmonization and endorsing policies and actions, as appropriate; (3) to advise on the strengthening of international collaboration to assist developing countries in the implementation of the Code of Conduct for Responsible Fisheries;
- advise on the preparation of technical reviews and of issues and trends of international significance; and
- address any specific matters relating to aquaculture referred to it by its Members, the Committee on Fisheries or the Director-General of FAO.

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## **ANNEX V**

### **MANDATE OF THE FAO FISHERIES AND AQUACULTURE DEPARTMENT**

- develop methodology, assess and monitor the state of wild resources and elaborate resources management advice;
- monitor and advise on the development and management of aquaculture;
- collect, analyze and disseminate information on the sector (capture and aquaculture production, trade, consumption, prices, fleet, employment);
- provide socio-economic analysis of fisheries and aquaculture and assist in the elaboration of development and management policies and strategies and institutions;
- monitor and advise on technology development, fish processing, food safety and trade;
- ensure skilled resourcing and effective delivery of FAO's Strategic Objectives in the field of marine and inland capture fisheries, aquaculture and food systems, and provide leadership to the FAO Blue Growth Initiative;
- support and assist a network of regional fishery commissions and promote aquaculture networks.

Norway, 15 March 2019

## **NON-PAPER**

### **A concept note on how a separate subcommittee on fisheries management can strengthen FAO/COFI**

Fisheries feature on the agenda of numerous international organizations where policy is developed. Increased attention to fisheries is positive. This also means that COFI's role as the main platform for developing global policy instruments in fisheries and aquaculture, needs to be consolidated and strengthened. However, because of their size, time constraints, and structure, the current COFI-meetings are not well suited for in-depth, technical discussions conducive to genuine policy development in these areas.

This non-paper aims to explain and give examples on how the establishment of a new subcommittee on fisheries management (SCFM) can strengthen COFI. As we stated at COFI 33, the rationale of a new sub-committee on fisheries management will be to:

- Provide members with opportunity to address technical issues more in depth, something that is not possible in the tight schedule of COFI.
- Free up time in the COFI, allowing COFI to focus the strategic and principled discussions on policy developments.
- Contribute to a more efficient use of COFI's resources.
- Strengthen COFI's ability to influence global policy development in fisheries and aquaculture and allow FAO to enhance its role as the leading global arena for normative discussions of living marine resources.

We believe that these objectives are best met through a new subcommittee. This will allow us to discuss fisheries in a more substantial way. Having a SCFM to deal with matters on a more operational and technical level will allow COFI to focus on strategic matters. This will strengthen COFI's position as the preeminent organization for fisheries matters and increase its importance vis-à-vis other organizations, initiatives, and processes. The SCFM will make FAO and COFI more significant internationally as the ability of COFI to give guidance on current international issues will be enhanced.

#### **Interactions with COFI**

We think a SCFM should work like the subcommittee on aquaculture, with the possibility of dealing with specific matters and present them to COFI separate from the ordinary subcommittee report. A SCFM can address topics and advance the technical basis for discussing strategic implications at COFI.

A part of its standing mandate should be small-scale capture fisheries (SSF). This is an important topic currently not getting the attention it merits. Having a SCFM with SSF as a permanent agenda item, with a mandate to oversee the implementation of the SSF agreement, will improve upon this situation. It will also address the concerns underlying calls we have heard for a separate subcommittee on SSF.

The remaining agenda should be flexible. Providing a mechanism for interaction between COFI and a new SCFM on topics relating to fisheries management is an important part of this proposal. It gives COFI the opportunity to draw upon the expertise and preparatory work of the SCFM. Other options, i.e. establishing task forces for special topics, will not give the same continuity and experience as a permanent SCFM. Also, a permanent SCFM is the best way to ensure that SSF is given the attention it needs.

Looking at the agenda from COFI 33, we think the items on *IUU fishing* (8.1), *Global and regional ocean processes* (8.2), *The 2030 agenda for Sustainable Development* (9), and possibly also *Climate change and other environment related matters* (10) could have been dealt with in a SCFM. This could have freed up at least one working day in COFI, making room for discussion in COFI of strategic topics such as MYPOW, and FAOs Programme for Work, or elevating a special topic from the sub-committees to COFI. And the issues mentioned would have benefitted from a more thorough and in-depth discussion in the SCFM.

For example, if COFI were to address how “other effective area-based measures” should be accounted for when reporting on Aichi-target 11 on marine and terrestrial conservation, preparatory deliberations would be essential if COFI is to discuss it in a meaningful manner and provide sound guidance. Important questions would include: what are the facts regarding MPAs and other area-based measures amongst members today, i.e. how many MPAs are in place, and what kind of other area based measures do they have - permanent, gear type, under size, seasonal, etc. When the topic is raised at COFI, members have the basis for discussing the question strategically: How to account for other effective area based measures in achieving the Aichi-targets. This way, FAO/COFI can provide strategic guidance on a current matter with global importance. This helps members implement the Aichi goals, but also enhances the FAO and COFI’s role.

Another topic interests that could be presented to COFI is the status of implementation of existing rules and guidelines in fisheries. Our thinking is that there are a substantial body of rules, guidelines and best practices', etc. We need to focus more on implementation in order to ensure that legal and normative frameworks actually have an impact. An SCFM would give us an opportunity in that regard. For example, the SCFM can identify guidelines, best practices, and map how they have been implemented and what impact they have, and identify the problems for further implementation. Then COFI can discuss how implementation can be improved. The work in the SCFM will improve upon COFI's strategic discussions because it will not be necessary to spend time in plenary to discuss the underlying factors and technical detail.

Also, cross-sectorial and horizontal topics, for example food loss, trade, poverty, user rights, etc., can be raised, presenting COFI with a broad, yet technical sound basis for discussions.

The role of the Secretariat should mirror its obligations to COFI and the other subcommittees.

## **Financial implications**



Regarding the costs of hosting and participating in a new subcommittee, as we stated during COFI 33, we think they will be manageable. It is Norway's view that the subcommittee on fish trade could be replaced by the SCFM, and then trade could be dealt with as a horizontal issue in the subcommittees on fisheries management and aquaculture. This option would give the least financial implications. Establishing a travel-support fund for developing countries similar to the PSMA-arrangement, could also be considered

(ANNEX 5)

**Revised Possible Areas to be Covered by a New Subsidiary Body**

1. Taking into consideration the specificities of each subcommittee in their Terms of Reference, there is no potential overlapping with any new subsidiary body to deal with fisheries and the current activities carried out by the other two subcommittees.
2. In terms of alignment, a new body covering the activities on fisheries will mirror the Terms of Reference of the Subcommittee on Aquaculture, since the Subcommittee on Fish Trade will continue to have its duties encompassing both aquaculture and wild capture fisheries.
3. In this regard, a possible Terms of Reference for the new subsidiary body, taking the form of a third subcommittee could be:

**Subcommittee on Fisheries**

The Subcommittee shall provide a forum for consultation and discussion on fisheries issues, advising COFI and the work to be performed by the Organization on related technical and policy matters.

In particular, the Subcommittee shall:

- identify and discuss major issues and trends in global fisheries management and development: ~~and oceans governance;~~
- determine those issues and trends of international importance requiring action in the domain of fisheries management, within the particular framework of food security, economic development, small-scale fisheries and poverty alleviation;
- support, assist and provide a technical forum for countries and ~~observers/entities and stakeholders~~ all those engaged in fisheries management to discuss and implement measures for the long-term conservation and sustainable use of fisheries resources, within an appropriate policy, legal and institutional framework;
- recommend international action to address fisheries management and development needs and, in this regard (1) to advise on mechanisms to prepare, facilitate and implement action programmes identified, as well as on the expected contribution of partners; (2) to advise on the liaison with other relevant groups and organizations with a view to promoting harmonization and endorsing policies and actions, as appropriate; (3) to advise on the strengthening of international collaboration to assist developing countries in the implementation of FAO instruments in the domain of fisheries management, particularly the Code of Conduct for Responsible Fisheries, ~~and against IUU fisheries, such as the Voluntary Guidelines for Flag State Performance and PSMA; and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication;~~
- Promote and review small-scale fisheries related matters, including the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
- advise on the preparation of technical reviews and of issues and trends of international significance in the domain of fisheries management;
- collaborate and provide inputs to the Subcommittee on Fish Trade on issues linking fisheries management and trade; and
- address any specific matters relating to fisheries referred to it by its Members, the Committee on Fisheries or the Director-General of FAO.

**Commented [WH(1):** Rather than listing here the matters to be covered, it is also proposed to keep a general ToR to be flexible and broad and develop an Appendix (similar to Appendix E of the Expert Consultation on the Subcommittee on Aquaculture), which will elaborate on specific activities and areas of work, as well as reflect activities under the FAO's Strategic Framework.

**Note for Consideration by COFI 34 Bureau**

1. The JTF agreed that among the subsidiary bodies listed in Rule VII of the Rules of Procedure of COFI, a new subcommittee on fisheries management is the preferred option to deal with fisheries matters either as a new subcommittee or through utilizing the existing COFI-structure.
2. The JTF reviewed several options, but without further analysis the taskforce could not reach agreement on a preferred option.
3. The JTF requested further analysis on the following three options, with analysis on pros & cons based on the criteria stipulated in Paragraph 23 of the Non-Paper prepared by the Secretariat, and also regarding cost to FAO and members as well as likely ability of members to participate:

Option 1: Status quo: To further utilize the existing bodies (COFI and SCFT/SCA) including parallel sessions during COFI on technical matters, or a 2-3 day session immediately prior to COFI;

Option 2: To create a new subcommittee according to the proposal made by Norway; and

Option 3: To keep two subcommittees, but rearrange the terms of reference:

Option 3-1: To change SCFT to a Sub-Committee on Fisheries Management (SCFM) and keep SCA, and discuss trade-related issues at each subcommittee respectively; and

Option 3-2: To change SCA to a Sub-Committee on Fisheries Management and Aquaculture (SCFMA) and keep SCFT while removing the trade related issues from the ToR of the former to avoid duplication. The former subcommittee, namely SCFMA, may organize split sessions on fisheries and aquaculture respectively for 2-3 days in parallel to Plenary, and then report the outcomes to the main session of SC (a possible approach could be also applied during COFI under Option 1).

4. The JTF also proposed the following issues to be considered by the Bureau Meeting:
  - Funding options to ensure developing country participation, e.g. such as establishing a fund to support participants from developing Members, or for subcommittee host countries to pay for attendance;
  - To evaluate the new SC/arrangements after 5-6 sessions;

- To organize SCs permanently in Rome rather than rotating among Members;
- To have Rome as a backup in the event that no host country can be found for a new subcommittee; and
- Effects of shortening both the subcommittee meetings on Fish Trade and Aquaculture as well COFI with 1 or 2 days, and thereby "make space" for an additional committee.