



**Food and Agriculture  
Organization of the  
United Nations**

**FIPI/R1101 (En)**

**FAO  
Fisheries and  
Aquaculture Report**

ISSN 2070-6987

**Report of the Thirty-first Session of the**

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**COMMITTEE ON FISHERIES**

**Rome, 9–13 June 2014**



Report of the Thirty-first Session of the  
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ISBN 978-92-5-108780-0

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## PREPARATION OF THIS DOCUMENT

This is the final version of the report as approved by the Thirty-first Session of the Committee on Fisheries, held in Rome from 9 to 13 June 2014.

**FAO. 2015.**

*Report of the Thirty-first Session of the Committee on Fisheries. Rome, 9–13 June 2014.*

FAO Fisheries and Aquaculture Report No. 1101. Rome. 126 pp.

### ABSTRACT

The Thirty-first Session of the Committee on Fisheries (COFI) was held in Rome, Italy, from 9 to 13 June 2014. The Committee reviewed issues of an international character, as well as the FAO programme in fisheries and aquaculture and its implementation. It expressed its praise and support for the publication *The State of World Fisheries and Aquaculture 2014*, and emphasized the need for further measures to rebuild fish stocks. While commending the new web-based questionnaire on the implementation of the FAO Code of Conduct for Responsible Fisheries (the Code), COFI called upon FAO to further develop and review the questionnaire. While noting the progress made by the Members in implementing the Code and related instruments, COFI underscored the need to continue supporting developing countries. It acknowledged efforts being made by Members in combating illegal, unreported and unregulated (IUU) fishing and emphasized the importance of the coming into force of the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing as soon as possible. The Committee requested FAO to expand its efforts to implement effectively the International Guidelines on Bycatch Management and Reduction of Discards. It endorsed the Voluntary Guidelines for Flag State Performance, and reiterated its support for the continued development of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record). The Committee endorsed the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) and agreed to dedicate them to Ms Chandrika Sharma, the Executive Secretary of the International Collective in Support of Fishworkers. The Committee welcomed FAO's proposal for a Global Assistance Programme (GAP) for the implementation of the SSF Guidelines and recommended to further develop the GAP in a participatory manner. It acknowledged FAO's Blue Growth Initiative (BGI) and suggested the establishment of a BGI working group to further develop its application. It acknowledged the importance of inland fisheries and recommended that inland fishery issues be better included in national, subregional, regional and global instruments addressing water use and food security. The Committee urged FAO to provide guidance and increase capacity development in the areas of data collection and analysis, stock assessment, management, post-harvesting, and policy development. It endorsed the reports of the fourteenth session of the Sub-Committee on Fish Trade and the seventh session of the Sub-Committee on Aquaculture. The Committee welcomed FAO's new Strategic Objectives as a basis for focusing FAO's work in fisheries and aquaculture. It endorsed the Progress Report of the Multi-year Programme of Work (MYPOW) 2012–2015 of the Committee and the MYPOW 2014–2017. The Committee adopted the proposed amendments to the Rules of Procedure of the Committee.



## CONTENTS

	<b>Page</b>
GLOBAL POLICY AND REGULATORY MATTERS FOR THE ATTENTION OF THE CONFERENCE	vii
PROGRAMME AND BUDGETARY MATTERS FOR THE ATTENTION OF THE COUNCIL	viii
	<b>Paragraphs</b>
OPENING OF THE SESSION	1–5
ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION	6
DESIGNATION OF THE DRAFTING COMMITTEE	7
STATE OF WORLD FISHERIES AND AQUACULTURE AND PROGRESS IN THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES AND RELATED INSTRUMENTS	8–16
SECURING SUSTAINABLE SMALL-SCALE FISHERIES	17–30
GLOBAL AND REGIONAL PROCESSES AND INSTRUMENTS	31–42
INLAND FISHERIES	43–51
DECISIONS AND RECOMMENDATIONS OF THE FOURTEENTH SESSION OF THE COFI SUB-COMMITTEE ON FISH TRADE, BERGEN, NORWAY, 24–28 FEBRUARY 2014	52–67
DECISIONS AND RECOMMENDATIONS OF THE SEVENTH SESSION OF THE COFI SUB-COMMITTEE ON AQUACULTURE, ST. PETERSBURG, RUSSIAN FEDERATION, 7–11 OCTOBER 2013	68–78
FAO’S WORK IN FISHERIES AND AQUACULTURE UNDER THE REVIEWED STRATEGIC FRAMEWORK	79–87
MULTI-YEAR PROGRAMME OF WORK (MYPOW) OF THE COMMITTEE	88–89
RULES OF PROCEDURE OF THE COMMITTEE AND SUB-COMMITTEES	90
ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS OF THE THIRTY-SECOND SESSION OF COFI	91

ANY OTHER MATTERS	92–94
DATE AND PLACE OF THE NEXT SESSION	95
ADOPTION OF THE REPORT	96-98

**APPENDIXES**

	<b>Page</b>
A Agenda	13
B List of delegates and observers	14
C List of documents	48
D Opening statement by Mr José Graziano da Silva, Director-General of FAO	50
E Address by Mr Koji Sekimizu, Secretary General, International Maritime Organization	54
F Voluntary Guidelines on Small-Scale Fisheries for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication	58
G Chairperson’s report of the Technical Consultation on International Guidelines for Securing Sustainable Small-scale Fisheries	77
H Voluntary Guidelines on Flag State Performance	106
I Multi-year Programme of Work (MYPOW) of the Committee on Fisheries 2014–2017	116
J Proposed amendments to the Rules of Procedure of the FAO Committee on Fisheries	120
K Chairperson’s statement with regard to the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication	124
L COFI Members’ comments proposed at the time of the adoption of the Report of the thirty-first session of COFI and after the session	125



**GLOBAL POLICY AND REGULATORY MATTERS  
FOR THE ATTENTION OF THE CONFERENCE**

- i) Many Members **emphasized** the importance of the coming into force of the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) as soon as possible (para. 13).
- ii) The Committee **endorsed** the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) by accepting the Chair's proposal for the finalization of paragraph 6.18 (para. 17).
- iii) Many Members **emphasized** that FAO should be the centre of fisheries and aquaculture activities within the United Nations (UN) System (para. 34).
- iv) The Committee **endorsed** the Voluntary Guidelines for Flag State Performance (VGFSP) (para. 37).
- v) The Committee **recommended** that inland fishery issues be better included in national, subregional, regional and global instruments addressing water use and food security to ensure that inland capture fisheries, and the men and women depending on them for food and nutritional security, were appropriately considered (para. 47).
- vi) The Committee **reiterated** its support for FAO's work with regard to commercially exploited aquatic species of interest to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (para. 62).
- vii) The Committee **expressed** support for FAO's collaboration with the World Trade Organization (WTO) on issues related to trade in fish and fishery products and, in particular, the fisheries subsidies negotiations (para. 63).
- viii) The Committee **reiterated** the need to promote and implement existing international instruments, agreements, plans of action and technical guidelines (para. 81).

**PROGRAMME AND BUDGETARY MATTERS  
FOR THE ATTENTION OF THE COUNCIL**

- i) The Committee **called upon** FAO to:
  - o further develop the web-based questionnaire system for the monitoring of the implementation of the Code of Conduct for Responsible Fisheries (the Code), together with the related data processing tools and usability features;
  - o undertake a review of the contents of the questionnaire, taking into account recent developments in global fisheries and aquaculture, as well as comments already provided by respondents, and include space for complementary information to be added to each section;
  - o ensure coherence of the Code questionnaire with the Sub-committees' questionnaires on trade and aquaculture, and
  - o provide assistance to Members, as appropriate, to compile and submit information through the web-based questionnaire (para. 10).
- ii) The Committee **underscoring** the need to continue supporting developing countries in enhancing food security through the development of sustainable fisheries and aquaculture (para. 11).
- iii) The Committee **requested** FAO to expand its efforts to effectively implement the International Guidelines on Bycatch Management and Reduction of Discards. The Committee **called** for further work to address the issue of post-harvest losses and waste in certain fisheries (para. 14).
- iv) The Committee **welcomed** FAO's proposal for a Global Assistance Programme (GAP) to support the implementation of the SSF Guidelines without delay (para. 23).
- v) The Committee **acknowledged** the FAO's Blue Growth Initiative (BGI) and many Members **expressed interest** to collaborate in this initiative (para. 32).
- vi) The Committee **encouraged** FAO to continue with the delivery of its capacity development programme to assist developing countries in strengthening and harmonizing port State measures (para. 38).
- vii) The Committee **reiterated its support for** the continued development by FAO of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record) (para. 40).
- viii) The Committee **acknowledged** the importance of inland fisheries as a means towards meeting FAO's Strategic Objectives (SOs) of food security, sustainable development, poverty alleviation, stable markets and increased resilience (para. 44).
- ix) The Committee **urged** FAO to provide guidance and increase capacity development in the areas of data collection and analysis, stock assessment, management, post-harvesting, and policy development (para. 49).
- x) The Committee **expressed** support for FAO's capacity-building activities on post-harvest issues, in particular for small-scale producers and processors in developing countries (para. 54).
- xi) The Committee **welcomed** FAO's ongoing work on value-chains and **recommended** its strengthening, especially in relation to small-scale fisheries and aquaculture (para. 55).
- xii) The Committee **took note of** paragraph 68 of the UN General Assembly Resolution on Sustainable Fisheries of 9 December 2013 on catch documentation and **welcomed** the offer by Norway to support the convening of an Expert Consultation on this issue (para. 59).

- xiii) The Committee **agreed** that FAO should continue its work on the monitoring of private standards, certification and eco-labelling schemes and undertake an analysis of their effects on fisheries management and on economic returns (para. 61).
- xiv) The Committee **reiterated** the need for FAO's continued technical assistance and engagement with national governments for the development of aquaculture and all its aspects (para. 69).
- xv) The Committee, while approving the Evaluation Framework for Assessing Conformity of Public and Private Certification Schemes with the FAO Technical Guidelines on Aquaculture Certification, **recalled** the need to address the concerns expressed by the Members on this issue at the seventh session of the Sub-Committee (para. 75).
- xvi) The Committee **welcomed** FAO's new SOs as a basis for focusing FAO's work in fisheries and aquaculture on food security, poverty reduction and sustainable management and utilization of natural resources. The Committee **stressed** that all work carried out by FAO should be consistent with the Strategic Framework, including the activities carried out under extra-budgetary funds (para. 80).
- xvii) Many Members **expressed support** for FAO's continued work on certain issues such as deep-sea fisheries, lost and abandoned fishing gear, and the impacts of climate change on fisheries and aquaculture (para. 82).
- xviii) The Committee **noted** the need for integrating biosecurity, carrying out capacity assessment and spatial planning in the implementation of aquaculture strategies (para. 84).
- xix) The Committee **called upon** FAO to:
  - o further elaborate and provide more technical precision regarding the BGI in contributing to the SOs;
  - o provide support to countries regarding the impacts of climate change in relation to the fisheries and aquaculture sectors; and
  - o provide assistance to Members, as appropriate, to compile and submit statistics, including socio-economic data and related information on small-scale fishers and communities (para. 86).



## **OPENING OF THE SESSION**

1. The Committee on Fisheries (COFI) held its Thirty-first Session in Rome from 9 to 13 June 2014. The Session was attended by 110 Members of the Committee and one Associate Member, by observers from five other FAO Member Nations, the Holy See, representatives from six United Nations (UN), Specialized Agencies of UN and related organizations and observers from 65 intergovernmental and international non-governmental organizations. A list of delegates and observers is attached as Appendix B.
2. Mr Johán H. Williams, Chairperson, Thirty-first Session of COFI, opened the session and welcomed the participants.
3. Mr José Graziano da Silva, Director-General of FAO, inaugurated the session and delivered a statement. The text of his statement is attached as Appendix D.
4. Mr Koji Sekimizu, Secretary-General of the International Maritime Organization (IMO) delivered a statement. The text of his statement is attached as Appendix E.
5. The Chairperson gave an administrative report on the intersessional work by the Bureau.

## **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

6. The Committee adopted the Agenda and Timetable for the session. The Agenda is attached as Appendix A to this Report. The list of documents which were placed before the Committee is shown in Appendix C.

## **DESIGNATION OF THE DRAFTING COMMITTEE**

7. The following Members were elected to the Drafting Committee: Argentina, Bangladesh, the Dominican Republic, Germany, Iran (Islamic Republic of), Japan, New Zealand, Norway, Qatar, the Republic of Korea, Spain, the United States of America, and Zimbabwe. Argentina chaired the Drafting Committee.

## **STATE OF WORLD FISHERIES AND AQUACULTURE AND PROGRESS IN THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES AND RELATED INSTRUMENTS**

8. The Committee expressed praise and support for the publication *The State of World Fisheries and Aquaculture 2014* (SOFIA 2014). It welcomed and appreciated the release of the publication prior to COFI which provided adequate time for review.
9. The Committee welcomed the new categorization of the status of marine stocks, as requested by the Thirtieth Session of COFI. Most Members were encouraged by the results in SOFIA 2014. Some expressed cautious optimism with regard to the stock status and others remained concerned. They also emphasized the need for further measures to rebuild the stocks. There were requests to include more detailed information on the status of specific stocks, including data on fleet capacity and addition of socio-economic data, with a strong call to add regional information and perspectives. Members called for disaggregating data in future editions, suggested that specific topics be emphasized or added, and requested that assessments on some stocks and species be updated and corrected. Specifically, some Members requested that the ratio of stocks fished sustainably/unsustainably be expressed in terms of volume (catch in tonnes) and value.

10. The Committee commended the work undertaken by FAO to develop the new web-based questionnaire on the implementation of the FAO Code of Conduct for Responsible Fisheries (the Code) and welcomed the substantial increase in response rates of Members, regional fishery bodies (RFBs) and non-governmental organizations (NGOs) which provided for a more thorough and reliable analysis to be carried out. The Committee called upon FAO to:

- (a) further develop the web-based system, together with the related data processing tools and usability features;
- (b) undertake a review of the contents of the questionnaire, taking into account recent developments in global fisheries and aquaculture, as well as comments already provided by respondents, and include space for complementary information to be added in each section;
- (c) ensure coherence of the Code questionnaire with the Sub-Committees' questionnaires on trade and aquaculture, and
- (d) provide assistance to Members, as appropriate, to compile and submit information through the web-based questionnaire.

11. The Committee noted the progress made by Members in implementing the Code and related instruments, together with the notable engagements of RFBs and NGOs. It underscored the need to continue supporting developing countries in enhancing food security through the development of sustainable fisheries and aquaculture. In particular, the safeguarding of small-scale fisheries and the improvement of data collection and monitoring systems including through capacity development programmes, were highlighted. Furthermore, the Committee noted that Small Island Developing States (SIDS) required distinct support to improve implementation of the Code and to alleviate trade-barrier constraints.

12. The relevance of aquaculture in the provision of livelihoods and fish as food was underscored. The Committee recognized the need to support the expansion of small-scale aquaculture in developing countries in line with responsible practices laid down in the Code.

13. The Committee acknowledged efforts being made by Members in combating Illegal, Unreported and Unregulated (IUU) fishing, including through regional mechanisms and the development of national plans of action. Many Members emphasized the importance of the coming into force of the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA), as soon as possible. Some Members noted with concern the persisting problem of piracy in some regions of the world which needed to be addressed with urgency.

14. The Committee reiterated its support for FAO's ongoing work on bycatch management and reduction of discards. It requested FAO to expand its efforts to effectively implement the International Guidelines on Bycatch Management and Reduction of Discards, addressing all fishing gears where bycatch, including, *inter alia*, marine mammals, and discards were a concern. The Committee called for further work to address the issue of post-harvest losses and waste in certain fisheries.

15. Concern was expressed over ghost fishing by abandoned, lost or otherwise discarded fishing gear (ALDFG) and that greater attention should be paid by Members and RFBs/regional fisheries management organizations (RFMOs) to mitigate ALDFG impacts, noting that cost-effective technologies and practices were available. Many Members highlighted the need for further work on this issue.

16. The importance of safety at sea in the fisheries sector was highlighted and the Committee welcomed the effective cooperation established in this regard between FAO and the International Labour Organization (ILO) and IMO. Many Members stressed the link between safety at sea and forced labour and the occurrence of IUU fishing activities. They referred, in this context, to the ILO Convention 188 and to the Cape Town Agreement of 2012 on the implementation of the provisions of the Torremolinos Protocol of 1993.

## **SECURING SUSTAINABLE SMALL-SCALE FISHERIES**

### **Endorsement of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)**

17. The Committee endorsed the SSF Guidelines by accepting the Chair's proposal for the finalization of paragraph 6.18.

18. The Committee agreed that a footnote be added to paragraph 6.18 of the Guidelines (reading: "Section 25 is entitled Conflicts in respect to tenure of land, fisheries and forest"). The Legal Counsel indicated that this explanatory footnote did not reopen the Guidelines. The endorsed Guidelines are attached in Appendix F.

19. The Committee agreed to honour Ms Chandrika Sharma in the SSF Guidelines for her invaluable contributions to small-scale fisheries.

20. The Committee noted the critical role of the adopted SSF Guidelines in improving the social, economic and cultural status of small-scale fisheries, which were often particularly vulnerable to disasters and climate change. The Committee highlighted the need of the sector, which played a crucial role in contributing to the promotion of livelihoods, as well as food security and nutrition in many countries. It also reiterated the importance of the guiding principles of the SSF Guidelines, in particular the human-rights based approach.

21. Some Members noted that the SSF Guidelines should not represent a barrier to trade, fostering legal and formal access of small-scale fishers.

22. The Secretariat was requested to take note of statements made by Members and to reflect them in the Chairperson's Report of the Technical Consultation on SSF Guidelines in Appendix G.

### **Global Assistance Programme (GAP) for the implementation of the SSF Guidelines**

23. The Committee welcomed FAO's proposal for a GAP to support the implementation of the SSF Guidelines without delay.

24. The Committee agreed on the inclusive and consensus-seeking overall strategic approach and the structure of the GAP around four components: raising awareness; strengthening the science-policy interface; empowering stakeholders and supporting implementation. It also confirmed that the principles of the SSF Guidelines should be mainstreamed in policies and actions at all levels.

25. Some Members, while supporting the SSF Guidelines, expressed their disappointment with the endorsement process of the Guidelines.

26. The Committee recommended to further develop the GAP in a participatory manner and to define the roles of different partners in the implementation of the SSF Guidelines.



27. The Committee acknowledged FAO's role in the development and implementation of the SSF Guidelines including a monitoring process through COFI.
28. The Committee emphasized the role of governments in the implementation of the SSF Guidelines, as well as regional and local fisheries organizations to ensure ownership of the SSF Guidelines. It also recommended building on existing experiences and institutional structures and processes.
29. The Committee noted the urgent need for extra-budgetary funding for the implementation.
30. Some Members called for the establishment of a Sub-Committee on small-scale fisheries.

## **GLOBAL AND REGIONAL PROCESSES AND INSTRUMENTS**

### **Global and regional processes**

31. FAO's Blue Growth Initiative (BGI) was presented as an initiative of the Director-General of FAO, responding to the call from Rio+20, and as a part of the Strategic Framework of the Organization. The BGI recognizes the important role of aquatic resources for food security. The goal of the BGI is to address food security and poverty alleviation through quality capture fisheries and aquaculture production through processes which are integrated, sustainable and socioeconomically sensitive.
32. The Committee acknowledged the BGI and commended the efforts of the Secretariat to identify the areas of activity that would be a part of the initiative. Many Members expressed interest to collaborate in this initiative. Some Members noted that the BGI was presented only in abstract terms and expressed concern about the lack of a common understanding of the concept.
33. Some Members suggested the establishment of a BGI working group to further develop the application of the initiative and that regional workshops be carried out in relation to the BGI. Some Members expressed support for the proposal by the Republic of Korea to establish a "FAO World Fisheries University". The proposed University would promote the BGI to enhance capacity building of developing States in the field of fisheries through education and training.
34. Many Members emphasized that FAO should be the centre of fisheries and aquaculture activities within the UN System, and supported FAO collaborating across the UN System. Some Members also supported collaboration with other current regional and global processes. However, duplication of coordination mechanisms should be avoided. Several Members noted that the FAO Secretariat should prioritize between different initiatives in accordance with mandates from its Statutory Bodies.
35. On the subject of non-FAO RFBs/RFMOs, several Members applauded the practice of conducting performance reviews on a regular basis as a necessary process to show transparency and accountability in their activities, and emphasized the need to implement the recommendations. One Member also suggested that the effectiveness of catch reporting and monitoring should be a part of all performance reviews.
36. On the subject of FAO RFBs, a number of Members expressed concern that FAO RFBs and FAO RFMOs were grouped together in one discussion within the paper. Likewise, some Members requested that the activities of the RFBs be organized in subregions taking into account the criteria of similarities, challenges and development which countries may face.



There was support for the idea of FAO RFBs being strengthened on a case by case basis. One Member requested a workplan to revitalize existing FAO RFBs by the thirty-second session of COFI in 2016.

### **Instruments combating IUU fishing**

37. The Committee welcomed the conclusion of the Technical Consultation on Flag State Performance and praised the work carried out by the Secretariat in reviewing the adopted Voluntary Guidelines for Flag State Performance (VGFSP), which were unanimously endorsed by the Committee as available in Appendix H. The Committee urged Members to start implementing the VGFSP as soon as possible. Some Members proposed to hold a technical consultation to address transshipment at sea.

38. The Committee noted the slow rate of ratification, approval, acceptance or accession to the PSMA. Many Members declared their appreciation of the benefits of the PSMA as a cost-effective and important tool to combat IUU fishing. Some Members informed the Committee on the status of their internal processes to become party to the Agreement. The Committee encouraged FAO to continue with the delivery of its capacity development programme to assist developing countries in strengthening and harmonizing port State measures, including through bilateral, subregional and/or regional coordination.

39. One Member reiterated that references in the documents of the session to the 1982 UN Convention on the Law of the Sea (UNCLOS) did not prejudice the position of any State with respect to signature, ratification or accession to this instrument and its further role. Furthermore, some Members also reiterated that references in the documents of the session to the 1995 UN Fish Stocks Agreement did not imply that this Agreement may apply to States that had not expressed their consent to be bound by it.

40. Recognizing the role of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record) in the concerted fight against IUU fishing, the Committee:

- (a) reiterated its support for the Global Record's continued development by FAO and commended FAO on the preparation of the strategy document and the demonstration of the prototype;
- (b) welcomed FAO's efforts in coordinating the Global Record with other existing systems to keep it cost-effective, while working towards standardization at the global level;
- (c) appreciated the collaboration with IMO in extending its ship identification number scheme to fishing vessels and agreed that the IMO number should be used as the Global Record's unique vessel identifier for Phase 1;
- (d) noted that several RFMOs have made provisions for the IMO number to be compulsory in their convention areas;
- (e) agreed that States were responsible for the data and its provision to the Global Record, possibly through RFMOs, and
- (f) appreciated FAO's continued assistance to developing States.

41. Some Members recognized the need for an advisory committee to clarify outstanding issues and to find a solution for the long-term financing.

42. Some Members noted that the UN General Assembly, in relation to IUU fishing, had called on Members to initiate work within FAO in developing guidelines on catch documentation schemes to be addressed under Agenda item 8 on Fish trade.

## INLAND FISHERIES

43. The Committee expressed appreciation for FAO's work in raising the profile of inland fisheries and welcomed inland fisheries as a stand-alone agenda item and requested continued attention in the future.

44. The Committee acknowledged the importance of inland fisheries as a means towards meeting FAO's Strategic Objectives (SOs) on food security, sustainable development, poverty alleviation, stable markets and increased resilience.

45. The Committee recognized the many competing uses of inland waters and recommended that a cross-sectoral, ecosystem approach be taken. This approach should include the opportunities and threats posed by aquaculture, stocking, invasive/alien species and climate change.

46. The Committee noted that information and data on inland fisheries was insufficient and often difficult and expensive to collect. However new methods were available, e.g. remote sensing and geo-spatial tools, to help in this regard. As a result of poor information, the contribution of inland fisheries to livelihoods and food security was undervalued and therefore not adequately considered in the local, national, regional and global agenda.

47. The Committee recommended that inland fishery issues be better included in national, subregional, regional and global instruments addressing water use and food security to ensure that inland capture fisheries, and the men and women depending on them for food and nutritional security, were appropriately considered. The Committee noted that the recently endorsed SSF Guidelines would provide guidance in this regard.

48. Some Members noted the important role of FAO's decentralized offices, regional fishery bodies, and basin and river authorities in addressing inland fishery issues and recommended that FAO strengthen those bodies dealing with inland fisheries and increase subregional and regional cooperation.

49. The Committee urged FAO to provide guidance and increase capacity development in the areas of data collection and analysis, stock assessment, management, post-harvesting, and policy development. Some Members further supported the concept of community-based fishery management.

50. Some Members supported FAO convening a high-level policy meeting on inland capture fisheries, potentially in conjunction with the Global Conference on Inland Fisheries: Fresh Water, Fish and the Future, to be held in January 2015, together with Michigan State University.

51. Some Members recognized the importance of collaboration and partnerships, and appreciated the signing of a Memorandum of Understanding (MOU) between Michigan State University and FAO to formalize cooperation for responsible development and management of inland capture fisheries and aquatic ecosystems.

**DECISIONS AND RECOMMENDATIONS OF THE FOURTEENTH SESSION OF THE COFI SUB-COMMITTEE ON FISH TRADE, BERGEN, NORWAY, 24–28 FEBRUARY 2014**

52. The Committee endorsed the Report of the fourteenth session of the Sub-Committee on Fish Trade, Bergen, Norway, 24–28 February 2014, and thanked the Government of Norway for hosting the Session.
53. The Committee underlined the important function of the Sub-Committee on Fish Trade as a forum for Members on technical and policy-related trade issues.
54. The Committee expressed support for FAO's capacity-building activities on post-harvest issues, in particular for small-scale producers and processors in developing countries. Some Members recognized the special conditions of SIDS and recommended that this should be reflected in FAO's work.
55. The Committee welcomed FAO's ongoing work on value-chains and recommended its strengthening, especially in relation to small-scale fisheries and aquaculture.
56. Many Members expressed concern that various documentation requirements could pose unjustifiable barriers to trade.
57. Some Members supported work on the best practice guidelines on traceability and emphasized the need to convene an Expert Consultation to undertake a gap analysis in relation to best practices and standards for traceability, should extra-budgetary resources materialize.
58. The Committee noted the usefulness of catch documentation schemes in combating IUU fishing and welcomed initiatives to harmonize current schemes, *inter alia*, in order to reduce the administrative burden and costs.
59. The Committee took note of paragraph 68 of the UN Fisheries Resolution on Sustainable Fisheries of 9 December 2013 on catch documentation and welcomed the offer by Norway to support the convening of an Expert Consultation on this issue.
60. The Committee recognized that FAO would undertake to elaborate guidelines and other relevant criteria relating to catch documentation schemes, including possible formats, based on the following principles: a) conformity with the provisions of relevant international law; b) not create unnecessary barriers to trade; c) equivalence; d) risk-based; e) reliable, simple, clear and transparent; and f) electronic if possible, aiming for adoption at the thirty-second session of the Committee of Fisheries. The assessment of schemes and formats would include cost-benefit considerations and take into account catch documentation schemes already implemented by certain Members as well as by RFMOs.
61. Many Members expressed their concern at the proliferation of private standards, certification and eco-labelling schemes as prerequisites for market access, and about the use of labelling requirements lacking scientific or methodological base. The Committee agreed that FAO should continue its work on the monitoring of such schemes and undertake an analysis of their effects on fisheries management and on economic returns.
62. The Committee reiterated its support for FAO's work on commercially exploited aquatic species of interest to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The Committee requested the FAO Expert Advisory Panel to

strengthen its consideration of technical issues related to fisheries management and international trade consistent with the Panel's terms of reference. Some Members recommended that such work be funded by FAO's Regular Programme.

63. The Committee expressed support for FAO's collaboration with the World Trade Organization (WTO) on issues related to trade in fish and fishery products and, in particular, the fisheries subsidies negotiations.

64. Some Members commended the FAO's work in improving the Harmonized Commodity Description and Coding System (HS) for fish products in collaboration with the World Customs Organization, and encouraged FAO to continue this activity with focus on endangered species and on a possible breakdown between farmed and wild species.

65. The Committee took note of the concerns expressed by some Members regarding the use of unilateral trade measures.

66. Many Members congratulated GLOBEFISH upon its 30th Anniversary and noted its usefulness in supplying information and analysis on markets and trade.

67. The Committee welcomed the kind invitation of the Kingdom of Morocco to host the 15th Session of the Sub-Committee.

#### **DECISIONS AND RECOMMENDATIONS OF THE SEVENTH SESSION OF THE COFI SUB-COMMITTEE ON AQUACULTURE, ST. PETERSBURG, RUSSIAN FEDERATION, 7–11 OCTOBER 2013**

68. The Committee endorsed the report of the seventh session of the Sub-Committee on Aquaculture held in St. Petersburg, Russian Federation from 7–11 October 2013 and thanked the Russian Federation for hosting the session.

69. The Committee:

- (a) recognized the importance of aquaculture for food security and nutrition, poverty alleviation, income generation, employment and trade;
- (b) emphasized the need to engage all regional networks, strengthen public/private partnerships and provide support to the small-scale sector in the effort to develop sustainable aquaculture;
- (c) reiterated the need for FAO's continued technical assistance and engagement with national governments for the development of aquaculture and all its aspects.

70. Some Members suggested that the Sub-Committee take a strategic approach to address aquatic animal health issues.

71. Some Members underscored the importance of strengthening South-South cooperation with emphasis on the regional and subregional levels in promoting sustainable aquaculture development.

72. The Committee recognized the contribution of sustainably-managed inland fisheries and culture-based fisheries to global food security and nutrition, while some Members emphasized the importance of maintaining genetic integrity of stocks with regards to stock enhancement programmes.

73. While endorsing the revised terminology on culture-based fisheries, a few countries requested amendments to some of the definitions. The Secretariat proposed that this request be proposed to the next session of the Sub-Committee for its consideration.

74. Some Members requested that the process of establishing the FAO Advisory Working Group on Aquatic Genetic Resources and Technologies be open and transparent, and that Genetically Modified Organisms not be included in the scope of the Group's activities.

75. The Committee, while approving the Evaluation Framework for Assessing Conformity of Public and Private Certification Schemes with the FAO Technical Guidelines on Aquaculture Certification, recalled the need to address the concerns expressed by the Members on this issue at the seventh session of the Sub-Committee.

76. The Committee re-emphasized the need to use a regional approach for setting priorities during the development of the strategic framework for the work of the Sub-Committee and recommended that FAO conduct inclusive consultations to set regional priorities. The Committee emphasized the need to harmonize the Sub-Committee strategic framework with FAO's SOs.

77. Many Members acknowledged the importance of the BGI for FAO's future work on aquaculture development, supported the Global Aquaculture Advancement Partnership Programme and recognized its role as a mechanism for technical cooperation and resource mobilization. Some Members called for its financing under the Regular Programme budget. Sri Lanka announced the first contribution to the Global Aquaculture Fund, initiated by His Excellency Mahinda Rajapaksa, Honourable President of Sri Lanka, and requested others to follow.

78. The Committee welcomed the kind invitation of Brazil to host the eighth session of the Sub-Committee on Aquaculture in Brasilia, from 5 to 9 October 2015.

## **FAO'S WORK IN FISHERIES AND AQUACULTURE UNDER THE REVIEWED STRATEGIC FRAMEWORK**

79. The Committee commended the quality of the document on FAO's programme of work in fisheries and aquaculture, which had improved over successive sessions of COFI. The separate information document of the Secretariat's follow-up on recommendations from the previous COFI Session was welcomed.

80. The Committee welcomed FAO's new SOs as a basis for focusing FAO's work in fisheries and aquaculture on food security, poverty reduction and sustainable management, and utilization of natural resources. The Committee stressed that all work carried out by FAO should be consistent with the Strategic Framework, including the activities carried out under extra-budgetary funds.

81. The Committee reiterated the need to promote and implement existing international instruments, agreements, plans of action and technical guidance. Some Members also encouraged to increase collaboration with RFMOs, other intergovernmental organizations and mechanisms, noting the utility of recognizing the respective comparative advantages of all those concerned.

82. Many Members expressed support for FAO's continued work on certain issues such as deep-sea fisheries, lost and abandoned fishing gear, and the impacts of climate change on fisheries and aquaculture, including the possibility of focusing future agenda items on these issues.

83. The Committee expressed concern about over-exploitation, marine and land-based sources of pollution, declining biodiversity, increase in alien/invasive species, ocean acidification and disease outbreaks.

84. The Committee noted the need for integrating biosecurity, carrying out capacity assessment and spatial planning in the implementation of aquaculture strategies.

85. The Committee acknowledged the importance of applying the ecosystem approach to fisheries and aquaculture management, also taking into account all dimensions of sustainability (social, economic and environmental). The Committee also welcomed integrated approaches to deliver on the strategic priorities of food security, sustainability, poverty reduction and productivity.

86. The Committee called upon FAO to:

- (a) further elaborate and provide more technical precision regarding the BGI in contributing to the SOs;
- (b) provide support to countries regarding the impacts of climate change in relation to the fisheries and aquaculture sectors, and
- (c) provide assistance to Members, as appropriate, to compile and submit statistics, including socio-economic data and related information on small-scale fishers and communities.

87. The Committee welcomed the kind offer of Spain to host a conference in Vigo, Spain in 2015 to celebrate the 20th Anniversary of the FAO Code of Conduct for Responsible Fisheries. Spain invited all COFI Members and participants to attend.

#### **MULTIYEAR PROGRAMME OF WORK (MYPOW) OF THE COMMITTEE**

88. The Committee approved the Progress Report of the MYPOW 2012–2015 and the MYPOW 2014–2017 as attached in Appendix I.

89. The Committee suggested further improvement of the MYPOW, *inter alia*, by identifying quantifiable targets and indicators, and the actors to implement the decisions. It was also proposed to clearly mention the importance and usefulness of side events.

#### **RULES OF PROCEDURE OF THE COMMITTEE AND SUB-COMMITTEES**

90. The Committee reviewed and adopted the proposed amendments to the Rules of Procedure of the Committee set out in Appendix J.

#### **ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS OF THE THIRTY-SECOND SESSION OF COFI**

91. The Committee elected Mr Fabio Hazin (Brazil) as Chairperson and Mr William Gibbons-Fly (the United States of America) as First Vice-Chairperson. Ghana, Kuwait, New Zealand, Poland and the Republic of Korea were elected as Vice-Chairpersons.



**ANY OTHER MATTERS**

92. The Republic of the Philippines recalled Typhoon Hayan which hit the Philippines in November 2013, and the loss of lives, destruction, pain and suffering it caused. He expressed gratitude and appreciation to the UN, NGOs and numerous countries, for their significant assistance and generous support in the aftermath of the disaster. He also recalled the 116th Independence Day of the Philippines.

93. The representative of the Division for Ocean Affairs and the Law of the Sea recalled the importance of the UNCLOS for the legal regime of the oceans, as well as that of the UN-Oceans for inter-agency consultations on ocean matters. He appreciated the contributions by FAO and Members to the reports of the Secretary-General on Oceans and the Law of the Sea. He thanked FAO's Fisheries and Aquaculture Department for the long-standing cooperation on fisheries-related matters.

94. The representative of the International Union for the Conservation of Nature (IUCN) highlighted some impacts of fishing on the environment. Furthermore, emphasis was given to the significance of impacts on fisheries resulting from climate change and ocean acidification, as well as the need for integrated management, and FAO and others were thanked for the ongoing collaboration.

**DATE AND PLACE OF THE NEXT SESSION**

95. The Committee agreed that the Thirty-second Session of COFI will be held in Rome, in 2016. The exact dates will be determined by the Director-General in consultation with the COFI Bureau, for presentation to the next FAO Council in December 2014 and the FAO Conference in 2015.

**ADOPTION OF THE REPORT**

96. The Committee had before it a Final Draft Report of the Thirty-first Session of COFI prepared by the Drafting Committee and presented by its Chair.

97. The Section entitled "Endorsement of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)", namely, paragraphs 17 to 22 of this Report, was adopted. A Chairperson's statement is attached in Appendix K.

98. The remaining sections of the Final Draft Report of the Thirty-first Session of COFI prepared by the Drafting Committee were adopted subject to the following arrangement. The Committee agreed that comments, including amendments, proposed by COFI Members to the Final Draft Report which were not approved by the Committee, but were reviewed by the Bureau, be reproduced in Appendix L hereto.





### Agenda

1. Opening of the session
2. Adoption of the Agenda and arrangements for the session
3. Designation of Drafting Committee
4. State of world fisheries and aquaculture and progress in the implementation of the Code of Conduct for Responsible Fisheries and related instruments
5. Securing sustainable small-scale fisheries
  - 5.1 Endorsement of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF-Guidelines)
  - 5.2 Global Assistance Programme for implementation of the SSF-Guidelines
6. Global and regional processes and instruments
  - 6.1 Global and regional processes
  - 6.1 Instruments combating Illegal, Unreported and Unregulated (IUU) fishing
    - (a) Endorsement of Voluntary Guidelines for Flag State Performance
    - (b) Progress and status of the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
7. Inland fisheries
8. Fish trade
  - 8.1 Decisions and recommendations of the 14th Session of the COFI Sub-Committee on Fish Trade, Bergen, Norway, 24-28 February 2014
  - 8.2 Guidelines on Traceability and Catch Documentations
  - 8.3 Any other matters
9. Aquaculture
  - 9.1 Decisions and recommendations of the 7<sup>th</sup> Session of the COFI Sub-Committee on Aquaculture, St. Petersburg, Russian Federation, 7-11 October 2013
  - 9.2 Global Aquaculture Advancement Partnership (GAAP) Programme
  - 9.3 Any other matters
10. FAO's work in fisheries and aquaculture under the reviewed Strategic Framework
11. Multi-year programme of work (MYPOW) of the Committee
12. Rules of Procedure of the Committee and Sub-Committees
13. Election of the Chairperson and Vice-Chairpersons of the thirty-second session of COFI
14. Any other matters
15. Date and place of the next session
16. Adoption of the report

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## OFFICERS OF THE COMMITTEE AT THE THIRTY-FIRST SESSION

<b>Chairperson:</b>	Mr Johán H. Williams (Norway)
<b>First Vice-Chairperson:</b>	Mr Fabio Hazin (Brazil)
<b>Vice-Chairpersons:</b>	Iran (Islamic Republic of), Morocco, New Zealand, Sri Lanka, the United States of America

### DRAFTING COMMITTEE

The Committee elected Mr Gustavo Infante (Argentina) as Chairperson of the Drafting Committee, with the following membership: Argentina, Bangladesh, the Dominican Republic, Germany, Iran (Islamic Republic of), Japan, New Zealand, Norway, Qatar, the Republic of Korea, Spain, the United States of America, and Zimbabwe.

### FAO FISHERIES AND AQUACULTURE DEPARTMENT

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Director, Fisheries and Aquaculture Policy and Economics Division:	Lahsen Ababouch
Director, Fisheries and Aquaculture Resources Use and Conservation Division:	Indroyono Soesilo

### SECRETARIAT

Secretary:	H. Watanabe
Secretary, Drafting Committee:	M. Camilleri

## APPENDIX C

**List of documents**

COFI/2014/1/Rev.1	Agenda and Timetable
COFI/2014/2/Rev.1	State of world fisheries and aquaculture and the progress in the implementation of the Code of Conduct for Responsible Fisheries and related instruments
COFI/2014/3	Securing sustainable small-scale fisheries: update on the development of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)
COFI/2014/4.1	Global and regional processes: a follow-up to Rio+20
COFI/2014/4.2/Rev.1	The Voluntary Guidelines for Flag State Performance, the 2009 FAO Agreement on Port State Measures and other instruments combating IUU fishing
COFI/2014/5	Inland fisheries: issues, developments and needs
COFI/2014/6	Decisions and recommendations of the fourteenth session of the COFI Sub-Committee on Fish Trade, Bergen, Norway, 24–28 February 2014
COFI/2014/7	Decisions and recommendations of the seventh session of the COFI Sub-Committee on Aquaculture, St. Petersburg, Russian Federation, 7–11 October 2013
COFI/2014/8	FAO's Programme of Work in fisheries and aquaculture under the reviewed Strategic Framework
COFI/2014/9	Multi-year programme of work (MYPOW) of the Committee on Fisheries: Progress Report
COFI/2014/10	Proposed Amendments to the Rules of Procedures of the Committee on Fisheries
COFI/2014/Inf.1/Rev.2	List of documents
COFI/2014/Inf.2	List of participants
COFI/2014/Inf.3	Statement by the Director-General
COFI/2014/Inf.4/Rev.1	Annotations/Guide Notes on Agenda Items
COFI/2014/Inf.5/Rev.1	Follow-up to the Recommendations of the thirtieth session of the Committee on Fisheries, Rome, Italy, 9–13 July 2012

COFI/2014/Inf.6	Report of the thirtieth session of the Committee on Fisheries, Rome, 9–13 July 2012
COFI/2014/Inf.7	Report of the fourteenth session of the COFI Sub-Committee on Fish Trade, Bergen, Norway, 24–28 February 2014
COFI/2014/Inf.8	Report of the seventh session of the COFI Sub-Committee on Aquaculture, St. Petersburg, Russian Federation, 7–11 October 2013
COFI/2014/Inf.9	Achievement of Fisheries and Aquaculture Programmes 2012–2013
COFI/2014/Inf.10	Chairperson’s report of the Technical Consultation on International Guidelines for Securing Sustainable Small-Scale Fisheries
COFI/2014/Inf.11	Regional Fishery Bodies established within FAO framework
COFI/2014/Inf.12/Rev.1	The Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record)
COFI/2014/Inf.13	An update of FAO’s work in support of capacity development and implementation of the International Guidelines on Bycatch Management and Reduction of Discards
COFI/2014/Inf.14	Safety at sea in the fisheries sector
COFI/2014/Inf.15/Rev.1	Progress in the implementation of the Code of Conduct for Responsible Fisheries and related instruments
COFI/2014/Inf.16	Report of the Technical Consultation on Flag State Performance, Rome, 2–6 May 2011, 5–9 March 2012 and 4–8 February 2013
COFI/2014/Inf.17	Statement of Competence and Voting Rights submitted by the European Union and its Member States



**APPENDIX D****Opening statement by Mr José Graziano da Silva  
Director-General of FAO**

Mr. Johan Williams, Chairperson of the 31st Session of the FAO Committee on Fisheries

Your Excellencies Ministers,

Your Excellencies Vice-Ministers, Deputy Ministers and State Ministers

Mr Koji Sekimizu, Secretary-General of the International Maritime Organization

Distinguished Delegates,

Colleagues from FAO and the United Nations

Non-state actors,

Ladies and Gentlemen,

It is an honor to welcome you to this session of COFI, one day after the celebration of Oceans Day.

First of all, let me begin by saying that I have just met this morning the Secretary-General of IMO. We discussed how to strengthen our collaboration, in particular, the implementation of the Torremolimos Protocol and the Cape Town Agreement of safety on fishing vessels.

I agreed with the Secretary General that although this instrument is an IMO convention, FAO and the fishing industry can help a lot in its implementation.

Ladies and gentlemen,

COFI is a privileged forum for a high-level debate on fisheries and aquaculture. This is a needed discussion to ensure that we work together towards food security and nutrition for all and a sustainable development.

When this Committee last met in 2012, FAO was embarking on a strategic thinking process.

This was part of a broader effort to transform FAO into an organization that is fitter, leaner, more focused and responsive to its Members, and better prepared to help you overcome today's challenges.

Two years ago, I explained why we needed this change. We presented our proposals. We heard your guidance. And we brought your inputs into the wider discussion that took place in all Governing Bodies of FAO to review our Strategic Framework and build our current Program of Work and Budget.

Today, I am pleased to say that last year's FAO Conference gave its consensus approval of the framework and our PWB.

And all five Regional conferences we had in 2014 endorsed the PWB, including 15 regional initiatives that are its main delivery instruments.

There are two points that I would like to highlight to you about this process.

First point: we sharpened our focus on five strategic objectives. Let me list them:

First, ending hunger and malnutrition;

Second, promoting sustainable food production and natural resources management;

Third, reducing rural poverty;

Fourth, improving food systems;

And, fifth, building resilience in rural areas.

An additional sixth objective guarantees the technical quality of our work and the delivery of our normative functions.

Second point that I would like to highlight: we are focusing on results. Our PWB is built to deliver concrete results and services to our Members.

The importance of fisheries and aquaculture is reflected throughout our program of work. It is an integral part of our efforts to achieve food security and sustainable development.

Fisheries and aquaculture give a central contribution to food security and nutrition. In average, it provides 17 percent of the animal protein that we consume.

This share can exceed 50 percent in some Small Island Developing States (the SIDS) and Asian countries. In these countries, for centuries fish has been a central element of local diets and their economies.

And, especially in the SIDS, food security and sustainable development depend on the vitality of our oceans and fish stocks.

Overfishing, pollution and climate change are putting this vitality at risk. The impacts are already evident. And the world's poor, in rural and coastal areas, are among the most affected.

I want to stress the urgency of individual and collective action to address climate change, one of the most pressing challenges the world faces today.

FAO is already engaging countries at the national, regional and international levels to respond. And, in this context, we welcome and support the process launched at the Rio+20 Conference to define the Sustainable Development Goals.

The Blue Growth-Blue Economy concepts featured prominently at Rio+20. This debate has gained momentum and will be high on the agenda of the UN Conference on SIDS, next September, in Samoa, and that I plan to attend.

FAO has been an active participant in this debate. We have also incorporated this issue in our work through the Blue Growth Initiative within the Members-approved strategic framework.

The Blue Growth Initiative falls within our Second Strategic Objective, which focuses on sustainability.

However, it is designed in a way that contributes to reaching all five strategic objectives you have defined as priority for FAO.

This initiative aims to ensure the contribution of fisheries and aquaculture to food security and nutrition in a sustainable way. That is: preserving our natural resources and their ecosystems, respecting local needs and realities, and being socially inclusive.

We will help countries scale up successful initiatives and identify solutions that can be customized to respond to similar challenges in other contexts.

This is important because there is no one size fits all solution. Action needs to respond to local needs and realities.

The Blue Growth Initiative will help us realize the full potential that fisheries and aquaculture play in global, national and local economies.

Livelihoods of 12 percent of the world's population depend on this sector. In particular, small-scale fisheries are the source of employment for more than 90 percent of the world's capture fishers and fish workers, about half of whom are women.

Small-scale fisheries also contribute more than half of the world's marine and inland fish catches.

However, at the same time that small-scale fishers supply most of the fish consumed in the developing world, many of their families are food-insecure themselves.

This is a paradox that we are working together to overcome and that does not affect only small-scale fishers.

Throughout the world, poor farmers, peasants, indigenous peoples, traditional communities, fisher folk, pastoralists, wood collectors and many others face the same precarious situation.

For a long time they were considered part of the hunger problem. But that could not be further than the truth. They are an integral part of our efforts to reach sustainable food security. They are not part of the problem; they are part of the solution.

That is why we are shining the spotlight on them in 2014, which has been declared the International Year of Family Farming.

And in this context, this week you have the opportunity to give an important boost to small-scale fisheries.

I am hopeful that you will be able to overcome your differences, finalize and endorse the draft text of the Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries, that follow the spirit of the Voluntary Guidelines on the Responsible Governance of Tenure approved in 2012 by the Committee on World Food Security.

I am confident that you will not leave the small-scale fishers without this important tool that will help a lot in the implementation of national policies that can guarantee their survival in the coming years.

Ladies and Gentlemen,

The current state of world fisheries and aquaculture that will be presented shortly will set the stage for your discussions.

You have a full agenda this week. Among the important issues you will discuss are the implementation of the Code of Conduct for Responsible Fisheries and its related instruments.

You will also address aspects on combating Illegal, Unreported and Unregulated fishing and counter piracy measures.

To end, I want to mention again the importance of the guidelines for small-scale fisheries. And make a plea for you to endorse the text. It will be a well-deserved gift in this International Year for Family Farming.

I wish you all every success in your work today.

Thank you for your attention.

**Address by Mr Koji Sekimizu  
Secretary-General  
International Maritime Organization**

Ministers, Vice-Ministers, Ambassadors, Excellencies, Director General, distinguished delegates, ladies and gentlemen,

It is with great pleasure that I am here with you today and I am particularly grateful to Director-General Graziano da Silva for extending his personal invitation to me to join you and to say a few words about a topic that is of fundamental importance; not only to the work of our two agencies but in a far broader context.

It is a perfect opportunity, I think, not only to reflect on those areas of substantive work that IMO and FAO share in common, but also to highlight the wider point that, as fellow agencies within the United Nations family, FAO, IMO – and others – must spare no effort to work together as one, and to deliver as one.

We have a duty to do this; we have an obligation to do this. But, much more than that, by working together we can achieve so much more. In this global context, one plus one equals far more than two!

If anybody is unsure as to the central part that fisheries and aquaculture are now playing in the sustainability and development of mankind, a glance through the FAO report on the State of World Fisheries and Aquaculture issued just last month would leave them in no doubt. As the report highlights so clearly, there are some truly eye-opening figures. The share of fisheries production used by humans for food has increased to a record high of more than 85 percent, or some 136 million tonnes, in 2012. At the same time, annual fish consumption per capita has soared from 10 kg in the 1960s to more than 19 kg in 2012. Fish now accounts for almost 17 percent of the global population's intake of protein – and, in some coastal and island countries it can rise above 70 percent; and the report estimates that fisheries and aquaculture support the livelihoods of 10 to 12 percent of the world's population.

All of which serves to reinforce our understanding that oceans, and fisheries, are genuinely vital resources; and just how crucial it is that we protect them, preserve them, and manage them. In this context, there is a vast amount of common ground – or perhaps I should say common water – that unites us. Indeed, IMO and FAO – and others – have a long history of strong cooperation and collaboration and there are many areas in which our work and yours are clearly complementary.

We have, for example, placed a strong emphasis on efforts to improve safety within the fishing sector. Taken on a global basis, the fishing industry does not have an acceptable safety record; and, while there may be a number of factors that have contributed to this, there can be no doubt that the lack of an effective, global regulatory regime has played a significant part. Fishing vessels do not, generally, fall under the auspices of the primary safety instrument of IMO, the International Convention for the Safety of Life at Sea (SOLAS) – an instrument that has done so much to improve safety and reduce casualties and loss of life in the cargo and passenger ship sectors.

The Torremolinos Convention of 1977 and its subsequent Protocol of 1993 were adopted to create international standards for fishing vessel safety, but neither has entered into force. Two years ago, after five years of intensive discussion and preparation at IMO, the Cape Town Agreement was adopted with the intention of rectifying this and I sincerely hope, in a year in which IMO is placing special emphasis on the implementation of conventions, this instrument, the Cape Town Agreement, will gain wide acceptance among States without further delay. It should be remembered that the very idea of such an Agreement was first considered by a joint FAO/IMO ad hoc working group on Illegal, Unreported and Unregulated fishing – an excellent example of cooperation between FAO and IMO. I personally led the IMO team at that joint working group and encouraged the group to activate a mechanism to create a new legal instrument that took us five years to conclude.

At that time, IUU Fishing was still a serious issue for the global fishing sector that impacts negatively on safety, on environmental issues, on conservation and on sustainability. In addition to harming fish populations, such fishing creates unfair market competition for – and threatens the livelihoods of – fishermen who follow sustainable practices.

Our two agencies have long seen this as an area of mutual interest where cooperation takes place as very fruitful routine work. In December last year, a significant breakthrough was made when the IMO Assembly adopted a resolution that allowed countries to extend the application of the IMO Ship Identification Number Scheme to fishing vessels – thereby enabling the IMO Number to be used as the Unique Vessel identifier in FAO's Global Record for fishing vessels. Your Committee, at its last session, recognized the necessity of such a key component of the Global Record, and FAO, together with a number of IMO Member States and the World Wide Fund for Nature, co-sponsored a proposal, which the IMO Assembly adopted.

It is a move that offers the potential for a new era of transparency in fisheries, making control measures harder to circumvent and vessels more accountable and visible to fisheries authorities and is, I think, a good example of the enhanced cooperation between our two agencies.

If further proof is needed, another important outcome of this cooperation among UN agencies has been the development of the three FAO/ILO/IMO instruments on the design, construction and equipment of fishing vessels of all types and sizes.

As I mentioned a few moments ago, more people than ever before rely on fisheries and aquaculture for food and as a source of income. The rapid expansion of aquaculture, including the activities of small-scale farmers, is driving this growth in production. Indeed, fish farming holds tremendous promise in responding to surging demand for food which is taking place due to global population growth. But harmful practices and poor management threaten the sector's sustainability.

One of the major threats comes from the presence of invasive, alien species in local ecosystems, introduced as a result of transfers of unmanaged ballast water and sediments from ocean-going ships. This is now recognized as one of the greatest dangers to the ecological and the economic well-being of the planet. The spread of invasive species is causing enormous damage to biodiversity and the damage to the environment is often irreversible.

Shipping simply cannot avoid this issue, and IMO spent more than 10 years developing the International Convention for the Control and Management of Ships' Ballast Water and

Sediments (otherwise known as the BWM Convention), a legal instrument to deal with it. Another decade has passed since its adoption in 2004, but the instrument is now close to satisfying the ratification criteria necessary for it to enter into force.

Ladies and gentlemen, I am sure all of you are aware that yesterday, 8 June, was World Oceans Day. This annual event was officially recognized by a UN General Assembly resolution passed in 2008, and provides a perfect opportunity to highlight and to reflect upon a resource that supports global society in so many different ways. The world's oceans provide raw materials, energy, food, employment, a place to live, a place to relax and the means to transport about 90 percent of global trade.

The fact that the world's oceans are physically so connected with each other is a perfect metaphor for the connected nature of the problems and challenges that they face. Our collective work under the banner of the inter-agency collaboration mechanism UN-Oceans reflects this, too. None of us can tackle ocean issues in isolation; that approach simply won't work.

In this context, I should specifically like to mention GESAMP, the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, which has been long administered by IMO. FAO had been a sponsoring organization of GESAMP since its inception in 1969. I should very much like to see FAO continue its involvement and participation in GESAMP, as I have no doubt that, given recent emerging issues such as microplastics in the marine environment, the important work of this group would be greatly strengthened by your input.

And GESAMP is just one good example; we should explore other ways to enhance our cooperation and collaboration. Consider the Torremolinos Protocol and Cape Town Agreement as another field in which our cooperation could be of great benefit. With its constituency of national maritime administrations, IMO can adopt these safety regulations. But, to promote ratification of the Cape Town Agreement, we need good understanding and support from the fishing industry. This is an area where FAO, and national agencies that support FAO, could make significant contributions.

We might even seek support from the research and academic communities dealing with ocean issues, such as the UNESCO Intergovernmental Oceanographic Commission. The real point is that, although the instrument was adopted by IMO, all UN agencies that deal with ocean issues can, and should, encourage governments to ratify the Cape Town Agreement.

IMO and FAO should seek to enhance their collaboration still further. Such collaboration would be beneficial to both agencies. For example, IMO is dealing with environmental issues from a wide perspective, such as the designation of Particularly Sensitive Sea Areas, and could facilitate FAO in seeking cooperation from the shipping industry on appropriate issues on its own agenda.

There may be many fields of common interest. Indeed, in the search for greater cooperation, I believe it would be greatly beneficial if all the core agencies of the UN system dealing with ocean-related issues could meet on a regular basis, at the highest level, to exchange views, share information and explore common themes. Some sort of mechanism to enable such collaboration would be an important step forward and very much in keeping with the concept of the United Nations delivering as one.



We cannot, we must not, work in silos, tackling issues from our own, separate standpoints. We must recognize that so much of what we do has impacts elsewhere. Yes, we each have our areas of specialization; but so many of the issues that we deal with cannot be poured simply and easily into a single pot. Ocean issues are, by definition, global issues – cross-cutting issues – and we must reflect this in the approach we take in tackling them. Cooperation and collaboration are the way forward. By working together; by uniting around our common aims, objectives, interests and responsibilities, we really can make a difference. We really can, deliver as one.

Thank you.

## APPENDIX F

**Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of  
Food Security and Poverty Eradication**

In honour of Chandrika Sharma who worked tirelessly for the betterment of the lives of fish workers all over the world and who contributed invaluable to the formulation of these Guidelines.

**TABLE OF CONTENTS**

ABBREVIATIONS AND ACRONYMS .....	59
PREFACE.....	60
PART 1: INTRODUCTION .....	62
1.    OBJECTIVES.....	62
2.    NATURE AND SCOPE .....	62
3.    GUIDING PRINCIPLES .....	63
4.    RELATIONSHIP WITH OTHER INTERNATIONAL INSTRUMENTS.....	64
PART 2: RESPONSIBLE FISHERIES AND SUSTAINABLE DEVELOPMENT.....	65
5.    GOVERNANCE OF TENURE IN SMALL-SCALE FISHERIES AND RESOURCE MANAGEMENT.....	65
5A. <i>Responsible governance of tenure</i> .....	65
5B. <i>Sustainable resource management</i> .....	66
6.    SOCIAL DEVELOPMENT, EMPLOYMENT AND DECENT WORK .....	67
7.    VALUE CHAINS, POST-HARVEST AND TRADE.....	70
8.    GENDER EQUALITY .....	71
9.    DISASTER RISKS AND CLIMATE CHANGE .....	72
PART 3: ENSURING AN ENABLING ENVIRONMENT AND SUPPORTING IMPLEMENTATION .....	73
10.   POLICY COHERENCE, INSTITUTIONAL COORDINATION AND COLLABORATION.....	73
11.   INFORMATION, RESEARCH AND COMMUNICATION .....	74
12.   CAPACITY DEVELOPMENT .....	75
13.   IMPLEMENTATION SUPPORT AND MONITORING .....	76

### ABBREVIATIONS AND ACRONYMS

CCA	climate change adaptation
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSO	civil society organization
DRM	disaster risk management
EAF	ecosystem approach to fisheries
HIV/AIDS	human immunodeficiency virus/acquired immunodeficiency syndrome
ICESCR	International Covenant on Economic, Social and Cultural Rights
IGO	intergovernmental organization
ILO	International Labour Organization
IMO	International Maritime Organization
IUU (fishing)	illegal, unreported and unregulated (fishing)
MCS	monitoring, control and surveillance
NGO	non-governmental organization
Rio+20	United Nations Conference on Sustainable Development (Rio+20)
The Code	Code of Conduct for Responsible Fisheries (FAO)
UN	United Nations
UN DRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
WTO	World Trade Organization

## PREFACE

These *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* have been developed as a complement to the 1995 FAO Code of Conduct for Responsible Fisheries (the Code). They were developed to provide complementary guidance with respect to small-scale fisheries in support of the overall principles and provisions of the Code. Accordingly, the Guidelines are intended to support the visibility, recognition and enhancement of the already important role of small-scale fisheries and to contribute to global and national efforts towards the eradication of hunger and poverty. The Guidelines support responsible fisheries and sustainable social and economic development for the benefit of current and future generations, with an emphasis on small-scale fishers and fish workers and related activities and including vulnerable and marginalized people promoting a human rights-based approach.

It is emphasized that these Guidelines are voluntary, global in scope and with a focus on the needs of developing countries.

Small-scale and artisanal fisheries, encompassing all activities along the value chain – pre-harvest, harvest and post-harvest – undertaken by men and women, play an important role in food security and nutrition, poverty eradication, equitable development and sustainable resource<sup>1</sup> utilization. Small-scale fisheries provide nutritious food for local, national and international markets and generate income to support local and national economies.

Small-scale fisheries contribute about half of global fish catches. When considering catches destined for direct human consumption, the share contributed by the small-scale fisheries increases to two-thirds. Inland fisheries are particularly important in this respect where the majority of the catches from small-scale fisheries are directed to human consumption. Small-scale fisheries employ more than 90 percent of the world's capture fishers and fish workers, about half of whom are women. In addition to employment as full- or part-time fishers and fish workers, seasonal or occasional fishing and related activities provide vital supplements to the livelihoods of millions. These activities may be a recurrent sideline activity or become especially important in times of difficulty. Many small-scale fishers and fish workers are self-employed and engaged in directly providing food for their household and communities as well as working in commercial fishing, processing and marketing. Fishing and related activities often underpin the local economies in coastal, lakeshore and riparian communities and constitute an engine, generating multiplier effects in other sectors.

Small-scale fisheries represent a diverse and dynamic subsector, often characterized by seasonal migration. The precise characteristics of the subsector vary depending on the location; indeed, small-scale fisheries tend to be strongly anchored in local communities, reflecting often historic links to adjacent fishery resources, traditions and values, and supporting social cohesion. For many small-scale fishers and fish workers, fisheries represent a way of life and the subsector embodies a diverse and cultural richness that is of global significance. Many small-scale fishers, fish workers and their communities – including vulnerable and marginalized groups – are directly dependent on access to fishery resources and land. Tenure rights to land in the coastal/waterfront area are critical for ensuring and facilitating access to the fishery, for accessory activities (including processing and marketing), and for housing and other livelihood support. The health of aquatic ecosystems and associated biodiversity are a fundamental basis for their livelihoods and for the subsector's capacity to contribute to overall well-being.

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<sup>1</sup> The term 'fishery resources' in this document covers all living aquatic resources. (in both marine and freshwaters) that are commonly subject to harvesting.

Despite their importance, many small-scale fishing communities continue to be marginalized, and their contribution to food security and nutrition, poverty eradication, equitable development and sustainable resource utilization – which benefits both them and others – is not fully realized.

Securing and increasing the contribution of small-scale fisheries face many challenges and constraints. The development of the fisheries sector over the past three to four decades has in many cases around the world led to overexploitation of resources and threats to habitats and ecosystems. Customary practices for the allocation and sharing of resource benefits in small-scale fisheries, which may have been in place for generations, have been changed as a result of non-participatory and often centralized fisheries management systems, rapid technology developments and demographic changes. Small-scale fishing communities also commonly suffer from unequal power relations. In many places, conflicts with large-scale fishing operations are an issue, and there is increasingly high interdependence or competition between small-scale fisheries and other sectors. These other sectors can often have stronger political or economic influence, and they include: tourism, aquaculture, agriculture, energy, mining, industry and infrastructure developments.

Where poverty exists in small-scale fishing communities, it is of a multidimensional nature and is not only caused by low incomes but also due to factors that impede full enjoyment of human rights including civil, political, economic, social and cultural rights. Small-scale fishing communities are commonly located in remote areas and tend to have limited or disadvantaged access to markets, and may have poor access to health, education and other social services. Other characteristics include low levels of formal education, existence of ill health (often including above-average incidences of HIV/AIDS) and inadequate organizational structures. The opportunities available are limited, as small-scale fishing communities face a lack of alternative livelihoods, youth unemployment, unhealthy and unsafe working conditions, forced labour, and child labour. Pollution, environmental degradation, climate change impacts and natural and human-induced disasters add to the threats facing small-scale fishing communities. All these factors make it difficult for small-scale fishers and fish workers to make their voices heard, defend their human rights and tenure rights, and secure the sustainable use of the fishery resources on which they depend.

These Guidelines have been developed through a participatory and consultative process, involving representatives of small-scale fishing communities, civil society organizations (CSOs), governments, regional organizations and other stakeholders. A Technical Consultation of the Food and Agriculture Organization (FAO) which took place in two sessions on 20-24 May 2013 and on 3-7 February 2014 then reviewed the Guidelines. They take into account a wide range of important considerations and principles, including equality and non-discrimination, participation and inclusion, accountability and the rule of law, and the principle that all human rights are universal, indivisible, interrelated and interdependent. The Guidelines are consistent with and promote international human rights. These Guidelines are complementary to the Code and its related instruments. They also take into account the technical guidelines related to the Code, such as the Technical Guidelines for Responsible Fisheries No. 10 “Increasing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security”, as well as other voluntary international instruments, such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (Tenure Guidelines) and the Voluntary Guidelines to support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines), as applicable. States and other stakeholders are encouraged to also consult these other guidelines, as well as relevant international and regional instruments, to fully integrate applicable obligations, voluntary commitments and available guidance.

## **PART 1: INTRODUCTION**

### **1. OBJECTIVES**

1.1 The objectives of these Guidelines are:

- a) to enhance the contribution of small-scale fisheries to global food security and nutrition and to support the progressive realization of the right to adequate food,
- b) to contribute to the equitable development of small-scale fishing communities and poverty eradication and to improve the socio-economic situation of fishers and fish workers within the context of sustainable fisheries management,
- c) to achieve the sustainable utilization, prudent and responsible management and conservation of fisheries resources consistent with the Code of Conduct for Responsible Fisheries (the Code) and related instruments,
- d) to promote the contribution of small-scale fisheries to an economically, socially and environmentally sustainable future for the planet and its people,
- e) to provide guidance that could be considered by States and stakeholders for the development and implementation of ecosystem friendly and participatory policies, strategies and legal frameworks for the enhancement of responsible and sustainable small-scale fisheries, and
- f) to enhance public awareness and promote the advancement of knowledge on the culture, role, contribution and potential of small-scale fisheries, considering ancestral and traditional knowledge, and their related constraints and opportunities.

1.2 These objectives should be achieved through the promotion of a human rights-based approach, by empowering small-scale fishing communities, including both men and women, to participate in decision-making processes, and to assume responsibilities for sustainable use of fishery resources, and placing emphasis on the needs of developing countries and for the benefit of vulnerable and marginalized groups.

### **2. NATURE AND SCOPE**

2.1 These Guidelines are voluntary in nature. The Guidelines should apply to small-scale fisheries in all contexts, be global in scope but with a specific focus on the needs of developing countries.

2.2 These Guidelines are relevant to small-scale fisheries both in marine and inland waters, i.e. men and women working in the full range of activities along the value chain, and pre- and post-harvest activities. The important linkages between small-scale fisheries and aquaculture are recognized, but these Guidelines principally focus on capture fisheries.

2.3 These Guidelines are addressed to FAO Members and non-Members, at all levels of the country, as well as to subregional, regional, international and intergovernmental organizations (IGOs) and small-scale fisheries actors (fishers, fish workers, their communities, traditional and customary authorities, and related professional organizations and CSOs). They are also aimed at research and academic institutions, the private sector, non-governmental organizations (NGOs) and all others concerned with the fisheries sector, coastal and rural development and the use of the aquatic environment.

2.4 These Guidelines recognize the great diversity of small-scale fisheries and that there is no single, agreed definition of the subsector. Accordingly, the Guidelines do not prescribe a standard definition of small-scale fisheries nor do they prescribe how the Guidelines should be applied in a national context. These Guidelines are especially relevant to subsistence small-

scale fisheries and vulnerable fisheries people. To ensure transparency and accountability in the application of the Guidelines, it is important to ascertain which activities and operators are considered small-scale, and to identify vulnerable and marginalized groups needing greater attention. This should be undertaken at a regional, subregional or national level and according to the particular context in which they are to be applied. States should ensure that such identification and application are guided by meaningful and substantive participatory, consultative, multilevel and objective-oriented processes so that the voices of both men and women are heard. All parties should support and participate, as appropriate and relevant, in such processes.

2.5 These Guidelines should be interpreted and applied in accordance with national legal systems and their institutions.

### 3. GUIDING PRINCIPLES

3.1 These Guidelines are based on international human rights standards, responsible fisheries standards and practices and sustainable development according to the United Nations Conference on Sustainable Development (Rio+20) outcome document ‘The future we want’, the Code and other relevant instruments, paying particular attention to vulnerable and marginalized groups and the need to support the progressive realization of the right to adequate food.

**1. Human rights and dignity:** recognizing the inherent dignity and the equal and inalienable human rights of all individuals, all parties should recognize, respect, promote and protect the human rights principles and their applicability to communities dependent on small-scale fisheries, as stipulated by international human rights standards: universality and inalienability; indivisibility; interdependence and interrelatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of law. States should respect and protect the rights of defenders of human rights in their work on small-scale fisheries.

All non-state actors including business enterprises related to or affecting small-scale fisheries have a responsibility to respect human rights. States should regulate the scope of activities in relation to small-scale fisheries of non-state actors to ensure their compliance with international human rights standards.

**2. Respect of cultures:** recognizing and respecting existing forms of organization, traditional and local knowledge and practices of small-scale fishing communities, including indigenous peoples and ethnic minorities encouraging women leadership and taking into account Art. 5 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

**3. Non-discrimination:** promoting in the small-scale fisheries the elimination of all kinds of discrimination in policies and in practice.

**4. Gender equality and equity** is fundamental to any development. Recognizing the vital role of women in small-scale fisheries, equal rights and opportunities should be promoted.

**5. Equity and equality:** promoting justice and fair treatment – both legally and in practice – of all people and peoples, including equal rights to the enjoyment of all human rights. At the same time, differences between women and men should be acknowledged and specific measures taken to accelerate de facto equality, i.e. using preferential treatment where required to achieve equitable outcomes, particularly for vulnerable and marginalized groups.



**6. Consultation and participation:** ensuring active, free, effective, meaningful and informed participation of small-scale fishing communities, including indigenous peoples, taking into account the UN Declaration on the Rights of Indigenous Peoples (UN DRIP) in the whole decision-making process related to fishery resources and areas where small-scale fisheries operate as well as adjacent land areas, and taking existing power imbalances between different parties into consideration. This should include feedback and support from those who could be affected by decisions prior to these being taken, and responding to their contributions.

**7. Rule of law:** adopting a rules-based approach for small-scale fisheries through laws that are widely publicized in applicable languages, applicable to all, equally enforced and independently adjudicated, and that are consistent with existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments.

**8. Transparency:** clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all.

**9. Accountability:** holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.

**10. Economic, social and environmental sustainability:** applying the precautionary approach and risk management to guard against undesirable outcomes, including overexploitation of fishery resources and negative environmental, social and economic impacts.

**11. Holistic and integrated approaches:** recognizing the ecosystem approach to fisheries (EAF) as an important guiding principle, embracing the notions of comprehensiveness and sustainability of all parts of ecosystems as well as the livelihoods of small-scale fishing communities, and ensuring cross-sectoral coordination as small-scale fisheries are closely linked to and dependent on many other sectors.

**12. Social responsibility:** promoting community solidarity and collective and corporate responsibility and the fostering of an environment that promotes collaboration among stakeholders should be encouraged.

**13. Feasibility and social and economic viability:** ensuring that policies, strategies, plans and actions for improving small-scale fisheries governance and development are socially and economically sound and rational. They should be informed by existing conditions, implementable and adaptable to changing circumstances, and should support community resilience.

#### **4. RELATIONSHIP WITH OTHER INTERNATIONAL INSTRUMENTS**

4.1 These Guidelines should be interpreted and applied consistent with existing rights and obligations under national and international law and with due regard to voluntary commitments under applicable regional and international instruments. They are complementary to and support national, regional and international initiatives that address human rights, responsible fisheries and sustainable development. The Guidelines were developed complementary to the Code and support responsible fisheries and sustainable resource utilization in accordance with this instrument.

4.2 Nothing in the Guidelines should be read as limiting or undermining any rights or obligations to which a State may be subject under international law. These Guidelines may be used to guide amendments and inspire new or supplementary legislative and regulatory provisions.

## **PART 2: RESPONSIBLE FISHERIES AND SUSTAINABLE DEVELOPMENT**

### **5. GOVERNANCE OF TENURE IN SMALL-SCALE FISHERIES AND RESOURCE MANAGEMENT**

5.1 These Guidelines recognize the need for responsible and sustainable use of aquatic biodiversity and natural resources to meet the developmental and environmental requirements of present and future generations. Small-scale fishing communities need to have secure tenure rights<sup>2</sup> to the resources that form the basis for their social and cultural well-being, their livelihoods and their sustainable development. The Guidelines support equitable distribution of the benefits yielded from responsible management of fisheries and ecosystems, rewarding small-scale fishers and fish workers, both men and women.

#### **5A. Responsible governance of tenure**

5.2 All parties should recognize that responsible governance of tenure of land, fisheries and forests applicable in small-scale fisheries is central for the realization of human rights, food security, poverty eradication, sustainable livelihoods, social stability, housing security, economic growth and rural and social development.

5.3 States, in accordance with their legislation, should ensure that small-scale fishers, fish workers and their communities have secure, equitable, and socially and culturally appropriate tenure rights to fishery resources (marine and inland) and small-scale fishing areas and adjacent land, with a special attention paid to women with respect to tenure rights.

5.4 States, in accordance with their legislation, and all other parties should recognize, respect and protect all forms of legitimate tenure rights, taking into account, where appropriate, customary rights, to aquatic resources and land and small-scale fishing areas enjoyed by small-scale fishing communities. When necessary, in order to protect various forms of legitimate tenure rights, legislation to this effect should be provided. States should take appropriate measures to identify, record and respect legitimate tenure right holders and their rights. Local norms and practices, as well as customary or otherwise preferential access to fishery resources and land by small-scale fishing communities including indigenous peoples and ethnic minorities, should be recognized, respected and protected in ways that are consistent with international human rights law. The UN DRIP and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities should be taken into account, as appropriate. Where constitutional or legal reforms strengthen the rights of women and place them in conflict with custom, all parties should cooperate to accommodate such changes in the customary tenure systems.

5.5 States should recognize the role of small-scale fishing communities and indigenous peoples to restore, conserve, protect and co-manage local aquatic and coastal ecosystems.

5.6 Where States own or control water (including fishery resources) and land resources, they should determine the use and tenure rights of these resources taking into consideration, *inter alia*, social, economic and environmental objectives. States should, as applicable,

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<sup>2</sup> The term 'tenure right' is used in accordance with the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

recognize and safeguard publically owned resources that are collectively used and managed, in particular by small-scale fishing communities.

5.7 Taking due account of Art. 6.18 of the Code, States should where appropriate grant preferential access of small-scale fisheries to fish in waters under national jurisdiction, with a view to achieving equitable outcomes for different groups of people, in particular vulnerable groups. Where appropriate, specific measures, *inter alia*, the creation and enforcement of exclusive zones for small-scale fisheries, should be considered. Small-scale fisheries should be given due consideration before agreements on resource access are entered into with third countries and third parties.

5.8 States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including, as appropriate, redistributive reform, taking into account the provisions of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

5.9 States should ensure that small-scale fishing communities are not arbitrarily evicted and that their legitimate tenure rights are not otherwise extinguished or infringed. States should recognize that competition from other users is increasing within small-scale fisheries areas and that small-scale fishing communities, in particular vulnerable and marginalized groups, are often the weaker party in conflicts with other sectors and may require special support if their livelihoods are threatened by the development and activities of other sectors.

5.10 States and other parties should, prior to the implementation of large-scale development projects that might impact small-scale fishing communities, consider the social, economic and environmental impacts through impact studies, and hold effective and meaningful consultations with these communities, in accordance with national legislation.

5.11 States should provide small-scale fishing communities and individuals, including vulnerable and marginalized people, access through impartial and competent judicial and administrative bodies to timely, affordable and effective means of resolving disputes over tenure rights in accordance with national legislation, including alternative means of resolving such disputes, and should provide effective remedies, which may include an entitlement to appeal, as appropriate. Such remedies should be promptly enforced in accordance with national legislation and may include restitution, indemnity, just compensation and reparation.

5.12 States should strive to restore access to traditional fishing grounds and coastal lands to small-scale fishing communities that have been displaced by natural disasters and/or armed conflict taking into consideration the sustainability of fisheries resources. States should establish mechanisms to support fishing communities affected by grave human rights violations to rebuild their lives and livelihoods. Such steps should include the elimination of any form of discrimination against women in tenure practices in case of natural disasters and/or armed conflict.

## **5B. Sustainable resource management**

5.13 States and all those engaged in fisheries management should adopt measures for the long-term conservation and sustainable use of fisheries resources and to secure the ecological foundation for food production. They should promote and implement appropriate management systems, consistent with their existing obligations under national and international law and voluntary commitments, including the Code, that give due recognition to the requirements and opportunities of small-scale fisheries.

5.14 All parties should recognize that rights and responsibilities come together; tenure rights are balanced by duties, and support the long-term conservation and sustainable use of resources

and the maintenance of the ecological foundation for food production. Small-scale fisheries should utilize fishing practices that minimize harm to the aquatic environment and associated species and support the sustainability of the resource.

5.15 States should facilitate, train and support small-scale fishing communities to participate in and take responsibility for, taking into consideration their legitimate tenure rights and systems, the management of the resources on which they depend for their well-being and that are traditionally used for their livelihoods. Accordingly, States should involve small-scale fishing communities – with special attention to equitable participation of women, vulnerable and marginalized groups – in the design, planning and, as appropriate, implementation of management measures, including protected areas, affecting their livelihood options. Participatory management systems, such as co-management, should be promoted in accordance with national law.

5.16 States should ensure the establishment of monitoring, control and surveillance (MCS) systems or promote the application of existing ones applicable to and suitable for small-scale fisheries. They should provide support to such systems, involving small-scale fisheries actors as appropriate and promoting participatory arrangements within the context of co-management. States should ensure effective monitoring and enforcement mechanisms to deter, prevent and eliminate all forms of illegal and/or destructive fishing practices having a negative effect on marine and inland ecosystems. States should endeavour to improve registration of the fishing activity. Small-scale fishers should support the MCS systems and provide to the State fisheries authorities the information required for the management of the activity.

5.17 States should ensure that the roles and responsibilities within the context of co-management arrangements of concerned parties and stakeholders are clarified and agreed through a participatory and legally supported process. All parties are responsible for assuming the management roles agreed to. All endeavours should be made so that small-scale fisheries are represented in relevant local and national professional associations and fisheries bodies and actively take part in relevant decision-making and fisheries policy-making processes.

5.18 States and small-scale fisheries actors should encourage and support the role and involvement of both men and women, whether engaged in pre-harvest, harvest or post-harvest operations, in the context of co-management and in the promotion of responsible fisheries, contributing their particular knowledge, perspectives and needs. All parties should pay specific attention to the need to ensure equitable participation of women, designing special measures to achieve this objective.

5.19 Where transboundary and other similar issues exist, e.g. shared waters and fishery resources, States should work together to ensure that the tenure rights of small-scale fishing communities that are granted are protected.

5.20 States should avoid policies and financial measures that may contribute to fishing overcapacity and, hence, overexploitation of resources that have an adverse impact on small-scale fisheries.

## **6. SOCIAL DEVELOPMENT, EMPLOYMENT AND DECENT WORK**

6.1 All parties should consider integrated, ecosystem and holistic approaches to small-scale fisheries management and development that take the complexity of livelihoods into account. Due attention to social and economic development may be needed to ensure that small-scale fishing communities are empowered and can enjoy their human rights.

6.2 States should promote investment in human resource development such as health, education, literacy, digital inclusion and other skills of a technical nature that generate added

value to the fisheries resources as well as awareness raising. States should take steps with a view to progressively ensure that members of small-scale fishing communities have affordable access to these and other essential services through national and subnational actions, including adequate housing, basic sanitation that is safe and hygienic, safe drinking-water for personal and domestic uses, and sources of energy. Preferential treatment of women, indigenous peoples, and vulnerable and marginalized groups – in providing services and giving effect to non-discrimination and other human rights – should be accepted and promoted where it is required to ensure equitable benefits.

6.3 States should promote social security protection for workers in small-scale fisheries. They should take into account the characteristics of small-scale fisheries and apply security schemes to the entire value chain.

6.4 States should support the development of and access to other services that are appropriate for small-scale fishing communities with regard to, for example, savings, credit and insurance schemes, with special emphasis on ensuring the access of women to such services.

6.5 States should recognize as economic and professional operations the full range of activities along the small-scale fisheries value chain – both pre- and post-harvest; whether in an aquatic environment or on land; undertaken by men or by women. All activities should be considered: part-time, occasional and/or for subsistence. Professional and organizational development opportunities should be promoted, in particular for more vulnerable groups of post-harvest fish workers and women in small-scale fisheries.

6.6 States should promote decent work for all small-scale fisheries workers, including both the formal and informal sectors. States should create the appropriate conditions to ensure that fisheries activities in both the formal and informal sectors are taken into account in order to ensure the sustainability of small-scale fisheries in accordance with national law.

6.7 States should take steps with a view to the progressive realization of the right of small-scale fishers and fish workers to an adequate standard of living and to work in accordance with national and international human rights standards. States should create an enabling environment for sustainable development in small-scale fishing communities. States should pursue inclusive, non-discriminatory and sound economic policies for the use of marine, freshwater and land areas in order to permit small-scale fishing communities and other food producers, particularly women, to earn a fair return from their labour, capital and management, and encourage conservation and sustainable management of natural resources.

6.8 States and other stakeholders should support already existing, or the development of complementary and alternative income-generating opportunities – in addition to earnings from fisheries-related activities – for small-scale fishing communities, as required and in support of sustainable resource utilization and livelihood diversification. The role of small-scale fisheries in local economies and the links of the subsector to the wider economy need to be recognized and benefited from. Small-scale fishing communities should equitably benefit from developments such as community-based tourism and small-scale responsible aquaculture.

6.9 All parties should create conditions for men and women of small-scale fishing communities to fish and to carry out fisheries-related activities in an environment free from crime, violence, organized crime activities, piracy, theft, sexual abuse, corruption and abuse of authority. All parties should take steps to institute measures that aim to eliminate violence and to protect women exposed to such violence in small-scale fishing communities. States should ensure access to justice for victims of *inter alia* violence and abuse, including within the household or community.



6.10 States and small-scale fisheries actors, including traditional and customary authorities, should understand, recognize and respect the role of migrant fishers and fish workers in small-scale fisheries, given that migration is a common livelihood strategy in small-scale fisheries. States and small-scale fisheries actors should cooperate to create the appropriate frameworks to allow for fair and adequate integration of migrants who engage in sustainable use of fisheries resources and who do not undermine local community-based fisheries governance and development in small-scale fisheries in accordance with national law. States should recognize the importance of coordinating among their respective national governments in regard to migration of fishers and fish workers in small-scale fisheries across national borders. Policies and management measures should be determined in consultation with small-scale fisheries organizations and institutions.

6.11 States should recognize and address the underlying causes and consequences of transboundary movement of fishers and contribute to the understanding of transboundary issues affecting the sustainability of small-scale fisheries.

6.12 States should address occupational health issues and unfair working conditions of all small-scale fishers and fish workers by ensuring that the necessary legislation is in place and is implemented in accordance with national legislation and international human rights standards and international instruments to which a State is a contracting party, such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) and relevant conventions of the International Labour Organization (ILO). All parties should strive to ensure that occupational health and safety is an integral part of fisheries management and development initiatives.

6.13 States should eradicate forced labour, prevent debt-bondage of women, men and children, and adopt effective measures to protect fishers and fish workers, including migrants, with a view to the complete elimination of forced labour in fisheries, including small-scale fisheries.

6.14 States should provide and enable access to schools and education facilities that meet the needs of small-scale fishing communities and that facilitate gainful and decent employment of youth, respecting their career choices and providing equal opportunities for all boys and girls and young men and women.

6.15 Small-scale fisheries actors should recognize the importance of children's well-being and education for the future of the children themselves and of society at large. Children should go to school, be protected from all abuse and have all their rights respected in accordance with the Convention on the Rights of the Child.

6.16 All parties should recognize the complexity that surrounds safety-at-sea issues (in inland and marine fisheries) and the multiple causes behind deficient safety. This applies to all fishing activities. States should ensure the development, enactment and implementation of appropriate national laws and regulations that are consistent with international guidelines of FAO, the ILO and the International Maritime Organization (IMO) for work in fishing and sea safety in small-scale fisheries<sup>3</sup>.

6.17 States should recognize that improved sea safety, which includes occupational health and safety, in small-scale fisheries (inland and marine) will best be achieved through the development and implementation of coherent and integrated national strategies, with the active participation of the fishers themselves and with elements of regional coordination, as

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<sup>3</sup> These include, *inter alia*, the 1968 Code of Safety for Fishermen and Fishing Vessels (since revised), the 1980 FAO/ILO/IMO Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels, and the 2010 Safety Recommendations for Decked Fishing Vessels of Less than 12 Metres in Length and Undecked Fishing Vessels.

appropriate. In addition, safety at sea of small-scale fishers should also be integrated into the general management of fisheries. States should provide support to, among other things, maintenance of national accident reporting, provision of sea safety awareness programmes and introduction of appropriate legislation for sea safety in small-scale fisheries. The role of existing institutions and community-based structures for increasing compliance, data collection, training and awareness, and search and rescue operations should be recognized in this process. States should promote access to information and to emergency location systems for rescue at sea for small-scale vessels.

6.18 Taking into account the Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security including section 25<sup>4</sup>, all parties should protect the human rights and dignity of small-scale fisheries stakeholders in situations of armed conflict in accordance with international humanitarian law to allow them to pursue their traditional livelihoods, to have access to customary fishing grounds and to preserve their culture and way of life. Their effective participation in decision-making on matters that impact them should be facilitated.

## **7. VALUE CHAINS, POST-HARVEST AND TRADE**

7.1 All parties should recognize the central role that the small-scale fisheries post-harvest subsector and its actors play in the value chain. All parties should ensure that post-harvest actors are part of relevant decision-making processes, recognizing that there are sometimes unequal power relationships between value chain actors and that vulnerable and marginalized groups may require special support.

7.2 All parties should recognize the role women often play in the post-harvest subsector and support improvements to facilitate women's participation in such work. States should ensure that amenities and services appropriate for women are available as required in order to enable women to retain and enhance their livelihoods in the post-harvest subsector.

7.3 States should foster, provide and enable investments in appropriate infrastructures, organizational structures and capacity development to support the small-scale fisheries post-harvest subsector in producing good quality and safe fish and fishery products, for both export and domestic markets, in a responsible and sustainable manner.

7.4 States and development partners should recognize the traditional forms of associations of fishers and fish workers and promote their adequate organizational and capacity development in all stages of the value chain in order to enhance their income and livelihood security in accordance with national legislation. Accordingly, there should be support for the setting up and the development of cooperatives, professional organizations of the small-scale fisheries sector and other organizational structures, as well as marketing mechanisms, e.g. auctions, as appropriate.

7.5 All parties should avoid post-harvest losses and waste and seek ways to create value addition, building also on existing traditional and local cost-efficient technologies, local innovations and culturally appropriate technology transfers. Environmentally sustainable practices within an ecosystem approach should be promoted, deterring, for example, waste of inputs (water, fuelwood, etc.) in small-scale fish handling and processing.

7.6 States should facilitate access to local, national, regional and international markets and promote equitable and non-discriminatory trade for small-scale fisheries products. States should

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<sup>4</sup> Section 25 is entitled *Conflicts in respect to tenure of land, fisheries and forest*



work together to introduce trade regulations and procedures that in particular support regional trade in products from small-scale fisheries and taking into account the agreements under the World Trade Organization (WTO), bearing in mind the rights and obligations of WTO members where appropriate.

7.7 States should give due consideration to the impact of international trade in fish and fishery products and of vertical integration on local small-scale fishers, fish workers and their communities. States should ensure that promotion of international fish trade and export production do not adversely affect the nutritional needs of people for whom fish is critical to a nutritious diet, their health and well-being and for whom other comparable sources of food are not readily available or affordable.

7.8 States, small-scale fisheries actors and other value chain actors should recognize that benefits from international trade should be fairly distributed. States should ensure that effective fisheries management systems are in place to prevent overexploitation driven by market demand that can threaten the sustainability of fisheries resources, food security and nutrition. Such fisheries management systems should include responsible post-harvest practices, policies and actions to enable export income to benefit small-scale fishers and others in an equitable manner throughout the value chain.

7.9 States should adopt policies and procedures, including environmental, social and other relevant assessments, to ensure that adverse impacts by international trade on the environment, small-scale fisheries culture, livelihoods and special needs related to food security are equitably addressed. Consultation with concerned stakeholders should be part of these policies and procedures.

7.10 States should enable access to all relevant market and trade information for stakeholders in the small-scale fisheries value chain. Small-scale fisheries stakeholders must be able to access timely and accurate market information to help them adjust to changing market conditions. Capacity development is also required so that all small-scale fisheries stakeholders and especially women and vulnerable and marginalized groups can adapt to, and benefit equitably from, opportunities of global market trends and local situations while minimizing any potential negative impacts.

## **8. GENDER EQUALITY**

8.1 All parties should recognize that achieving gender equality requires concerted efforts by all and that gender mainstreaming should be an integral part of all small-scale fisheries development strategies. These strategies to achieve gender equality require different approaches in different cultural contexts and should challenge practices that are discriminatory against women.

8.2 States should comply with their obligations under international human rights law and implement the relevant instruments to which they are party, including, inter alia, CEDAW, and should bear in mind the Beijing Declaration and Platform for Action. States should endeavour to secure women's equal participation in decision-making processes for policies directed towards small-scale fisheries. States should adopt specific measures to address discrimination against women, while creating spaces for CSOs, in particular for women fish workers and their organizations, to participate in monitoring their implementation. Women should be encouraged to participate in fisheries organizations, and relevant organizational development support should be provided.

8.3 States should establish policies and legislation to realize gender equality and, as appropriate, adapt legislation, policies and measures that are not compatible with gender

equality, taking into account social, economic and cultural aspects. States should be at the forefront of implementing actions for achieving gender equality by, inter alia, recruiting both men and women as extension staff and ensuring that both men and women have equal access to extension and technical services, including legal support, related to fisheries. All parties should collaborate to develop functional evaluation systems to assess the impact of legislation, policies and actions for improving women's status and achieving gender equality.

8.4 All parties should encourage the development of better technologies of importance and appropriate to women's work in small-scale fisheries.

## **9. DISASTER RISKS AND CLIMATE CHANGE**

9.1 States should recognize that combating climate change, including in the context of sustainable small-scale fisheries, requires urgent and ambitious action, in accordance with the objectives, principles and provisions of the United Nations Framework Convention on Climate Change (UNFCCC), taking into account the United Nations Conference on Sustainable Development (Rio+20) outcome document 'The future we want'.

9.2 All parties should recognize and take into account the differential impact of natural and human-induced disasters and climate change on small-scale fisheries. States should develop policies and plans to address climate change in fisheries, in particular strategies for adaptation and mitigation, where applicable, as well as for building resilience, in full and effective consultation with fishing communities including indigenous peoples, men and women, paying particular attention to vulnerable and marginalized groups. Special support should be given to small-scale fishing communities living on small islands where climate change may have particular implications for food security, nutrition, housing and livelihoods.

9.3 All parties should recognize the need for integrated and holistic approaches, including cross-sectoral collaboration, in order to address disaster risks and climate change in small-scale fisheries. States and other relevant parties should take steps to address issues such as pollution, coastal erosion and destruction of coastal habitats due to human-induced non-fisheries-related factors. Such concerns seriously undermine the livelihoods of fishing communities as well as their ability to adapt to possible impacts of climate change.

9.4 States should consider assisting and supporting small-scale fishing communities affected by climate change or natural and human-induced disasters, including through adaptation, mitigation and aid plans, where appropriate.

9.5 In case of disasters caused by humans, impacting small-scale fisheries, the responsible party should be held accountable.

9.6 All parties should take into account the impact that climate change and disasters may have on the post-harvest and trade subsector in the form of changes in fish species and quantities, fish quality and shelf-life, and implications with regard to market outlets. States should provide support to small-scale fisheries stakeholders with regard to adjustment measures in order to reduce negative impacts. When new technologies are introduced, they need to be flexible and adaptive to future changes in species, products and markets, and climatic variability.

9.7 States should understand how emergency response and disaster preparedness are related in small-scale fisheries and apply the concept of the relief-development continuum. Longer-term development objectives need to be considered throughout the emergency sequence, including in the immediate relief phase, and rehabilitation, reconstruction and recovery should include actions to reduce vulnerabilities to potential future threats. The concept of 'building back better' should be applied in disaster response and rehabilitation.

9.8 All parties should promote the role of small-scale fisheries in efforts related to climate change and should encourage and support energy efficiency in the subsector, including the whole value chain – fishing, post-harvest, marketing and distribution.

9.9 States should consider making available to small-scale fishing communities transparent access to adaptation funds, facilities and/or culturally appropriate technologies for climate change adaptation, as appropriate.

### **PART 3: ENSURING AN ENABLING ENVIRONMENT AND SUPPORTING IMPLEMENTATION**

#### **10. POLICY COHERENCE, INSTITUTIONAL COORDINATION AND COLLABORATION**

10.1 States should recognize the need for and work towards policy coherence with regard to, *inter alia*: national legislation; international human rights law; other international instruments, including those related to indigenous peoples; economic development policies; energy, education, health and rural policies; environmental protection; food security and nutrition policies; labour and employment policies; trade policies; disaster risk management (DRM) and climate change adaptation (CCA) policies; fisheries access arrangements; and other fisheries sector policies, plans, actions and investments in order to promote holistic development in small-scale fishing communities. Special attention should be paid to ensuring gender equity and equality.

10.2 States should, as appropriate, develop and use spatial planning approaches, including inland and marine spatial planning, which take due account of the small-scale fisheries interests and role in integrated coastal zone management. Through consultation, participation and publicizing, gender-sensitive policies and laws on regulated spatial planning should be developed as appropriate. Where appropriate, formal planning systems should consider methods of planning and territorial development used by small-scale fishing and other communities with customary tenure systems, and decision-making processes within those communities.

10.3 States should adopt specific policy measures to ensure the harmonization of policies affecting the health of marine and inland water bodies and ecosystems and to ensure that fisheries, agriculture and other natural-resource policies collectively enhance the interrelated livelihoods derived from these sectors.

10.4 States should ensure that fisheries policy provides a long-term vision for sustainable small-scale fisheries and the eradication of hunger and poverty, using an ecosystem approach. The overall policy framework for fisheries should be coherent with the long-term vision and policy framework for small-scale fisheries and human rights, paying particular attention to vulnerable and marginalized people.

10.5 States should establish and promote the institutional structures and linkages – including local–national–regional–global linkages and networks – necessary for achieving policy coherence, cross-sectoral collaboration and the implementation of holistic and inclusive ecosystem approaches in the fisheries sector. At the same time, there is a need for clear responsibilities and there should be well-defined points of contact in government authorities and agencies for small-scale fishing communities.

10.6 Small-scale fisheries stakeholders should promote collaboration among their professional associations, including fisheries cooperatives and CSOs. They should establish networks and platforms for the exchange of experiences and information and to facilitate their

involvement in policy- and decision-making processes relevant to small-scale fishing communities.

10.7 States should recognize, and promote as appropriate, that local governance structures may contribute to an effective management of small-scale fisheries, taking into account the ecosystem approach and in accordance with national law.

10.8 States should promote enhanced international, regional and subregional cooperation in securing sustainable small-scale fisheries. States, as well as international, regional and subregional organizations, as appropriate, should support capacity development to enhance the understanding of small-scale fisheries and assist the subsector in matters that require subregional, regional or international collaboration, including appropriate and mutually agreed technology transfer.

## **11. INFORMATION, RESEARCH AND COMMUNICATION**

11.1 States should establish systems of collecting fisheries data, including bioecological, social, cultural and economic data relevant for decision-making on sustainable management of small-scale fisheries with a view to ensuring sustainability of ecosystems, including fish stocks, in a transparent manner. Efforts should be made to also produce gender-disaggregated data in official statistics, as well as data allowing for an improved understanding and visibility of the importance of small-scale fisheries and its different components, including socio-economic aspects.

11.2 All stakeholders and small-scale fisheries communities should recognize the importance of communication and information, which are necessary for effective decision-making.

11.3 States should endeavour to prevent corruption, particularly through increasing transparency, holding decision-makers accountable, and ensuring that impartial decisions are delivered promptly and through appropriate participation and communication with small-scale fishing communities.

11.4 All parties should recognize small-scale fishing communities as holders, providers and receivers of knowledge. It is particularly important to understand the need for access to appropriate information by small-scale fishing communities and their organizations in order to help them cope with existing problems and empower them to improve their livelihoods. These information requirements depend on current issues facing communities and concern the biological, legal, economic, social and cultural aspects of fisheries and livelihoods.

11.5 States should ensure that the information necessary for responsible small-scale fisheries and sustainable development is available, including on illegal, unreported and unregulated (IUU) fishing. It should relate to, inter alia, disaster risks, climate change, livelihoods and food security with particular attention to the situation of vulnerable and marginalized groups. Information systems with low data requirements should be developed for data-poor situations.

11.6 All parties should ensure that the knowledge, culture, traditions and practices of small-scale fishing communities, including indigenous peoples, are recognized and, as appropriate, supported, and that they inform responsible local governance and sustainable development processes. The specific knowledge of women fishers and fish workers must be recognized and supported. States should investigate and document traditional fisheries knowledge and technologies in order to assess their application to sustainable fisheries conservation, management and development.

11.7 States and other relevant parties should provide support to small-scale fishing communities, in particular to indigenous peoples, women and those that rely on fishing for subsistence, including, as appropriate, the technical and financial assistance to organize,

maintain, exchange and improve traditional knowledge of aquatic living resources and fishing techniques, and upgrade knowledge on aquatic ecosystems.

11.8 All parties should promote the availability, flow and exchange of information, including on aquatic transboundary resources, through the establishment or use of appropriate existing platforms and networks at community, national, subregional and regional level, including both horizontal and vertical two-way information flows. Taking into account the social and cultural dimensions, appropriate approaches, tools and media should be used for communication with and capacity development for small-scale fishing communities.

11.9 States and other parties should, to the extent possible, ensure that funds are available for small-scale fisheries research, and collaborative and participatory data collection, analyses and research should be encouraged. States and other parties should endeavour to integrate this research knowledge into their decision-making processes. Research organizations and institutions should support capacity development to allow small-scale fishing communities to participate in research and in the utilization of research findings. Research priorities should be agreed upon through a consultative process focusing on the role of small-scale fisheries in sustainable resource utilization, food security and nutrition, poverty eradication, and equitable development, including also DRM and CCA considerations.

11.10 States and other relevant parties should promote research into the conditions of work, including those of migrant fishers and fish workers, and *inter alia* health, education, decision-making, in the context of gender relations, in order to inform strategies for ensuring equitable benefits for men and women in fisheries. Efforts to mainstream gender should include the use of gender analysis in the design phase of policies, programmes and projects for small-scale fisheries in order to design gender-sensitive interventions. Gender-sensitive indicators should be used to monitor and address gender inequalities and to capture how interventions have contributed towards social change.

11.11 Recognizing the role of small-scale fisheries in seafood production, States and other parties should promote the consumption of fish and fishery products within consumer education programmes in order to increase awareness of the nutritional benefits of eating fish and impart knowledge on how to assess fish and fishery product quality.

## **12. CAPACITY DEVELOPMENT**

12.1 States and other parties should enhance the capacity of small-scale fishing communities in order to enable them to participate in decision-making processes. To this effect, it should be ensured that the range and diversity of the small-scale fisheries subsector along the entire value chain is appropriately represented through the creation of legitimate, democratic and representative structures. Specific attention should be paid to the need to work towards the equitable participation of women in such structures. Where appropriate and necessary, separate spaces and mechanisms should be provided to enable women to organize autonomously at various levels on issues of particular relevance to them.

12.2 States and other stakeholders should provide capacity building, for example through development programmes, to allow small-scale fisheries to benefit from market opportunities.

12.3 All parties should recognize that capacity development should build on existing knowledge and skills and be a two-way process of knowledge transfer, providing for flexible and suitable learning pathways to meet the needs of individuals, including both men and women and vulnerable and marginalized groups. Moreover, capacity development should include building the resilience and adaptive capacity of small-scale fishing communities in relation to DRM and CCA.



12.4 Government authorities and agencies at all levels should work to develop knowledge and skills to support sustainable small-scale fisheries development and successful co-management arrangements, as appropriate. Particular attention should be given to decentralized and local government structures directly involved in governance and development processes together with small-scale fishing communities, including the area of research.

### **13. IMPLEMENTATION SUPPORT AND MONITORING**

13.1 All parties are encouraged to implement these Guidelines in accordance with national priorities and circumstances.

13.2 States and all other parties should promote aid effectiveness and responsible use of financial resources. Development partners, specialized Agencies of the United Nations, and regional organizations are encouraged to support voluntary efforts by States to implement these Guidelines, including through South–South cooperation. Such support could include technical cooperation, financial assistance, institutional capacity development, knowledge sharing and exchange of experiences, assistance in developing national small-scale fisheries policies and transfer of technology.

13.3 States and all other parties should work together to create awareness of the Guidelines, also by disseminating simplified and translated versions for the benefit of those working in small-scale fisheries. States and all other parties should develop a specific set of materials on gender to secure the effective dissemination of information on gender and women’s role in small-scale fisheries and to highlight steps that need to be taken to improve women’s status and their work.

13.4 States should recognize the importance of monitoring systems that allow their institutions to assess progress towards implementation of the objectives and recommendations in these Guidelines. Assessments of the impact on the enjoyment of the progressive realization of the right to adequate food in the context of national food security and on poverty eradication should be included. Mechanisms allowing the results of monitoring to feed back into policy formulation and implementation should be included. Gender should be taken into consideration in monitoring by using gender-sensitive approaches, indicators and data. States and all parties should elaborate participatory assessment methodologies that allow a better understanding and documentation of the true contribution of small-scale fisheries to sustainable resource management for food security and poverty eradication including both men and women.

13.5 States should facilitate the formation of national-level platforms, with cross-sectoral representation and with strong representation of CSOs, to oversee implementation of the Guidelines, as appropriate. Legitimate representatives of small-scale fishing communities should be involved both in the development and application of implementation strategies for the Guidelines and in monitoring.

13.6 FAO should promote and support the development of a Global Assistance Programme, with regional plans of action to support the implementation of these Guidelines.

## **Chairperson's report of the Technical Consultation on International Guidelines for Securing Sustainable Small-scale Fisheries**

### **OPENING OF THE TECHNICAL CONSULTATION**

1. On the recommendation of the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO) at its Thirtieth Session in 2012, the Director General of FAO, Mr José Graziano da Silva, convened the Technical Consultation on International Guidelines for Securing Sustainable Small-Scale Fisheries. The Technical Consultation was held at FAO Headquarters, Rome, Italy, from 20-24 May 2013. A resumed session was subsequently held at FAO Headquarters in Rome, Italy on 3-7 February 2014. The Consultation was funded by the Governments of Brazil, Norway and the United States of America as well as by the Nordic Council of Ministers. Funding was also provided by the Government of Finland through the International Fund for Agricultural Development (IFAD).
2. The Technical Consultation was attended by 87 FAO Members and by observers from 11 intergovernmental, four international non-governmental organizations and 59 representatives from Civil Society Organizations. The list of delegates and observers is made available at the following link: [www.fao.org/fishery/nems/40424/en](http://www.fao.org/fishery/nems/40424/en). The documents that were placed before the Consultation are listed in Appendix B.
3. The Secretary called the Technical Consultation to order and welcomed delegates to FAO and the Consultation.
4. Mr Árni M. Mathiesen, Assistant Director-General, FAO Fisheries and Aquaculture Department welcomed delegates to the Technical Consultation. In his opening statement, Mr Mathiesen recalled that the Twenty-ninth Session of COFI had agreed on the development of international guidelines that address both inland and marine small-scale fisheries, are of a voluntary nature, focus on the needs of developing countries, draw on relevant existing instruments and complement the Code of Conduct for Responsible Fisheries. COFI also recommended that all stakeholders should be associated with their development. As a result, the development of the Guidelines was informed by an extensive participatory consultative process in which more than 4000 stakeholders were directly involved.
5. Mr Mathiesen reminded delegates that the overarching goals of the Guidelines is to enhance the contribution of small-scale fisheries to food security and nutrition, to support the progressive realization of the right to food and to empower small-scale fishing communities to participate in decision-making, to enjoy their human rights, and to assume responsibilities for sustainable use of fishery resources.
6. At the start of the resumed session in February 2014, Mr Lahsen Ababouch, Director, Fisheries and Aquaculture Policy and Economics Division, delivered the opening statement. He congratulated the Technical Consultation for the considerable progress made during the session in May 2013 and urged the Technical Consultation to make all efforts to conclude the Guidelines. Mr Ababouch highlighted the importance of the process and encouraged consensus amongst member states in order to finalize the Guidelines. Mr Ababouch highlighted the large number of participating countries, which he noted showed the high level of international commitment to small-scale fisheries.
7. Mr Ababouch further reminded the Technical Consultation that in keeping with existing FAO practice, an administrative report would be prepared at the conclusion of the consultation. He added that it would be factual in content and attached to it would be the Guidelines. COFI would be informed of the outcome of the Technical Consultation. The texts of the opening statements are attached as Appendix C and D, respectively.



## **ELECTION OF THE CHAIRPERSON**

8. Dr Fabio Hazin, Associate Professor and Director of the Fisheries and Aquaculture, Department of the Federal Rural University of Pernambuco, Brazil, was elected Chairperson of the Consultation. He expressed his gratitude to the Technical Consultation for its confidence in electing him to the position.

## **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE TECHNICAL CONSULTATION**

9. The Technical Consultation adopted the agenda as given in Appendix A.

## **ELECTION OF VICE-CHAIRPERSONS AND DESIGNATION OF RAPPORTEUR**

10. Dr Uwe Scholz (Germany), Mr Anang Noegroho Setyo Moeljono (Indonesia) and Dr Park Wong-gyu (Republic of Korea) were elected First, Second and Third Vice-Chairpersons respectively. Dr Dean Swanson (USA) was elected Rapporteur.

## **REVIEW OF THE INTERNATIONAL GUIDELINES FOR SECURING SUSTAINABLE SMALL-SCALE FISHERIES**

11. The Chairperson stressed the importance of developing the Guidelines and pointed out that this endeavour had been long overdue. He reminded the delegates that COFI had recommended that FAO lead the development of the Guidelines both in its Twenty-ninth and Thirtieth Sessions.

12. The Chairperson reminded the delegates that the Technical Consultation would follow the forms and procedures of COFI.

13. Following these explanations and clarifications, the Chairperson invited delegates to make opening statements. There was a widespread consensus during opening statements on the importance of the small-scale fisheries sector for food security and poverty eradication and on the need to highlight their contribution to these issues. Additionally, member states agreed on the positive potential impact of the Guidelines on the sector's development and the need to improve the attention given to small-scale fisheries at the international level. Members highlighted the difficulty of agreeing on a global definition of small-scale fisheries but considered that the Guidelines should be applied within the context of each country.

14. Following the opening statements, the Chairperson introduced document TC-SSF/2013/2. This document was the basis for discussion and review during the Technical Consultation. This document was elaborated by the Secretariat and was based on a global consultation process that took place from 2010 to 2013. The reports of six regional consultative workshops and additional information on the consultation process were made publicly available at a dedicated webpage: [www.fao.org/fishery/ssf/guidelines/en](http://www.fao.org/fishery/ssf/guidelines/en).

15. The Chairperson, noting the practice adopted by other technical consultations, advised the Technical Consultation that if the review of the TC-SSF/2013/2 was not completed by the conclusion of the session, the outcome of the Technical Consultation would become a Chairperson's text and would be made publicly available through the above FAO website.

16. To provide structure and coherence to the debate and as a means of making progress, the Technical Consultation agreed to organize its discussion in a way that followed the chapters of the draft Guidelines (TC-SSF/2013/2).

17. Considering that the instrument is voluntary in nature, it was agreed that the title of the instrument should read "Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication".

18. By the end of the May 2013 session, the Technical Consultation had discussed the preface and the following chapters of the draft Guidelines: 1. Objectives, 2. Nature and scope, 3. Guiding principles,

4. Relationship with other international instruments, 5. Governance of tenure and resource management, 6. Social development, employment and decent work and 7. Value chains, post-harvest and trade until paragraph 7.9.

19. The resumed session agreed to continue discussion on the basis of the text and chapters of the Chairperson's text (TC-SSF/2014/2).

20. The resumed session continued discussion under agenda item 5: Review of the draft international guidelines for securing sustainable small-scale fisheries. The resumed session agreed to begin discussion with Chapter 7, Value chains, post-harvest and trade, paragraph 7.9. The resumed session then discussed the following chapters: 8. Gender equality, 9. Disaster risks and climate change, 10. Policy coherence, institutional coordination and collaboration, 11. Information, research and communication, 12. Capacity development and 13. Implementation Support, Monitoring and Evaluation.

21. The Technical Consultation agreed to change the title of Chapter 5 to Governance of Tenure in Small-Scale Fisheries and Resource Management and Chapter 13 to Implementation Support and Monitoring.

22. The Technical Consultation achieved consensus on all paragraphs of the Guidelines except paragraph 6.18. The Chairperson informed the Technical Consultation that paragraph 6.18 (presented with an alternate suggestion), would be kept in brackets for COFI to consider.

23. The Secretariat was requested by the Technical Consultation to review the text after finalization to ensure internal and legal consistency, to reorganize the paragraphs under appropriate titles and subtitles and to edit the numbering format as required.

24. The United States of America emphasized its concern regarding some of the human rights language in the Guidelines, including its view that references to human rights standards in the Guidelines should not be interpreted to imply any change to current treaty or customary international law. For example they do not imply that States must become parties to instruments to which they are not a party, implement obligations under human rights instruments to which they are not a party, or recognize any rights or principles that they have not previously recognized. The United States of America underscored that human rights are enjoyed by individuals, not by communities or other groups, and indigenous peoples possess additional, collective rights. The United States of America understands statements that the Guidelines are based on human rights to mean that States should undertake fisheries-related policies in a manner consistent with their obligations under international human rights law. Likewise, a "human rights based approach" is understood to mean an approach anchored in a system of rights and corresponding obligations established by international human rights law.

25. The United States of America interprets these Guidelines in light of its earlier positions on economic, social, and cultural rights, including those related to food. The United States of America further interprets this document's references to the right to food in light of Article 2(1) of the International Covenant on Economic, Social, and Cultural Rights with respect to States Parties to that instrument, as well as the statements provided by the United States of America in relation to the 2004 Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security.

26. Chile manifested its view that these Guidelines are relevant for the development of small-scale fisheries and that it has participated actively in their development given that it believes they are a contribution to the sector. A central aspect to the analysis of these Guidelines in Chile is the respect of national norms that regulate national artisanal fisheries. While these Guidelines recognize that small-scale fisheries have a great number and diversity of participants, Chile considers that both for international consultation and for Chile, these Guidelines are applicable to artisanal fisheries of subsistence and of vulnerable groups.

27. Bangladesh noted its concerns that the human rights of fish workers who are in detention because of entry into foreign waters due to lack of awareness have not been addressed.

28. Indonesia expressed its reservation to the agreed language on paragraph 5.20, as Indonesia considers that policies and financial measures to support small-scale fisheries in order for them to be able to maintain and improve their livelihood should not be avoided.

29. The countries of Central America and the Dominican Republic noted that for the context of these Guidelines in their region, OSPESCA is the counterpart institution.

#### **FOLLOW UP**

30. The Technical Consultation did not discuss agenda item 5: Follow-up: Towards the implementation of international guidelines for securing sustainable small-scale fisheries in the understanding that the consideration of these issues, including monitoring of the implementation of the Guidelines, should be done by COFI.

#### **OTHER MATTERS**

31. The Kingdom of Morocco accords great importance to small-scale fisheries and the socio-professional promotion of the workers of the sector. In this regard, actions to improve the living and working conditions of all segments of the sector have been implemented as part of an overall strategy, called Halieutis, particularly with regard to literacy programs, social security benefits, support to the organization of fishers cooperatives, especially for women, provision of appropriate facilities and infrastructure (such as fishing villages and equipped landing points), improvement of security and fishery products value-added, taking into account fisheries resource sustainability.

#### **ADOPTION OF THE REPORT**

32. The report of the Technical Consultation was discussed on 7 February 2014 but not formally adopted as the Technical Consultation could not reach consensus on paragraph 6.18. It was therefore decided that the Chairperson would present his report to the 31<sup>st</sup> session of COFI.

### **Agenda**

1. Opening of the Consultation
2. Election of the Chairperson
3. Adoption of the Agenda and Arrangements for the Technical Consultation
4. Election of Vice-Chairperson and designation of Rapporteur
5. Review of the draft voluntary Guidelines for securing sustainable small-scale fisheries
6. Follow up
7. Other matters
8. Adoption of the report

**List of Documents**

May 20-24, 2013

TC-SSF/2013/1	Provisional Agenda
TC-SSF/2013/2	Draft Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
TC-SSF/2013/Inf.1	Provisional list of documents
TC-SSF/2013/Inf.2	Provisional list of participants
TC-SSF/2013/Inf.3	Glossary
TC-SSF/2013/Inf.4	Statement by the Assistant Director-General for Fisheries and Aquaculture
TC-SSF/2013/Inf.5	Statement of Competence and Voting Rights Submitted by the European Union (EU) and its Member States

February 3-7, 2014

TC-SSF/2013/1	Provisional Agenda
TC-SSF/2014/2	Chairperson's Text of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
TC-SSF/2014/Inf.1	Provisional list of documents
TC-SSF/2014/Inf.2	Provisional list of participants
TC-SSF/2014/Inf.3	Glossary
TC-SSF/2014/Inf.4	Statement by the Assistant Director-General for Fisheries and Aquaculture
TC-SSF/2014/Inf.5	Statement of Competence and Voting Rights Submitted by the European Union (EU) and its Member States

(ANNEX C)

**Technical Consultation on International Guidelines for Securing Sustainable Small-Scale Fisheries**  
**May 20-24, 2013**  
**Opening Address**  
**By**  
**Mr Árni M. Mathiesen**  
**Assistant Director-General**  
**Fisheries and Aquaculture Department**

Ladies and Gentlemen,

It gives me great pleasure to welcome you to FAO.

I am very grateful that you have accepted our invitation to participate in this Technical Consultation on International Guidelines for Securing Sustainable Small-Scale Fisheries and we look forward to a week of frank discussion, lively debate and a successful resolution.

The Code of Conduct for Responsible Fisheries explicitly states that one of its objectives is to promote the contribution of fisheries to food security and food quality, giving priority to the nutritional needs of local communities. The Code also calls for states to protect the rights of fishers and fishworkers, particularly those engaged in subsistence, small-scale and artisanal fisheries to a secure and just livelihood. These are the provisions of the Code that the small-scale fisheries Guidelines seek to address more specifically.

In the years since the Code was endorsed, we have increasingly recognized the contribution of small-scale fisheries to food security and poverty reduction and have thus doubled our efforts to increase the sector's profile and to promote principles of good governance. The 2008 Global Conference on Small-Scale Fisheries, that took place in Thailand, discussed three main priority areas of small-scale fisheries:

- Securing sustainable resource use and access rights.
- Securing post-harvest benefits.
- Securing social, economic and human rights.

These are the issues that framed the call for the development of an international instrument on small-scale fisheries.

Informed by the outcomes of the 2008 Bangkok Conference and of three regional workshops held in 2010, the 29th session of the Committee on Fisheries agreed on the development of international guidelines that address both inland and marine small-scale fisheries, are of a voluntary nature, focus on the needs of developing countries, draw on relevant existing instruments and complement the Code of Conduct for Responsible Fisheries. COFI also recommended that all stakeholders should be associated with its development.

In response to the COFI mandate and in the spirit of cooperation, FAO has coordinated a wide-ranging three year consultation process that informed the current Draft Guidelines. We are grateful and pleased that more than 4 000 stakeholders have been engaged directly in a variety and number of fora at national and regional levels, encompassing from fishers to ministers, in a truly participatory manner.

By working closely with stakeholders from the outset, the development and initial implementation processes have taken place in parallel. For example, the outcomes of national and regional consultations are already informing relevant policies on small-scale fisheries.

We must emphasize the strong commitment from governments, regional and international organizations and CSOs for their support and participation in the consultation process. We thank the Governments of Costa Rica, Jamaica, Mozambique and the Sultanate of Oman, for hosting regional consultative workshops, while also expressing our gratitude to all governments for their active support and guiding comments during this process.

I am particularly pleased to see so many of our development partners represented here today.

Ladies and Gentlemen,

The Guidelines you discuss this week are the first dedicated international instrument to directly address small-scale fisheries. They seek to support responsible governance of fisheries and sustainable social and economic development for the benefit of current and future generations, with an emphasis on vulnerable and marginalized people - such as women, children and the elderly, indigenous peoples and food insecure groups.

The overarching goal of the Guidelines is to enhance the contribution of small-scale fisheries to food security and nutrition and to support the progressive realization of the right to food. Promoting a human rights-based approach, they aim to achieve poverty eradication, equitable development and sustainable resource utilization. The Guidelines seek to achieve this by empowering small-scale fishing communities, including both men and women, to participate in decision-making, enjoy their human rights, and assume responsibilities for sustainable use of fishery resources.

The Guidelines seek to give effect to the commitments made at Rio +20 where World Leaders committed, among others, to ensure and protect access to fisheries and markets by small-scale fishers and stressed the crucial role of healthy marine ecosystems, sustainable fisheries and sustainable aquaculture for food security and nutrition and in providing for the livelihoods of millions of people.

The Guidelines complement and support, in addition to the Code of Conduct for Responsible Fisheries, other international instruments, in particular the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Contexts of National Food Security (Tenure Guidelines) and the Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (*Right to Food Guidelines*).

I hope you will have a robust and fruitful discussion over the next five days. I wish you a successful Consultation.



(ANNEX D)

**Resumed Session of the Technical Consultation on International Guidelines for Securing Sustainable Small-Scale Fisheries  
February 3-7 2014**

**DRAFT  
Opening Address  
by  
Dr Lahsen Ababouch  
Director, Policy and Economics Division  
Fisheries and Aquaculture Department**

Good morning Excellences, Ladies and Gentlemen,

On behalf of Mr Árni Mathiesen, Assistant Director-General of the Fisheries and Aquaculture Department, I welcome you all to Rome and to FAO to participate in this resumed session of the Technical Consultation to discuss the final text of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Alleviation. I would like to express my gratitude that you have once again accepted FAO's invitation despite your responsibilities and busy schedule.

At the outset, I would like to commend all Member States who participated in the first session of the Technical Consultation, held 20-24 May 2013 and congratulate them for a very fruitful discussion and advancement of an important part of the text. We should be proud of the progress achieved so far, thanks also to the excellent stewardship of the Chairman Dr Fabio Hazin.

The strong participation and lively debate seen during the first session demonstrates the enhanced commitment and importance given to the small-scale fisheries sector by COFI Member States. While there is still progress to be made in order to fully recognize the contributions small-scale fisheries can make to improve food security and nutrition and eradicate poverty, the active participation and engagement by all stakeholders during the development process of these Guidelines clearly show that we are in the right direction towards achieving this objective.

I am also pleased to see so many of our development partners represented here today and heartened by the significant representation from Civil Society Organizations, who have been a driving force in the development process of this instrument and will be a key partner in its implementation.

The first session of this Technical Consultation was carried out in an environment of consensus seeking debate, which demonstrated the willingness of delegations to reach out and seek common ground on this urgent topic. More than half of the paragraphs in the Draft Guidelines were reviewed during the first session. This work highlighted that Member States had diverging views on several issues. Our challenge during this technical consultation is to reach out for other views with the aim to attain agreement and consensus on a final text of the Guidelines, especially given that the 31st Session of the Committee on Fisheries which we hope will endorse them will take place in June, which is just around the corner.

Ladies and Gentlemen,

For this reason I call upon each and every delegation, to make all efforts to complete and approve the Guidelines during the session we begin today. I call upon Members to show flexibility, to encourage cooperation and to have the urgent challenges faced by the small-scale sector in mind as you debate the remaining provisions of the Guidelines.

I would like to reiterate that the Guidelines will be the first dedicated international instrument to address small-scale fisheries. Their goal is to support responsible governance of fisheries while securing the

rights of small-scale fishers to sustainably utilize their fisheries resources and promote the social and economic development of their communities.

Dear colleagues, as you work through the Guidelines, I would also encourage you to think about the steps following their completion. I would encourage you to send a clear signal to both the Secretariat and to COFI regarding the high importance of their implementation.

Dear delegates, I will be available during the Technical Consultation should any issues arise, and will closely follow your discussions. I would also like to inform you that in keeping with existing FAO practice, an administrative report will be prepared at the conclusion of the consultation. The report will be factual in content and will include the negotiated and hopefully adopted Guidelines as an attachment. The Secretariat will present this report alongside the Guidelines to COFI for endorsement and will seek clear guidance from Member States on the path forward.

The consultative process has been thorough, transparent and lengthy. The time for consultation is coming to an end. Small-scale fisheries need these guidelines finalized so that we can mobilize ourselves for their implementation.

Thank you for your attention.

**Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of  
Food Security and Poverty Eradication**

TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS .....	88
PART 1: INTRODUCTION .....	91
1.    OBJECTIVES .....	91
2.    NATURE AND SCOPE .....	91
3.    GUIDING PRINCIPLES .....	92
4.    RELATIONSHIP WITH OTHER INTERNATIONAL INSTRUMENTS .....	93
PART 2: RESPONSIBLE FISHERIES AND SUSTAINABLE DEVELOPMENT .....	93
5.    GOVERNANCE OF TENURE IN SMALL-SCALE FISHERIES AND RESOURCE MANAGEMENT .....	93
5A. <i>Responsible governance of tenure</i> .....	94
5B. <i>Sustainable resource management</i> .....	95
6.    SOCIAL DEVELOPMENT, EMPLOYMENT AND DECENT WORK .....	96
7.    VALUE CHAINS, POST-HARVEST AND TRADE .....	98
8.    GENDER EQUALITY .....	99
9.    DISASTER RISKS AND CLIMATE CHANGE .....	100
PART 3: ENSURING AN ENABLING ENVIRONMENT AND SUPPORTING IMPLEMENTATION .....	101
10.   POLICY COHERENCE, INSTITUTIONAL COORDINATION AND COLLABORATION .....	101
11.   INFORMATION, RESEARCH AND COMMUNICATION .....	101
12.   CAPACITY DEVELOPMENT .....	103
13.   IMPLEMENTATION SUPPORT AND MONITORING .....	103

### ABBREVIATIONS AND ACRONYMS

CCA	climate change adaptation
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSO	civil society organization
DRM	disaster risk management
EAF	ecosystem approach to fisheries
HIV/AIDS	human immunodeficiency virus / acquired immunodeficiency syndrome
ICESCR	International Covenant on Economic, Social and Cultural Rights
IGO	intergovernmental organization
ILO	International Labour Organization
IMO	International Maritime Organization
IUU (fishing)	illegal, unreported and unregulated (fishing)
MCS	monitoring, control and surveillance
NGO	non-governmental organization
Rio+20	United Nations Conference on Sustainable Development (Rio+20)
The Code	Code of Conduct for Responsible Fisheries (FAO)
UN	United Nations
UN DRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
WTO	World Trade Organization

## PREFACE

These *Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication* have been developed as a complement to the 1995 FAO Code of Conduct for Responsible Fisheries (the Code). They were developed to provide complementary guidance with respect to small-scale fisheries in support of the overall principles and provisions of the Code. Accordingly, the Guidelines are intended to support the visibility, recognition and enhancement of the already important role of small-scale fisheries and to contribute to global and national efforts towards the eradication of hunger and poverty. The Guidelines support responsible fisheries and sustainable social and economic development for the benefit of current and future generations, with an emphasis on small-scale fishers and fish workers and related activities and including vulnerable and marginalized people promoting a human rights-based approach.

It is emphasized that these Guidelines are voluntary, global in scope and with a focus on the needs of developing countries.

Small-scale and artisanal fisheries, encompassing all activities along the value chain – pre-harvest, harvest and post-harvest – undertaken by men and women, play an important role in food security and nutrition, poverty eradication, equitable development and sustainable resource<sup>1</sup> utilization. Small-scale fisheries provide nutritious food for local, national and international markets and generate income to support local and national economies.

Small-scale fisheries contribute about half of global fish catches. When considering catches destined for direct human consumption, the share contributed by the subsector increases to two-thirds. Inland fisheries are particularly important in this respect and small-scale fisheries food production dominates the subsector. Small-scale fisheries employ more than 90 percent of the world's capture fishers and fish workers, about half of whom are women. In addition to employment as full- or part-time fishers and fish workers, seasonal or occasional fishing and related activities provide vital supplements to the livelihoods of millions. These activities may be a recurrent sideline activity or become especially important in times of difficulty. Many small-scale fishers and fish workers are self-employed and engaged in directly providing food for their household and communities as well as working in commercial fishing, processing and marketing. Fishing and related activities often underpin the local economies in coastal, lakeshore and riparian communities and constitute an engine, generating multiplier effects in other sectors.

Small-scale fisheries represent a diverse and dynamic subsector, often characterized by seasonal migration. The precise characteristics of the subsector vary depending on the location; indeed, small-scale fisheries tend to be strongly anchored in local communities, reflecting often historic links to adjacent fishery resources, traditions and values, and supporting social cohesion. For many small-scale fishers and fish workers, fisheries represent a way of life and the subsector embodies a diversity and cultural richness that is of global significance. Many small-scale fishers, fish workers and their communities – including vulnerable and marginalized groups – are directly dependent on access to fishery resources and land. Tenure rights to land in the coastal/waterfront area are critical for ensuring and facilitating access to the fishery, for accessory activities (including processing and marketing), and for housing and other livelihood support. The health of aquatic ecosystems and associated biodiversity are a fundamental basis for their livelihoods and for the subsector's capacity to contribute to overall well-being.

Despite their importance, many small-scale fishing communities continue to be marginalized, and their contribution to food security and nutrition, poverty eradication, equitable development and sustainable resource utilization – which benefits both them and others – is not fully realized.

Securing and increasing the contribution of small-scale fisheries face many challenges and constraints. The development of the fisheries sector over the past three to four decades has in many cases around the world led to overexploitation of resources and threats to habitats and ecosystems. Customary practices

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<sup>1</sup> The term 'fishery resources' in this document covers all living aquatic resources (seaweed, shellfish, etc. in both marine and freshwaters) that are commonly subject to harvesting.

for the allocation and sharing of resource benefits in small-scale fisheries, which may have been in place for generations, have been changed as a result of non-participatory and often centralized fisheries management systems, rapid technology developments and demographic changes. Small-scale fishing communities also commonly suffer from unequal power relations. In many places, conflicts with large-scale fishing operations are an issue, and there is increasingly high interdependence or competition between small-scale fisheries and other sectors. These other sectors can often have stronger political or economic influence, and they include: tourism, aquaculture, agriculture, energy, mining, industry and infrastructure developments.

Where poverty exists in small-scale fishing communities, it is of a multidimensional nature and is not only caused by low incomes but also due to factors that impede full enjoyment of human rights including civil, political, economic, social and cultural rights. Small-scale fishing communities are commonly located in remote areas and tend to have limited or disadvantaged access to markets, and may have poor access to health, education and other social services. Other characteristics include low levels of formal education, existence of ill health (often including above-average incidences of HIV/AIDS) and inadequate organizational structures. The opportunities available are limited, as small-scale fishing communities face a lack of alternative livelihoods, youth unemployment, unhealthy and unsafe working conditions, forced labour, and child labour. Pollution, environmental degradation, climate change impacts and natural and human-induced disasters add to the threats facing small-scale fishing communities. All these factors make it difficult for small-scale fishers and fish workers to make their voices heard, defend their human rights and tenure rights, and secure the sustainable use of the fishery resources on which they depend.

These Guidelines have been developed through a participatory and consultative process, involving representatives of small-scale fishing communities, civil society organizations (CSOs), governments, regional organizations and other stakeholders. A Technical Consultation of the Food and Agriculture Organization then reviewed the Guidelines. They take into account a wide range of important considerations and principles, including equality and non-discrimination, participation and inclusion, accountability and the rule of law, and the principle that all human rights are universal, indivisible, interrelated and interdependent. The Guidelines are consistent with and promote international human rights standards. These Guidelines are complementary to the Code and its related instruments. They also take into account the technical guidelines, such as the Technical Guidelines for Responsible Fisheries No. 10 “Increasing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security”, as well as other voluntary international instruments, such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (Tenure Guidelines) and the Voluntary Guidelines to support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines), as applicable. States and other stakeholders are encouraged to also consult these other guidelines, as well as relevant international and regional instruments, to fully integrate applicable obligations, voluntary commitments and available guidance.

## **PART 1: INTRODUCTION**

### **1. OBJECTIVES**

1.1 The objectives of these Guidelines are:

- a) to enhance the contribution of small-scale fisheries to global food security and nutrition and to support the progressive realization of the right to adequate food,
- b) to contribute to the equitable development of small-scale fishing communities and poverty eradication and to improve the socio-economic situation of fishers and fish workers within the context of sustainable fisheries management,
- c) to achieve the sustainable utilization, prudent and responsible management and conservation of fisheries resources consistent with the Code of Conduct for Responsible Fisheries (the Code) and related instruments,
- d) to promote the contribution of small-scale fisheries to an economically, socially and environmentally sustainable future for the planet and its people,
- e) to provide guidance that could be considered by States and stakeholders for the development and implementation of ecosystem friendly and participatory policies, strategies and legal frameworks for the enhancement of responsible and sustainable small-scale fisheries, and
- f) to enhance public awareness and promote the advancement of knowledge on the culture, role, contribution and potential of small-scale fisheries, considering ancestral and traditional knowledge, and their related constraints and opportunities.

1.2 These objectives should be achieved through the promotion of a human rights-based approach, by empowering small-scale fishing communities, including both men and women, to participate in decision-making processes, and to assume responsibilities for sustainable use of fishery resources, and placing emphasis on the needs of developing countries and for the benefit of vulnerable and marginalized groups.

### **2. NATURE AND SCOPE**

2.1 These Guidelines are voluntary in nature. The Guidelines should apply to small-scale fisheries in all contexts, be global in scope but with a specific focus on the needs of developing countries.

2.2 These Guidelines are relevant to small-scale fisheries both in marine and inland waters, i.e. men and women working in the full range of activities along the value chain, and pre- and post-harvest activities. The important linkages between small-scale fisheries and aquaculture are recognized, but these Guidelines principally focus on capture fisheries.

2.3 The Guidelines are addressed to FAO Members and non-Members, at all levels of the State, as well as to subregional, regional, international and intergovernmental organizations (IGOs) and small-scale fisheries actors (fishers, fish workers, their communities, traditional and customary authorities, and related professional organizations and CSOs). They are also aimed at research and academic institutions, the private sector, non-governmental organizations (NGOs) and all others concerned with the fisheries sector, coastal and rural development and the use of the aquatic environment.

2.4 The Guidelines recognize the great diversity of small-scale fisheries and that there is no single, agreed definition of the subsector. Accordingly, the Guidelines do not prescribe a standard definition of small-scale fisheries nor how the Guidelines should be applied in a national context. These Guidelines are especially relevant to subsistence small-scale fisheries and vulnerable fisheries people. To ensure transparency and accountability in the application of the Guidelines, it is important to ascertain which activities and operators are considered small-scale, and to identify vulnerable and marginalized groups needing greater attention. This should be undertaken at a regional, subregional or national level and



according to the particular context in which they are to be applied. States should ensure that such identification and application are guided by meaningful and substantive participatory, consultative, multilevel and objective-oriented processes so that the voices of both men and women are heard. All parties should support and participate, as appropriate and relevant, in such processes.

2.5 These Guidelines should be interpreted and applied in accordance with national legal systems and their institutions.

### 3. GUIDING PRINCIPLES

3.1 These Guidelines are based on international human rights standards, responsible fisheries standards and practices and sustainable development according to the United Nations Conference on Sustainable Development (Rio+20) outcome document ‘The future we want’, the Code and other relevant instruments, paying particular attention to vulnerable and marginalized groups and the need to support the progressive realization of the right to adequate food.

**1. Human rights and dignity:** recognizing the inherent dignity and the equal and inalienable human rights of all individuals, all parties should recognize, respect, promote and protect the human rights principles and their applicability to communities dependent on small-scale fisheries, as stipulated by international human rights standards: universality and inalienability; indivisibility; interdependence and interrelatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of law. States should respect and protect the rights of defenders of human rights in their work on small-scale fisheries.

All non-state actors including business enterprises related to or affecting small-scale fisheries have a responsibility to respect human rights. States should regulate the scope of activities in relation to small-scale fisheries of non-state actors to ensure their compliance with international human rights standards.

**2. Respect of cultures:** recognizing and respecting existing forms of organization, traditional and local knowledge and practices of small-scale fishing communities, including indigenous peoples and ethnic minorities encouraging women leadership and taking into account Art. 5 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

**3. Non-discrimination:** promoting in the small-scale fisheries the elimination of all kinds of discrimination in policies and in practice.

**4. Gender equality and equity** is fundamental to any development. Recognizing the vital role of women in small-scale fisheries, equal rights and opportunities should be promoted.

**5. Equity and equality:** promoting justice and fair treatment – both legally and in practice – of all people and peoples, including equal rights to the enjoyment of all human rights. At the same time, differences between women and men should be acknowledged and specific measures taken to accelerate de facto equality, i.e. using preferential treatment where required to achieve equitable outcomes, particularly for vulnerable and marginalized groups.

**6. Consultation and participation:** ensuring active, free, effective, meaningful and informed participation of small-scale fishing communities, including indigenous peoples, taking into account the UN Declaration on the Rights of Indigenous Peoples (UN DRIP) in the whole decision-making process related to fishery resources and areas where small-scale fisheries operate as well as adjacent land areas, and taking existing power imbalances between different parties into consideration. This should include feedback and support from those who could be affected by decisions prior to these being taken, and responding to their contributions.

**7. Rule of law:** adopting a rules-based approach for small-scale fisheries through laws that are widely publicized in applicable languages, applicable to all, equally enforced and independently adjudicated, and that are consistent with existing obligations under national and international

law, and with due regard to voluntary commitments under applicable regional and international instruments.

**8. Transparency:** clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all.

**9. Accountability:** holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.

**10. Economic, social and environmental sustainability:** applying the precautionary approach and risk management to guard against undesirable outcomes, including overexploitation of fishery resources and negative environmental, social and economic impacts.

**11. Holistic and integrated approaches:** recognizing the ecosystem approach to fisheries (EAF) as an important guiding principle, embracing the notions of comprehensiveness and sustainability of all parts of ecosystems as well as the livelihoods of small-scale fishing communities, and ensuring cross-sectoral coordination as small-scale fisheries are closely linked to and dependent on many other sectors.

**12. Social responsibility:** promoting community solidarity and collective and corporate responsibility. The fostering of an environment that promotes collaboration among stakeholders should be encouraged.

**13. Feasibility and social and economic viability:** ensuring that policies, strategies, plans and actions for improving small-scale fisheries governance and development are socially and economically sound and rational. They should be informed by existing conditions, implementable and adaptable to changing circumstances, and should support community resilience.

#### **4. RELATIONSHIP WITH OTHER INTERNATIONAL INSTRUMENTS**

4.1 These Guidelines should be interpreted and applied consistent with existing rights and obligations under national and international law and with due regard to voluntary commitments under applicable regional and international instruments. They are complementary to and support national, regional and international initiatives that address human rights, responsible fisheries and sustainable development. The Guidelines were developed complementary to the Code and support responsible fisheries and sustainable resource utilization in accordance with this instrument.

4.2 Nothing in the Guidelines should be read as limiting or undermining any rights or obligations to which a State may be subject under international law. These Guidelines may be used to guide amendments and inspire new or supplementary legislative and regulatory provisions.

### **PART 2: RESPONSIBLE FISHERIES AND SUSTAINABLE DEVELOPMENT**

#### **5. GOVERNANCE OF TENURE IN SMALL-SCALE FISHERIES AND RESOURCE MANAGEMENT**

5.1 These Guidelines recognize the need for responsible and sustainable use of aquatic biodiversity and natural resources to meet the developmental and environmental requirements of present and future generations. Small-scale fishing communities need to have secure tenure rights<sup>2</sup> to the resources that form the basis for their social and cultural well-being, their livelihoods and their sustainable development. The Guidelines support equitable distribution of the benefits yielded from responsible

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<sup>2</sup> The term 'tenure right' is used in accordance with the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

management of fisheries and ecosystems, rewarding small-scale fishers and fish workers, both men and women.

### **5A. Responsible governance of tenure**

5.2 All parties should recognize that responsible governance of tenure of land, fisheries and forests applicable in small-scale fisheries is central for the realization of human rights, food security, poverty eradication, sustainable livelihoods, social stability, housing security, economic growth and rural and social development.

5.3 States, in accordance with their legislation, should ensure that small-scale fishers, fish workers and their communities have secure, equitable, and socially and culturally appropriate tenure rights to fishery resources (marine and inland) and small-scale fishing areas and adjacent land, with a special attention paid to women with respect to tenure rights.

5.4 All parties, in accordance with their legislation, should recognize, respect and protect all forms of legitimate tenure rights, taking into account, where appropriate, customary rights, to aquatic resources and land and small-scale fishing areas enjoyed by small-scale fishing communities. When necessary, in order to protect various forms of legitimate tenure rights, legislation to this effect should be provided. States should take appropriate measures to identify, record and respect legitimate tenure right holders and their rights. Local norms and practices, as well as customary or otherwise preferential access to fishery resources and land by small-scale fishing communities including indigenous peoples and ethnic minorities, should be recognized, respected and protected in ways that are consistent with international human rights law. The UN DRIP and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities should be taken into account, as appropriate. Where constitutional or legal reforms strengthen the rights of women and place them in conflict with custom, all parties should cooperate to accommodate such changes in the customary tenure systems.

5.5 States should recognize the role of small-scale fishing communities and indigenous peoples to restore, conserve, protect and co-manage local aquatic and coastal ecosystems.

5.6 Where States own or control water (including fishery resources) and land resources, they should determine the use and tenure rights of these resources taking into consideration, inter alia, social, economic and environmental objectives. States should, as applicable, recognize and safeguard publically owned resources that are collectively used and managed, in particular by small-scale fishing communities.

5.7 Taking due account of Art. 6.18 of the Code, States should where appropriate grant preferential access of small-scale fisheries to fish in waters under national jurisdiction, with a view to achieving equitable outcomes for different groups of people, in particular vulnerable groups. Where appropriate, specific measures, inter alia, the creation and enforcement of exclusive zones for small-scale fisheries, should be considered. Small-scale fisheries should be given due consideration before agreements on resource access are entered into with third countries and third parties.

5.8 States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including, as appropriate, redistributive reform, taking into account the provisions of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

5.9 States should ensure that small-scale fishing communities are not arbitrarily evicted and that their legitimate tenure rights are not otherwise extinguished or infringed. States should recognize that competition from other users is increasing within small-scale fisheries areas and that small-scale fishing communities, in particular vulnerable and marginalized groups, are often the weaker party in conflicts with other sectors and may require special support if their livelihoods are threatened by the development and activities of other sectors.

5.10 States and other parties should, prior to the implementation of large-scale development projects that might impact small-scale fishing communities, consider the social, economic and environmental impacts through impact studies, and hold effective and meaningful consultations with these communities, in accordance with national legislation.

5.11 States should provide small-scale fishing communities and individuals, including vulnerable and marginalized people, access through impartial and competent judicial and administrative bodies to timely, affordable and effective means of resolving disputes over tenure rights in accordance with national legislation, including alternative means of resolving such disputes, and should provide effective remedies, which may include an entitlement to appeal, as appropriate. Such remedies should be promptly enforced in accordance with national legislation and may include restitution, indemnity, just compensation and reparation.

5.12 States should strive to restore access to traditional fishing grounds and coastal lands to small-scale fishing communities that have been displaced by natural disasters and/or armed conflict taking into consideration the sustainability of fisheries resources. States should establish mechanisms to support fishing communities affected by grave human rights violations to rebuild their lives and livelihoods. Such steps should include the elimination of any form of discrimination against women in tenure practices in case of natural disasters and/or armed conflict.

## **5B. Sustainable resource management**

5.13 States and all those engaged in fisheries management should adopt measures for the long-term conservation and sustainable use of fisheries resources and to secure the ecological foundation for food production. They should promote and implement appropriate management systems, consistent with their existing obligations under national and international law and voluntary commitments, including the Code, that give due recognition to the requirements and opportunities of small-scale fisheries.

5.14 All parties should recognize that rights and responsibilities come together; tenure rights are balanced by duties, and support the long-term conservation and sustainable use of resources and the maintenance of the ecological foundation for food production. Small-scale fisheries should utilize fishing practices that minimize harm to the aquatic environment and associated species and support the sustainability of the resource.

5.15 States should facilitate, train and support small-scale fishing communities to participate in and take responsibility for, taking into consideration their legitimate tenure rights and systems, the management of the resources on which they depend for their well-being and that are traditionally used for their livelihoods. Accordingly, States should involve small-scale fishing communities – with special attention to equitable participation of women, vulnerable and marginalized groups – in the design, planning and, as appropriate, implementation of management measures, including protected areas, affecting their livelihood options. Participatory management systems, such as co-management, should be promoted in accordance with national law.

5.16 States should ensure the establishment of new or promote the application of existing monitoring, control and surveillance (MCS) systems applicable to and suitable for small-scale fisheries. They should provide support to such systems, involving small-scale fisheries actors as appropriate and promoting participatory arrangements within the context of co-management. States should ensure effective monitoring and enforcement mechanisms to deter, prevent and eliminate all forms of illegal and/or destructive fishing practices having a negative effect on marine and inland ecosystems. States should endeavour to improve registration of the activity. Small-scale fishers should support the MCS systems and provide to the state fisheries authorities the information required for the management of the activity.

5.17 States should ensure that the roles and responsibilities within the context of co-management arrangements of concerned parties and stakeholders are clarified and agreed through a participatory and legally supported process. All parties are responsible for assuming the management roles agreed to. All endeavours should be made so that small-scale fisheries are represented in relevant local and national professional associations and fisheries bodies and actively take part in relevant decision-making and fisheries policy-making processes.

5.18 States and small-scale fisheries actors should encourage and support the role and involvement of both men and women, whether engaged in pre-harvest, harvest or post-harvest operations, in the context of co-management and in the promotion of responsible fisheries, contributing their particular

knowledge, perspectives and needs. All parties should pay specific attention to the need to ensure equitable participation of women, designing special measures to achieve this objective.

5.19 Where transboundary and other similar issues exist, e.g. shared waters and fishery resources, States should work together to ensure that the tenure rights of small-scale fishing communities that are granted are protected.

5.20 States should avoid policies and financial measures that may contribute to fishing overcapacity and, hence, overexploitation of resources that have an adverse impact on small-scale fisheries.

## **6. SOCIAL DEVELOPMENT, EMPLOYMENT AND DECENT WORK**

6.1 All parties should consider integrated, ecosystem and holistic approaches to small-scale fisheries management and development that take the complexity of livelihoods into account. Due attention to social and economic development may be needed to ensure that small-scale fishing communities are empowered and can enjoy their human rights.

6.2 States should promote investment in human resource development such as health, education, literacy, digital inclusion and other skills of a technical nature that generate value-added of the fisheries resources as well as awareness raising. States should take steps with a view to progressively ensuring that members of small-scale fishing communities and crafts peoples have affordable access to these and other essential services through national and subnational actions, including adequate housing, basic sanitation that is safe and hygienic, safe drinking-water for personal and domestic uses, and sources of energy. Preferential treatment of women, indigenous peoples, and vulnerable and marginalized groups – in providing services and giving effect to non-discrimination and other human rights – should be accepted and promoted where it is required to ensure equitable benefits.

6.3 States should promote social security protection for workers in small-scale fisheries. They should take into account the characteristics of small-scale fisheries and apply security schemes to the entire value chain.

6.4 States should support the development of and access to other services that are appropriate for small-scale fishing communities with regard to, for example, savings, credit and insurance schemes, with special emphasis on ensuring the access of women to such services.

6.5 States should recognize as economic and professional operations the full range of activities along the small-scale fisheries value chain – both pre- and post-harvest; whether in an aquatic environment or on land; undertaken by men or by women. All activities should be considered: part-time, occasional and/or for subsistence. Professional and organizational development opportunities should be promoted, in particular for more vulnerable groups of post-harvest fish workers and women in small-scale fisheries.

6.6 States should promote decent work for all small-scale fisheries workers, including both the formal and informal sectors. States should create the appropriate conditions to ensure that fisheries activities in both the formal and informal sectors are taken into account in order to ensure the sustainability of small-scale fisheries in accordance with national law.

6.7 States should take steps with a view to the progressive realization of the right of small-scale fishers and fish workers to an adequate standard of living and to work in accordance with national and international human rights standards. States should create an enabling environment for sustainable development in small-scale fishing communities. States should pursue inclusive, non-discriminatory and sound economic policies for the use of marine, freshwater and land areas in order to permit small-scale fishing communities and other food producers, particularly women, to earn a fair return from their labour, capital and management, and encourage conservation and sustainable management of natural resources.

6.8 States and other stakeholders should support already existing, or the development of, complementary and alternative income-generating opportunities – in addition to earnings from fisheries-related activities – for small-scale fishing communities, as required and in support of sustainable



resource utilization and livelihood diversification. The role of small-scale fisheries in local economies and the links of the subsector to the wider economy need to be recognized and benefited from. Small-scale fishing communities should equitably benefit from developments such as community-based tourism and small-scale responsible aquaculture.

6.9 States and all parties should create conditions for men and women of small-scale fishing communities to fish and to carry out fisheries-related activities in an environment free from crime, violence, mafia activities, piracy, theft, sexual abuse, corruption and abuse of authority. All parties should take steps to institute measures that aim to eliminate violence and to protect women exposed to such violence in small-scale fishing communities. States should ensure access to justice for victims of violence, abuse, etc., including within the household or community.

6.10 States and small-scale fisheries actors, including traditional and customary authorities, should understand, recognize and respect the role of migrant fishers and fish workers in small-scale fisheries, given that migration is a common livelihood strategy in small-scale fisheries. States and small-scale fisheries actors should cooperate to create the appropriate frameworks to allow for fair and adequate integration of migrants who engage in sustainable use of fisheries resources and who do not undermine local community-based fisheries governance and development in small-scale fisheries in accordance with national law. States should recognize the importance of coordinating among their respective national governments in regard to migration of fishers and fish workers in small-scale fisheries across national borders. Policies and management measures should be worked out in consultation with small-scale fisheries organizations and institutions.

6.11 States should recognize and address the underlying causes and consequences of transboundary movement of fishers and contribute to the understanding of transboundary issues affecting the sustainability of small-scale fisheries.

6.12 States should address occupational health issues and unfair working conditions of all small-scale fishers and fish workers by ensuring that the necessary legislation is in place and is implemented in accordance with national legislation and international human rights standards and international instruments to which a State is party, such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) and relevant conventions of the International Labour Organization (ILO). All parties should strive to ensure the inclusion of the aspect of occupational health and safety as an integral part of fisheries management as well as of development initiatives.

6.13 States should eradicate forced labour, prevent debt-bondage of women, men and children, and adopt effective measures to protect fishers and fish workers, including migrants, with a view to the complete elimination of forced labour in fisheries, including small-scale fisheries.

6.14 States should provide and enable access to schools and education facilities that meet the needs of small-scale fishing communities and that facilitate gainful and decent employment of youth, respecting their career choices and providing equal opportunities for all boys and girls and young men and women.

6.15 Small-scale fisheries actors should recognize the importance of children's well-being and education for the future of the children themselves and of society at large. Children should go to school, be protected from all abuse and have all their rights respected in accordance with the Convention on the Rights of the Child.

6.16 All parties should recognize the complexity that surrounds safety-at-sea issues (in inland and marine fisheries) and the multiple causes behind deficient safety. This applies to all fishing activities. States should ensure the development, enactment and implementation of appropriate national laws and regulations that are consistent with international guidelines of FAO, the ILO and the International Maritime Organization (IMO) for work in fishing and sea safety in small-scale fisheries<sup>3</sup>.

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<sup>3</sup> These include, *inter alia*, the 1968 Code of Safety for Fishermen and Fishing Vessels (since revised), the 1980 FAO/ILO/IMO Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels, and the 2010 Safety Recommendations for Decked Fishing Vessels of Less than 12 Metres in Length and Undecked Fishing Vessels.

6.17 States should recognize that improved sea safety, which includes occupational health and safety, in small-scale fisheries (inland and marine) will best be achieved through the development and implementation of coherent and integrated national strategies, with the active participation of the fishers themselves and with elements of regional coordination, as appropriate. In addition, safety at sea of small-scale fishers should also be integrated into the general management of fisheries. States should provide support to, among other things, maintenance of national accident reporting, provision of sea safety awareness programmes and introduction of appropriate legislation for sea safety in small-scale fisheries. The role of existing institutions and community-based structures for increasing compliance, data collection, training and awareness, and search and rescue operations should be recognized in this process. States should promote access to information and to emergency location systems for rescue at sea for small-scale vessels.

6.18 [All parties should protect the human rights and dignity of small-scale fisheries stakeholders in situations of occupation to allow them to pursue their traditional livelihoods, to have access to customary fishing grounds and to preserve their culture and way of life. Their effective participation in decision-making on matters that affect them should be facilitated.]

[Taking into account the Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security [including section 25], all parties should protect the human rights and dignity of small-scale fisheries stakeholders in situations of armed conflict in accordance with international humanitarian law to allow them to pursue their traditional livelihoods, to have access to customary fishing grounds and to preserve their culture and way of life. Their effective participation in decision-making on matters that impact them should be facilitated.]

## **7. VALUE CHAINS, POST-HARVEST AND TRADE**

7.1 All parties should recognize the central role that the small-scale fisheries post-harvest subsector and its actors play in the value chain. All parties should ensure that post-harvest actors are part of relevant decision-making, recognizing that there are sometimes unequal power relationships between value chain actors and that vulnerable and marginalized groups may require special support.

7.2 All parties should recognize the role women often play in the post-harvest subsector and support improvements to facilitate women's participation in work. States should ensure that amenities and services appropriate for women are available as required in order to enable women to retain and enhance their livelihoods in the post-harvest subsector.

7.3 States should foster, provide and enable investments in appropriate infrastructures, organizational structures and capacity development to support the small-scale fisheries post-harvest subsector in producing good quality and safe fish and fishery products, for both export and domestic markets, in a responsible and sustainable manner.

7.4 States and development partners should recognize the traditional forms of associations of fishers and fish workers and promote their adequate organizational and capacity development in all stages of the value chain in order to enhance their income and livelihood security in accordance with national legislation. Accordingly, there should be support for the setting up and the development of cooperatives, professional organizations of the small-scale fisheries sector and other organizational structures, as well as marketing mechanisms, e.g. auctions, as appropriate.

7.5 All parties should avoid post-harvest losses and waste and seek ways to create value addition, building also on existing traditional and local cost-efficient technologies, local innovations and culturally appropriate technology transfers. Environmentally sustainable practices within an ecosystem approach should be promoted, deterring, for example, waste of inputs (water, fuelwood, etc.) in small-scale fish handling and processing.

7.6 States should facilitate access to local, national, regional and international markets and promote equitable and non-discriminatory trade for small-scale fisheries products. States should work together to introduce trade regulations and procedures that in particular support regional trade in products from



small-scale fisheries and taking into account the agreements under the World Trade Organization (WTO), bearing in mind the rights and obligations of WTO members where appropriate.

7.7 States should give due consideration to the impact of international trade in fish and fishery products and of vertical integration on local small-scale fishers, fish workers and their communities. States should ensure that promotion of international fish trade and export production do not adversely affect the nutritional needs of people for whom fish is critical to a nutritious diet, their health and well-being and for whom other comparable sources of food are not readily available or affordable.

7.8 States, small-scale fisheries actors and other value chain actors should recognize that benefits from international trade should be fairly distributed. States should ensure that effective fisheries management systems are in place to prevent overexploitation driven by market demand that can threaten the sustainability of fisheries resources, food security and nutrition. Such fisheries management systems should include responsible post-harvest practices, policies and actions to enable export income to benefit small-scale fishers and others in an equitable manner throughout the value chain.

7.9 States should adopt policies and procedures, including environmental, social and other relevant assessments, to ensure that adverse impacts by international trade on the environment, small-scale fisheries culture, livelihoods and special needs related to food security are equitably addressed. Consultation with concerned stakeholders should be part of these policies and procedures.

7.10 States should enable access to all relevant market and trade information for stakeholders in the small-scale fisheries value chain. Small-scale fisheries stakeholders must be able to access timely and accurate market information to help them adjust to changing market conditions. Capacity development is also required so that all small-scale fisheries stakeholders and especially women and vulnerable and marginalized groups can adapt to, and benefit equitably from, opportunities of global market trends and local situations while minimizing any potential negative impacts.

## **8. GENDER EQUALITY**

8.1 All parties should recognize that achieving gender equality requires concerted efforts by all and that gender mainstreaming should be an integral part of all small-scale fisheries development strategies. These strategies to achieve gender equality require different approaches in different cultural contexts and should challenge practices that are discriminatory against women.

8.2 States should comply with their obligations under international human rights law and implement the relevant instruments to which they are party, including, inter alia, CEDAW, and should bear in mind the Beijing Declaration and Platform of Action. States should endeavour to secure women's equal participation in decision-making processes for policies directed towards small-scale fisheries. States should adopt specific measures to address discrimination against women, while creating spaces for CSOs, in particular for women fish workers and their organizations, to participate in monitoring their implementation. Women should be encouraged to participate in fisheries organizations, and relevant organizational development support should be provided.

8.3 States should establish policies and legislation to realize gender equality and, as appropriate, adapt legislation, policies and measures that are not compatible with gender equality, taking into account social, economic and cultural aspects. States should be at the forefront of implementing actions for achieving gender equality by, inter alia, recruiting both men and women as extension staff and ensuring that both men and women have equal access to extension and technical services, including legal support, related to fisheries. All parties should collaborate to develop functional evaluation systems to assess the impact of legislation, policies and actions for improving women's status and achieving gender equality.

8.4 All parties should encourage the development of better technologies of importance and appropriate to women's work in small-scale fisheries.

## **9. DISASTER RISKS AND CLIMATE CHANGE**

9.1 States should recognize that combating climate change, including in the context of sustainable small-scale fisheries, requires urgent and ambitious action, in accordance with the objectives, principles and provisions of the United Nations Framework Convention on Climate Change (UNFCCC), taking into account the United Nations Conference on Sustainable Development (Rio+20) outcome document ‘The future we want’.

9.2 All parties should recognize and take into account the differential impact of natural and human-induced disasters and climate change on small-scale fisheries. States should develop policies and plans to address climate change in fisheries, in particular strategies for adaptation and mitigation, where applicable, as well as for building resilience, in full and effective consultation with fishing communities including indigenous peoples, men and women, paying particular attention to vulnerable and marginalized groups. Special support should be given to small-scale fishing communities living on small islands where climate change may have particular implications for food security, nutrition, housing and livelihoods.

9.3 All parties should recognize the need for integrated and holistic approaches, including cross-sectoral collaboration, in order to address disaster risks and climate change in small-scale fisheries. States and other relevant parties should take steps to address issues such as pollution, coastal erosion and destruction of coastal habitats due to human-induced non-fisheries-related factors. Such concerns seriously undermine the livelihoods of fishing communities as well as their ability to adapt to possible impacts of climate change.

9.4 States should consider assisting and supporting small-scale fishing communities affected by climate change or natural and human-induced disasters, including through adaptation, mitigation and aid plans, where appropriate.

9.5 In case of disasters caused by humans, impacting small-scale fisheries, the responsible party should be held accountable.

9.6 All parties should take into account the impact that climate change and disasters may have on the post-harvest and trade subsector in the form of changes in fish species and quantities, fish quality and shelf-life, and implications with regard to market outlets. States should provide support to small-scale fisheries stakeholders with regard to adjustment measures in order to reduce negative impacts. When new technologies are introduced, they need to be flexible and adaptive to future changes in species, products and markets, and climatic variability.

9.7 States should understand how emergency response and disaster preparedness are related in small-scale fisheries and apply the concept of the relief-development continuum. Longer-term development objectives need to be considered throughout the emergency sequence, including in the immediate relief phase, and rehabilitation, reconstruction and recovery should include actions to reduce vulnerabilities to potential future threats. The concept of ‘building back better’ should be applied in disaster response and rehabilitation.

9.8 All parties should promote the role of small-scale fisheries in efforts related to climate change and should encourage and support energy efficiency in the subsector, including the whole value chain – fishing, post-harvest, marketing and distribution.

9.9 States should consider making available to small-scale fishing communities transparent access to adaptation funds, facilities and/or culturally appropriate technologies for climate change adaptation, as appropriate.

### **PART 3: ENSURING AN ENABLING ENVIRONMENT AND SUPPORTING IMPLEMENTATION**

#### **10. POLICY COHERENCE, INSTITUTIONAL COORDINATION AND COLLABORATION**

10.1 States should recognize the need for and work towards policy coherence with regard to, inter alia: national legislation; international human rights law; other international instruments, including those related to indigenous peoples; economic development policies; energy, education, health and rural policies; environmental protection; food security and nutrition policies; labour and employment policies; trade policies; disaster risk management (DRM) and climate change adaptation (CCA) policies; fisheries access arrangements; and other fisheries sector policies, plans, actions and investments in order to promote holistic development in small-scale fishing communities. Special attention should be paid to ensuring gender equity and equality.

10.2 States should, as appropriate, develop and use spatial planning approaches, including inland and marine spatial planning, that take due account of the small-scale fisheries interests and role in integrated coastal zone management. Through consultation, participation and publicizing, gender-sensitive policies and laws on regulated spatial planning should be developed as appropriate. Where appropriate, formal planning systems should consider methods of planning and territorial development used by small-scale fishing and other communities with customary tenure systems, and decision-making processes within those communities.

10.3 States should adopt specific policy measures to ensure the harmonization of policies affecting the health of marine and inland waterbodies and ecosystems and to ensure that fisheries, agriculture and other natural-resource policies collectively enhance the interrelated livelihoods derived from these sectors.

10.4 States should ensure that fisheries policy provides a long-term vision for sustainable small-scale fisheries and the eradication of hunger and poverty, using an ecosystem approach. The overall policy framework for fisheries should be coherent with the long-term vision and policy framework for small-scale fisheries and human rights, paying particular attention to vulnerable and marginalized people.

10.5 States should establish and promote the institutional structures and linkages – including local–national–regional–global linkages and networks – necessary for achieving policy coherence, cross-sectoral collaboration and the implementation of holistic and inclusive ecosystem approaches in the fisheries sector. At the same time, there is a need for clear responsibilities and there should be well-defined points of contact in government authorities and agencies for small-scale fishing communities.

10.6 Small-scale fisheries stakeholders should promote collaboration among their professional associations, including fisheries cooperatives and CSOs. They should establish networks and platforms for the exchange of experiences and information and to facilitate their involvement in policy- and decision-making processes relevant to small-scale fisheries communities.

10.7 States should recognize, and promote as appropriate, that local governance structures may contribute to an effective management of small-scale fisheries, taking into account the ecosystem approach and in accordance with national law.

10.8 States should promote enhanced international, regional and subregional cooperation in securing sustainable small-scale fisheries. States, as well as international, regional and subregional organizations, as appropriate, should support capacity development to enhance the understanding of small-scale fisheries and assist the subsector in matters that require subregional, regional or international collaboration, including appropriate and mutually agreed technology transfer.

#### **11. INFORMATION, RESEARCH AND COMMUNICATION**

11.1 States should establish systems of collecting fisheries data, including bioecological, social, cultural and economic data relevant for decision-making on sustainable management of small-scale

fisheries with a view to ensuring sustainability of ecosystems, including fish stocks, in a transparent manner. Efforts should be made to also produce gender-disaggregated data in official statistics, as well as data allowing for an improved understanding and visibility of the importance of small-scale fisheries and its different components, including socio-economic aspects.

11.2 All stakeholders and small-scale fisheries communities should recognize the importance of communication and information, which are necessary for effective decision-making.

11.3 States should endeavour to prevent corruption, particularly through increasing transparency, holding decision-makers accountable, and ensuring that impartial decisions are delivered promptly and through appropriate participation and communication with small-scale fishing communities.

11.4 All parties should recognize small-scale fishing communities as holders, providers and receivers of knowledge. It is particularly important to understand the need for access to appropriate information by small-scale fishing communities and their organizations in order to help them cope with existing problems and empower them to improve their livelihoods. These information requirements depend on current issues facing communities and concern the biological, legal, economic, social and cultural aspects of fisheries and livelihoods.

11.5 States should ensure that the information necessary for responsible small-scale fisheries and sustainable development is available, including on illegal, unreported and unregulated (IUU) fishing. It should relate to, inter alia, disaster risks, climate change, livelihoods and food security with particular attention to the situation of vulnerable and marginalized groups. Information systems with low data requirements should be developed for data-poor situations.

11.6 All parties should ensure that the knowledge, culture, traditions and practices of small-scale fishing communities, including indigenous peoples, are recognized and, as appropriate, supported, and that they inform responsible local governance and sustainable development processes. The specific knowledge of women fishers and fish workers must be recognized and supported. States should investigate and document traditional fisheries knowledge and technologies in order to assess their application to sustainable fisheries conservation, management and development.

11.7 States and other relevant parties should provide support to small-scale fishing communities, in particular to indigenous peoples, women and those that rely on fishing for subsistence, including, as appropriate, the technical and financial assistance to organize, maintain, exchange and improve traditional knowledge of aquatic living resources and fishing techniques, and upgrade knowledge on aquatic ecosystems.

11.8 All parties should promote the availability, flow and exchange of information, including on aquatic transboundary resources, through the establishment or use of appropriate existing platforms and networks at community, national, subregional and regional level, including both horizontal and vertical two-way information flows. Taking into account the social and cultural dimensions, appropriate approaches, tools and media should be used for communication with and capacity development for small-scale fishing communities.

11.9 States and other parties should, to the extent possible, ensure that funds are available for small-scale fisheries research, and collaborative and participatory data collection, analyses and research should be encouraged. States and other parties should endeavour to integrate this research knowledge into their decision-making processes. Research organizations and institutions should support capacity development to allow small-scale fishing communities to participate in research and in the utilization of research findings. Research priorities should be agreed upon through a consultative process focusing on the role of small-scale fisheries in sustainable resource utilization, food security and nutrition, poverty eradication, and equitable development, including also DRM and CCA considerations.

11.10 States and other relevant parties should promote research into the conditions of work, including migrant fishers and fish workers, health, education, decision-making, etc. in the context of gender relations, in order to inform strategies for ensuring equitable benefits for men and women in fisheries. Efforts to mainstream gender should include the use of gender analysis in the design phase of policies, programmes and projects for small-scale fisheries in order to design gender-sensitive interventions.

Gender-sensitive indicators should be used to monitor and address gender inequalities and to capture how interventions have contributed towards social change.

11.11 Recognizing the role of small-scale fisheries in seafood production, States and other parties should promote the consumption of fish and fishery products within consumer education programmes in order to increase awareness of the nutritional benefits of eating fish and impart knowledge on how to assess fish and fishery product quality.

## **12. CAPACITY DEVELOPMENT**

12.1 States and other parties should enhance the capacity of small-scale fishing communities in order to enable them to participate in decision-making processes. To this effect, it should be ensured that the range and diversity of the small-scale fisheries subsector along the entire value chain is appropriately represented through the creation of legitimate, democratic and representative structures. Specific attention should be paid to the need to work towards the equitable participation of women in such structures. Where appropriate and necessary, separate spaces and mechanisms should be provided to enable women to organize autonomously at various levels on issues of particular relevance to them.

12.2 States and other stakeholders should provide capacity building, for example through development programmes, to allow small-scale fisheries to benefit from market opportunities.

12.3 All parties should recognize that capacity development should build on existing knowledge and skills and be a two-way process of knowledge transfer, providing for flexible and suitable learning pathways to meet the needs of individuals, including both men and women and vulnerable and marginalized groups. Moreover, capacity development should include building the resilience and adaptive capacity of small-scale fishing communities in relation to DRM and CCA.

12.4 Government authorities and agencies at all levels should work to develop knowledge and skills to support sustainable small-scale fisheries development and successful co-management arrangements, as appropriate. Particular attention should be given to decentralized and local government structures directly involved in governance and development processes together with small-scale fishing communities, including the area of research.

## **13. IMPLEMENTATION SUPPORT AND MONITORING**

13.1 All parties are encouraged to implement these Guidelines in accordance with national priorities and circumstances.

13.2 States and all other parties should promote aid effectiveness and responsible use of financial resources. Development partners, specialized Agencies of the United Nations, and regional organizations are encouraged to support voluntary efforts by States to implement these Guidelines, including through South–South cooperation. Such support could include technical cooperation, financial assistance, institutional capacity development, knowledge sharing and exchange of experiences, assistance in developing national small-scale fisheries policies and transfer of technology.

13.3 States and all other parties should work together to create awareness of the Guidelines, also by disseminating simplified and translated versions for the benefit of those working in small-scale fisheries. States and all other parties should develop a specific set of materials on gender to secure the effective dissemination of information on gender and women’s role in small-scale fisheries and to highlight steps that need to be taken to improve women’s status and their work.

13.4 States should recognize the importance of monitoring systems that allow their institutions to assess progress towards implementation of the objectives and recommendations in these Guidelines. Assessments of the impact on the enjoyment of the progressive realization of the right to adequate food in the context of national food security and on poverty eradication should be included. Mechanisms allowing the results of monitoring to feed back into policy formulation and implementation should be

included. Gender should be taken into consideration in monitoring by using gender-sensitive approaches, indicators and data. States and all parties should elaborate participatory assessment methodologies that allow a better understanding and documentation of the true contribution of small-scale fisheries to sustainable resource management for food security and poverty eradication including both men and women.

13.5 States should facilitate the formation of national-level platforms, with cross-sectoral representation and with strong representation of CSOs, to oversee implementation of the Guidelines, as appropriate. Legitimate representatives of small-scale fishing communities should be involved both in the development and application of implementation strategies for the Guidelines and in monitoring.

13.6 FAO should promote and support the development of a Global Assistance Programme, with regional plans of action to support the implementation of these Guidelines.



**COFI Members' statements on the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication**

**Canada**

**Explanation of Position**

Canada joins consensus on the endorsement by the Committee on Fisheries of the *Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication*. Canada notes that these Guidelines are voluntary and not legally binding.

Canada wishes to indicate our concern regarding the singling out of small-scale fisheries stakeholders “in situations of occupation” and notes that in Canada’s view, including this language in the Voluntary Guidelines serves only to unhelpfully politicize the process. A specialized body such as the FAO should instead rely on the strength of technical and professional arguments. Canada also wishes to note that this text was proposed late in the process on a topic that had not been previously discussed nor aimed to resolve an outstanding issue. While Canada joins the consensus, this represents a significant compromise on Canada’s behalf and we wish to have this position noted.

Canada supports small, coastal and in-shore fish harvesters and their traditional ways of life. We have demonstrated support through our domestic policies, approaches and programs and today with our support for these Voluntary Guidelines. Regarding the guideline that refers to traditional livelihoods and access to customary fishing grounds, Canada’s interpretation of this guideline will be consistent with domestic and international law, noting that this guideline does not necessarily reflect customary international law.

The Guidelines can serve as a useful reference to strengthen and improve the governance of issues related to the sustainability of small-scale fisheries. We call on all stakeholders to recognize their value in this regard and make appropriate use of the guidance that is set out in the Voluntary Guidelines.

We offer our congratulations to all those who worked so hard to bring us to this day.

Mr Chairman, we request that this statement be included in the report of the meeting.

**Mexico**

Mexico supports the Guidelines and celebrates their adoption.

Small-scale fishing is essential to food security and regional development, so its importance should be measured through quantitative and qualitative criteria.

Therefore it is important to recognize, as the Guidelines do, the importance of adding value to production and facilitating market access as stipulated in clause 7.6.

In addition, it is important to recognize that to insure the sustainability of resources, as indicated by section 5, certain conservation measures should be adopted that, on occasion negatively impact fishing communities. As such, it is necessary to adopt economic compensation mechanisms, for example during closed seasons or modifications to fishing gear, that are oriented towards capacity development and ensure that these continue to be recognized and permissible under the schemes set forth by this Organization, the WTO and commercial agreement such as the TPP (Trans-Pacific Strategic Economic Partnership o Trans-Pacific Partnership)

We solicit that this declaration is included in the Committee’s report.



## Voluntary Guidelines for Flag State Performance

### *Statement of purpose and principles*

1. These Guidelines for Flag State Performance are voluntary. However, certain elements are based on relevant rules of international law, including those reflected in the United Nations Convention on the Law of the Sea of 10 December 1982. The objective of these Guidelines is to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing or fishing related activities in support of such fishing referred to in paragraph 4, through the effective implementation of flag State responsibilities and thereby to ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems.

2. In its exercise of effective flag State responsibility, the flag State should:
- (a) act in accordance with international law with respect to flag State duties;
  - (b) respect national sovereignty and coastal State rights;
  - (c) prevent, deter and eliminate IUU fishing or fishing related activities in support of such fishing;
  - (d) effectively exercise its jurisdiction and control over vessels flying its flag;
  - (e) take measures to ensure that persons subject to its jurisdiction, including owners and operators of vessels flying its flag, do not support or engage in IUU fishing or fishing related activities in support of such fishing;
  - (f) ensure the conservation and sustainable use of living marine resources;
  - (g) take effective action against non-compliance by vessels flying its flag;
  - (h) discharge its duty to cooperate in accordance with international law;
  - (i) exchange information and coordinate activities among relevant national agencies;
  - (j) exchange information with other States and give mutual legal assistance in investigation and judicial proceedings, as required by their respective international obligations; and
  - (k) recognize the special interests of developing States, in particular the least developed among them and small island developing States, and to cooperate to enhance their abilities as flag States including through capacity development.

### *Scope of application*

#### *Geographical*

3. These Guidelines apply to fishing and fishing related activities in maritime areas beyond national jurisdiction. They might also apply to fishing and fishing related activities within the national jurisdiction of the flag State, or of a coastal State, upon their respective consent, without prejudice to paragraphs 9 and 39 to 43. Where a vessel operates in maritime areas under the jurisdiction of a State other than the flag State the application of these Guidelines is subject to the sovereign rights of the coastal State.

#### *Vessels*

4. These Guidelines apply to any ship, boat or other type of vessel used, equipped to be used or designed to be used for fishing and fishing related activities, defined, for the purposes of these Guidelines, as any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea, excluding fishing for subsistence.

5. Where a coastal State authorizes any vessel chartered by its nationals to engage in fishing and fishing related activities exclusively in areas under its national jurisdiction and under its control, such vessels should be subject to measures by the coastal State that are as effective as measures applied in relation to vessels flying its flag while in waters of the coastal State.

### ***Performance assessment criteria***

#### ***General***

6. The flag State has incorporated the flag State principles and rules that are binding on it in accordance with international law into its domestic laws, regulations, policies and practices.

7. The flag State has taken such measures as may be necessary to ensure that vessels flying its flag do not engage in any activity that undermines the effectiveness of international conservation and management measures or the flag State accepts and implements the conservation and management measures adopted by a relevant regional fisheries management organization or arrangement (RFMO/As).

8. The flag State effectively contributes to the functioning of the RFMO/A in which it participates (i.e. the flag State implements its duties as a contracting party or as a cooperating non-party, including reporting requirements for fishing and fishing related activities and ensuring compliance by its vessels).

9. The flag State ensures that vessels flying its flag do not conduct unauthorized fishing and fishing related activities within areas under the national jurisdiction of other States.

10. The flag State supports cooperation among flag States on managing capacity and fishing effort, catch limits and output controls.

#### ***Fisheries management***

11. The flag State has established an institutional, legal, technical foundation or framework for fisheries management, such as that referred to in Article 7 of the 1995 FAO Code of Conduct for Responsible Fisheries (“the Code”), that should include, at a minimum:

- (a) a government agency or statutory authority or statutory oversight of an agency or a body with a clear mandate and accountability for the results of fisheries management policy;
- (b) an agency or authority to issue regulations and ensure control and enforcement;
- (c) internal organization for inter-departmental coordination, in particular coordination between fisheries authorities and vessel registry authorities; and
- (d) infrastructure for scientific advice.

12. The flag State has adopted laws, regulations or other arrangements implementing conservation and management measures, which should include, at a minimum:

- (a) principles, rules and standards contained in relevant international instruments as applicable and the provisions of paragraph 2 of these Guidelines, as well as any applicable RFMO/As conservation and management measures;
- (b) a national framework, such as national plans or programmes, to manage capacity and fishing effort, catch limits and output control and to combat IUU fishing or fishing related activities in support of such fishing; and
- (c) regulation of transshipment.

13. The flag State effectively implements conservation and management measures, including the following:

- (a) the flag State ensures that the obligations incumbent upon the vessel owners, operators and crews are clearly accessible and communicated to them;
- (b) the flag State provides guidance to the fishing sector to meet these obligations; and
- (c) the flag State effectively manages the fishing and fishing related activities of the vessels flying its flag in a manner that ensures the conservation and sustainable use of living marine resources.

***Information, registration and records***

14. The flag State follows minimum requirements, such as:

- (a) the FAO Standard Specifications and Guidelines for Marking and Identification of Fishing Vessels and relevant requirements of the International Maritime Organization;
- (b) information on vessel owners and operators which identifies effective beneficial owners and operators;
- (c) information on the history of the vessel identifies prior flag and name changes; and
- (d) characteristics of the vessel.

15. The flag State cooperates with other States by exchanging information on registration, deregistration and suspension of registration of vessels, all as part of the procedure to verify a vessel's record and, where applicable, history for purposes of registration, deregistration and suspension of registration.

16. The flag State follows registration procedures, which include:

- (a) verification of vessel history;
- (b) grounds for refusal of registration of the vessel, including, to the extent possible, that it is on an IUU fishing vessel list or record, or is registered in two or more States;
- (c) deregistration requirements;
- (d) notification of changes and regular update requirements; and
- (e) coordination of registration among relevant agencies (e.g. fisheries, merchant marine) and with prior flag States to determine whether there are pending investigations or sanctions that may provide a motive for flag hopping, that is to say, the practice of repeated and rapid changes of a vessel's flag for the purposes of circumventing conservation and management measures or provisions which have been adopted at a national, regional or global level or of facilitating non-compliance with such measures or provisions.

17. The flag State's registration procedures are accessible and transparent.

18. The flag State avoids registration of vessels with a history of non-compliance, as appropriate, except where:

- (a) the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel; or
- (b) having taken into account all relevant facts, it determines that flagging the vessel would not result in IUU fishing or fishing related activities in support of such fishing.

19. The flag State conducts the registration of a vessel and issues an authorization to engage in fishing and fishing related activities in a coordinated manner, that ensures each gives appropriate consideration to the other, and appropriate links exist between the operation of the vessel registers and the records of vessels referred to in paragraph 4. Where such functions are

not undertaken by one agency, the flag State ensures that sufficient cooperation and information sharing exists between the agencies responsible for those functions.

20. The flag State refuses registration of vessels that already hold a registration from another State, except in the case of a temporary parallel registration.

21. The flag State makes registry data available to relevant internal government users.

22. The flag State makes registry data publicly available and easily accessible subject to any applicable confidentiality requirements.

23. The flag State takes all practicable steps, including the denial to a vessel of the entitlement to fly that State's flag, to prevent flag hopping.

24. The flag State settles pending sanctions against a vessel before it deregisters the vessel, where applicable.

25. The flag State maintains a record of vessels referred to in paragraph 4 and flying its flag, and includes, for vessels authorized to engage in fishing and fishing related activities on the high seas, all the information set out in paragraphs 1 and 2 of Article VI of the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (the "Compliance Agreement"). It may also include, *inter alia*:

- (a) the previous names, if any and if known;
- (b) name, address and nationality of the natural or legal person in whose name the vessel is registered;
- (c) name, street address, mailing address and nationality of the natural or legal persons responsible for managing the operations of the vessel;
- (d) name, street address, mailing address and nationality of natural or legal persons with beneficial ownership of the vessel;
- (e) name and ownership history of the vessel, and, where this is known, the history of non-compliance by that vessel, in accordance with national laws, with conservation and management measures or provisions adopted at a national, regional or global level; and
- (f) vessel dimensions, and where appropriate, a photograph, taken at the time of registration or at the conclusion of any more recent structural alterations, showing a side profile view of the vessel.

26. The flag State requires records of vessels to be kept in accordance with relevant subregional, regional and international standards and requirements.

27. The flag State regularly updates national vessel registries and records.

28. The flag State effectively carries out, prior to registration, verification of vessel records and, where applicable, history.

#### ***Authorizations***

29. The flag State has in place a regime for authorizing fishing and fishing related activities (e.g. licensing), which ensures that no vessel is allowed to operate unless so authorized in a manner consistent with international law and with the sustainability of the relevant stocks, including:

- (a) appropriate scope for authorization of fishing and fishing related activities, including conditions for the protection of marine ecosystems;
- (b) prior assessment of a vessel's history of compliance and ability to comply with applicable measures; and

- (c) minimum information requirements in the authorization that allow identification of accountable persons, areas and species, including:
    - (i) the name of the vessel, and, where appropriate, the natural or legal person authorized to engage in fishing and fishing related activities;
    - (ii) the areas, scope and duration of the authorization to engage in fishing and fishing related activities;
    - (iii) the species, fishing gear authorized, and where appropriate, other applicable management measures; and
    - (iv) relevant conditions under which an authorization is issued that may, where required, include those in paragraph 47 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated fishing (the "IPOA-IUU"), as shown in Annex 1.
30. The flag State effectively implements a regime for authorizing fishing and fishing related activities (e.g. licensing), including issuing an authorization only where it is satisfied that:
- (a) the vessel has the ability to comply with the terms and conditions of the authorization;
  - (b) it can effectively exercise its jurisdiction and control over the vessel to ensure compliance with applicable conservation and management measures; and
  - (c) it can effectively exercise its enforcement jurisdiction and authority over the holder of the authorization.

***Monitoring, control, surveillance and enforcement***

31. The flag State implements a control regime over vessels flying its flag that includes, as a minimum:
- (a) legal authority to take control of the vessels (e.g. denial of sailing, recall to port);
  - (b) establishment and maintenance of an up-to-date record of vessels;
  - (c) monitoring tools, such as vessel monitoring systems, logbooks/documentation, and observers;
  - (d) mandatory requirements regarding fisheries-related data that must be recorded and reported in a timely manner by the vessels (e.g. catches, effort, bycatches and discards, landings and transshipments); and
  - (e) an inspection regime, including at sea and at port.
32. The flag State has in place an enforcement regime, which includes, as a minimum:
- (a) capacity to detect and take enforcement action with respect to violations;
  - (b) authority and capacity to conduct timely investigations of violations, including the establishment of the identity of the violators and the nature of the violations;
  - (c) an appropriate system for the acquisition, collection, preservation and maintenance of the integrity of evidence;
  - (d) a system of sanctions proportionate to the seriousness of the violation and adequate in severity to be effective in securing compliance and to discourage violations, and deprive offenders of benefits accruing from their illegal activities;
  - (e) cooperation and mutual legal assistance, including as appropriate information sharing and reporting arrangements with other States, international organizations including RFMO/As relating to enforcement, as well as the timeliness of action following requests for assistance; and
  - (f) prohibition of high seas fishing and fishing related activities by a vessel flying its flag where such vessel has been involved in the commission of a serious violation of relevant subregional or regional conservation and management measures

applicable to the high seas, until such time as all outstanding sanctions imposed by the flag State in respect of the violation have been complied with in accordance with its laws.

33. The flag State undertakes comprehensive and effective monitoring, control and surveillance (MCS) of fishing and fishing related activities, including, to the extent possible, measures and actions described in paragraph 24 of the IPOA-IUU, as shown in Annex 2.
34. The flag State contributes to joint MCS and enforcement efforts, where applicable.
35. The flag State takes action in respect of vessels flying its flag and identified as participating in IUU fishing or fishing related activities in support of such fishing.
36. Where the flag State implements an enforcement regime, the evidence regarding violations is diligently gathered and treated, including making available to enforcement authorities of other States and, if applicable, to RFMO/As evidence relating to alleged violations to the extent permitted by domestic law. Violations are investigated and procedures for sanctions initiated in accordance with domestic laws, regulations, policies and practices in a timely manner.
37. Where the flag State implements an enforcement regime and where enforcement actions by flag States are adopted by an RFMO/A, such States ensure that adequate and timely mechanisms to resolve disputes in respect of those actions exist within relevant RFMO/As.
38. The flag State implements effective and timely sanctions, that include the following:
  - (a) sanctions are applied in proportion to the seriousness of the violation and are adequate in severity to be effective in securing compliance and to discourage violations wherever they occur and deprive offenders of benefits accruing from their illegal activities;
  - (b) the flag State promotes knowledge and understanding of MCS issues within national judicial and administrative systems;
  - (c) the flag State has in place judicial and/or administrative processes capable of meeting these Guidelines, to the extent possible, in a timely and effective manner;
  - (d) the flag State is capable of ensuring that sanctions are complied with including, where appropriate, preventing the vessel from engaging in IUU fishing or fishing related activities in support of such fishing until sanctions are complied with; and
  - (e) the flag State responds in a timely manner to requests from other States or, if applicable, RFMO/As to take measures in respect of vessels flying its flag.

#### ***Cooperation between flag States and coastal States***

39. Where a coastal State decides to engage in a fisheries access agreement with a flag State, the flag State should cooperate with the coastal State to agree on how to implement their respective roles and responsibilities under that agreement in advance of any fishing and fishing related activities by flag State vessels while in the national jurisdiction of the coastal State pursuant to paragraph 3.
40. The flag State should only enter into fisheries access agreements with a coastal State when both are satisfied that such activities will not undermine the sustainability of living marine resources within the jurisdiction of the coastal State. The flag State should also be ready to cooperate with the coastal State in that regard.
41. The flag State should only allow vessels flying its flag to acquire or utilize authorizations outside of agreements referred to in paragraph 40 for activities in the maritime areas under the jurisdiction of a coastal State when both States are satisfied that such activities



will not undermine the sustainability of living marine resources of that coastal State, taking into account the best scientific evidence available and the precautionary approach.

42. Pursuant to paragraphs 6 and 9, the flag State should, in accordance with its international obligations, impose sanctions, notwithstanding those that may be applied by a coastal State under the coastal State's own laws and jurisdiction, on vessels flying its flag that have violated the flag State's legislation related to fishing and fishing related activities in maritime areas under coastal State jurisdiction.

43. The flag State, in accordance with its legislation and its international obligations, should cooperate with a coastal State, by exchanging all relevant information regarding the activities of the vessels flying its flag with respect to fishing and fishing related activities by such vessels in maritime areas under the jurisdiction of such coastal State.

***Procedure for carrying out assessments***

44. All flag States are encouraged to have performance assessments conducted periodically.

45. Where the flag State undertakes self-assessment it is encouraged to:

- (a) do so through a transparent process including competent authorities and internal consultations;
- (b) make the results publicly available;
- (c) consider the participation of an assessor, possibly in cooperation with an international organization;
- (d) consider international mechanisms for self-assessment, including assistance;
- (e) develop a validation process; and
- (f) consider possible linkages with multilateral assessment, including the need for global consistency among self-assessments.

46. Where a flag State decides to undertake an external assessment it is encouraged to invite a competent multilateral body or, if so desired by the flag State, another State or States to conduct the assessment. Such an external assessment should:

- (a) apply these Guidelines and, if applicable, the result of RFMO/As flag State assessment; and
- (b) ensure there is due regard for transparency and international law.

***Encouraging compliance and deterring non-compliance by flag States***

47. Measures taken in light of the results of an assessment may include:

- (a) corrective actions, as appropriate, taken by the flag State;
- (b) cooperative actions by the flag State and other interested States, including through RFMO/As, as appropriate, such as:
  - (i) engaging in consultations;
  - (ii) offering assistance and capacity development;
  - (iii) sharing information on the conclusions of the assessment and follow-up actions with other interested States and, if applicable, RFMO/As; and
  - (iv) engaging in available dispute resolution mechanisms, as applicable;
- (c) measures as set out in the IPOA-IUU and the Code as well as other relevant international instruments, as applicable.

***Cooperation with and assistance to developing States with a view to capacity development***

48. Providing assistance to developing States to help them improve their performance as flag States is in the mutual interest of all States.



49. States should give full recognition to the special requirements of developing States in relation to improving flag State performance consistent with these Guidelines. States may, either directly or through international organizations, including RFMO/As, provide assistance to developing States in order for them to enhance their ability to:

- (a) develop an adequate legal and regulatory framework;
- (b) strengthen institutional organization and infrastructure needed to ensure adequate control of vessels flying their flag;
- (c) develop, implement and improve practical and effective MCS;
- (d) build institutional and human resource capacity to process and analyse scientific and other data, and make them available to relevant users, including relevant RFMO/As; and
- (e) participate in international organizations that promote flag State performance.

50. States should give due regard to the special requirements of developing States, in particular the least-developed among them and small island developing States, to ensure that they have the ability to implement these Guidelines.

51. States and RFMO/As should enhance the ability of developing States to participate in high seas fisheries, including access to such fisheries.

52. States may, either directly or through FAO, assess the special requirements of developing States to implement these Guidelines.

53. States may cooperate to establish appropriate funding mechanisms to assist developing States to implement these Guidelines. These mechanisms may be directed specifically towards, *inter alia*:

- (a) enhancing flag State performance;
- (b) developing and enhancing capacity relevant to flag State performance, including for MCS and for training, at the national and regional levels, for MCS and administrative and legal personnel involved in enforcement; and
- (c) MCS activities relevant to flag State performance, including access to technology and equipment.

54. Cooperation with and among developing States for the purposes set out in these Guidelines may include the provision of technical and financial assistance, including South-South cooperation.

55. States may establish an *ad hoc* working group to periodically report and make recommendations on the establishment of funding mechanisms.

### ***Role of FAO***

56. States should report to FAO on progress with the implementation of these Guidelines and on the outcome of performance assessments conducted, whether self-assessments or external assessments, as part of their biennial reporting to FAO on the Code. These reports should be published by FAO in a timely manner.

57. FAO should consider providing specific in-country technical assistance to States that request assistance for purposes set out in paragraphs 49 and 53.

58. FAO will, as and to the extent directed by its Conference, collect relevant information on the global implementation of these Guidelines and report this information, as requested, to the FAO Committee on Fisheries.

**Conditions of authorizations**  
**Paragraph 29(c)(iv)**  
**(IPOA–IUU, paragraph 47)**

Conditions under which an authorization is issued may include, as appropriate:

1. vessel monitoring systems;
2. catch reporting conditions, such as:
  - 2.1 time series of catch and effort statistics by vessel;
  - 2.2 total catch in number, nominal weight, or both, by species (both target and non-target) as is appropriate to each fishery period (nominal weight is defined as the live weight equivalent of the catch);
  - 2.3 discard statistics, including estimates where necessary, reported as number or nominal weight by species, as is appropriate to each fishery;
  - 2.4 effort statistics appropriate to each fishing method, and
  - 2.5 fishing location, date and time fished and other statistics on fishing operations.
3. reporting and other conditions for transshipping, where transshipping is permitted;
4. observer coverage;
5. maintenance of fishing and related logbooks;
6. navigational equipment to ensure compliance with boundaries and in relation to restricted areas;
7. compliance with applicable international conventions and national laws and regulations in relation to maritime safety, protection of the marine environment, and conservation and management measures or provisions adopted at a national, regional or global level;
8. marking of its fishing vessels in accordance with internationally recognized standards, such as the FAO Standard Specification and Guidelines for the Marking and Identification of Fishing Vessels. Vessels' fishing gear should similarly be marked in accordance with internationally recognized standards;
9. where appropriate, compliance with other aspects of fisheries arrangements applicable to the flag State, and
10. the vessel having a unique, internationally recognized identification number, wherever possible, that enables it to be identified regardless of changes in registration or name over time.

**Monitoring, control and surveillance**  
**Paragraph 33**  
**(IPOA–IUU, paragraph 24)**

Comprehensive and effective monitoring, control and surveillance (MCS) of fishing may be undertaken from its commencement, through the point of landing, to final destination, including, as appropriate, by:

1. developing and implementing schemes for access to waters and resources, including authorization schemes for vessels;
2. maintaining records of all vessels and their current owners and operators authorized to undertake fishing subject to their jurisdiction;
3. implementing, where appropriate, a vessel monitoring system (VMS), in accordance with the relevant national, regional or international standards, including the requirement for vessels under their jurisdiction to carry VMS on board;
4. implementing, where appropriate, observer programmes in accordance with relevant national, regional or international standards, including the requirement for vessels under their jurisdiction to carry observers on board;
5. providing training and education to all persons involved in MCS operations;
6. planning, funding and undertaking MCS operations in a manner that will maximize their ability to prevent, deter and eliminate IUU fishing;
7. promoting industry knowledge and understanding of the need for, and their cooperative participation in, MCS activities to prevent, deter and eliminate IUU fishing;
8. promoting knowledge and understanding of MCS issues within national judicial systems;
9. establishing and maintaining systems for the acquisition, storage and dissemination of MCS data, taking into account applicable confidentiality requirements; and
10. ensuring effective implementation of national and, where appropriate, internationally agreed boarding and inspection regimes consistent with international law, recognizing the rights and obligations of masters and of inspection officers, and noting that such regimes are provided for in certain international agreements, such as the 1995 UN Fish Stocks Agreement, and only apply to the parties to those agreements.

**APPENDIX I****Multi-year Programme of Work (MYPOW) of the Committee  
on Fisheries 2014–2017****OVERALL OBJECTIVES FOR THE COMMITTEE**

1. The Committee on Fisheries (COFI) reviews the work programmes of the Organization in the field of fisheries, and their implementation; conducts periodic general reviews of international fishery problems and examines possible solutions through national, FAO, and intergovernmental programmes; reviews specific matters relating to fisheries referred to it by the Council or the Director-General, or placed on its Agenda at the request of Member Nations, and makes recommendations as appropriate.

**RESULTS FOR 2014-2017****Review of the World Situation in Fisheries and Aquaculture**

2. Result:
  - The Conference and the international community at large are provided with updated information and specific advice on the world situation in fisheries and aquaculture and in relation to the specific issues of topical significance addressed during the scheduled sessions
3. Indicators and targets:
  - Clear, precise and consensual recommendations that are based on updated information of the world situation in Fisheries and Aquaculture are presented to the Conference as a solid basis for its guidance and decisions.
4. Output:
  - Clear, precise and consensual recommendations are favourably considered by Conference and provide a solid basis for its guidance and decisions.
5. Activities:
  - The Committee undertakes general discussions on the current world situation in fisheries and aquaculture.
  - Specific issues of topical significance are addressed during the scheduled sessions.
6. Working methods:
  - Chairperson liaises with the Secretariat.
  - Inter-sessional work by the Bureau, supported by the Secretariat, to identify topics of significance for agenda setting.

**Strategy and Priority Setting, and Budget Planning**

7. Result:
  - Committee recommendations provide a solid basis for Council's guidance and decisions on strategy, priorities, programmes and budget for the Organization.

8. Indicators and targets:
  - Committee promotes the FAO's Questionnaire on the Code of Conduct for Responsible Fisheries Implementation to solicit responses and reduce obstacles impeding responses.
  - Members respond to the FAO Questionnaire on the Code of Conduct for Responsible Fisheries Implementation, including the Questionnaire regarding the Implementation of Article 11, Post-harvest Practices and Trade as well as the Questionnaire regarding the Implementation of Article 9, Aquaculture Development and provide the FAO with statistics and other information in fisheries and aquaculture via the Committee, its Sub-Committees and the regional fisheries bodies.
  - Clear and specific recommendations are made by the Committee to the Council regarding the strategies, priorities, programmes and budget in fisheries and aquaculture.
  - Committee's recommendations made on the pertinent aspects of the Strategic Framework, the Medium Term Plan and the Programme of Work and Budget are reflected in the Council Report.
9. Outputs:
  - Report of the Biennial Session of the Committee on Fisheries that provides clear, precise and consensual recommendations for Council on sectoral strategies, priorities, programmes and budgets.
10. Activities:
  - Use conclusions and recommendations from the biennial Committee on Fisheries meeting.
  - Review decisions and recommendations from the Sub-Committee on Fish Trade and the Sub-Committee on Aquaculture, statutory bodies and other relevant organs or institutions.
  - Review advice from the Regional Conferences in the area of fisheries and aquaculture.
  - Review implementation of the Programme of Work and Budget in fisheries and aquaculture.
  - Formulate recommendations on the strategies, priorities, programmes and budget in fisheries and aquaculture.
11. Working methods:
  - Close collaboration with the relevant FAO Departments through the Chairperson and the Bureau.
  - Chairperson is actively involved in improving the rate of response of Members of the Questionnaires and submission prior to the stated deadlines.
  - Chairperson to send a reminder to Regional Conferences' Chairpersons to promote completion and submission of responses of the Questionnaires by Members.
  - Chairperson to liaise with Members to identify obstacles impeding responses to the Questionnaires and potential mitigation actions.
  - Liaison with sub-committees on Fish Trade and Aquaculture and other statutory bodies.
  - Liaison with the Finance Committee on financial and budgetary matters.
  - Liaison with the Programme Committee on strategy and priority matters.

### **Advise on Global Policy and Regulatory Matters**

12. Result:
  - Committee recommendations provide a sound basis for decisions by the FAO Conference on global policy and regulatory matters.
13. Indicators and targets:
  - Member Nations obtain value from the deliberations of COFI, using the advice and recommendations to guide domestic actions and policies as reported by FAO.
  - Clear and specific recommendations made in a timely manner by COFI to the Conference regarding global policy and regulatory matters in its areas of mandate.
  - Committee's recommendations made on global policy and regulatory matters are reflected in the Conference Report.
14. Output:
  - The Committee on Fisheries provides clear, precise and consensual recommendations for Conference on policy and regulatory frameworks or instruments.
  - Members of the Committee on Fisheries undertake all necessary action in order to:
    - Facilitate implementation of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication;
    - Facilitate implementation of the Voluntary Guidelines for Flag State Performance;
    - Facilitate ratification, acceptance or approval of the Port States Measures Agreement, in order to bring it into effect as soon as possible.
15. Activities:
  - Report to the Conference on global policy and regulatory issues arising out of its deliberations.
  - Review the status of relevant international instruments, including codes of conduct in areas of competence for the Committee.
  - Consider possible solutions with a view to support concerted action by Members themselves or collectively through FAO and other relevant bodies in areas of competence for the Committee.

### **EFFECTIVE WORK PLANNING OF COFI**

16. Result:
  - Committee works effectively and efficiently, in an action-oriented, inclusive way.
17. Indicators and targets:
  - Committee agendas are focused and reports are concise; containing specific action-oriented recommendations to both Council and Conference.
  - Evaluation of results and implementation of MYPOW for the Committee.
18. Outputs:
  - Multi-Year Programme of Work 2014-2017 for the Committee adopted in 2014.
  - Second Progress report on Committee's MYPOW in 2016.
19. Activities:
  - Review Committee's practices and rules of procedure.

- Consider ways to improve the conduct of sessions, including more efficient use of the time available.
- Focus side events on key issues.
- Facilitate coordination with other Technical Committees.
- Work out clear modalities for the election and operation of the Bureau with a view to enhancing continuity between sessions.
- Pay continued attention to effective arrangements for the formulation of agendas and drafting of the final report.

### **WORKING METHODS**

20. The Committee collaborates with statutory and other bodies under FAO auspices, liaises with the Programme Committee on strategy and priority matters, and with the Finance Committee on financial and budgetary matters as well as other relevant FAO Governing Bodies.

21. It liaises with other international organizations active in the areas of Fisheries and Aquaculture.

22. It undertakes regular inter-sessional activities facilitated by the Chairperson and the Bureau and with support from the Secretariat. A liaison among the Bureaus of the Committee and the Sub-Committees is also strengthened.

23. It encourages and facilitates participation of civil society's organizations as observers.

24. The Chairperson liaises with FAO through the Fisheries and Aquaculture Department.



**Proposed amendments to the Rules of Procedure  
of the FAO Committee on Fisheries<sup>1</sup>**

**Rule I  
Officers**

1. At the first session in each biennium, the Committee shall elect a Chairperson, a first Vice-Chairperson and five other Vice-Chairpersons from among the representatives of its Members, who shall remain in office until the election of a new Chairperson and new Vice-Chairpersons and who will act as a Bureau between sessions and during sessions.

2. The Chairperson, the first Vice-Chairperson and five other Vice-Chairpersons shall be elected from the following regions: one representative each from Africa, Asia, Europe, Latin America and Caribbean, Near East, North America and Southwest Pacific<sup>2</sup>.

3. When electing the Chairperson, the Committee shall give due consideration to the desirability of ensuring rotation of the office among the regions<sup>3</sup>.

~~2.~~ 4. Between sessions, in relation to agendas, formats and other matters, and to perform other actions relevant for ensuring preparations for the sessions, the representatives of the regional groups in the Bureau shall consult with Members in a timely way.

~~3.~~ 5. The Chairperson, or in his absence the first Vice-Chairperson, shall preside at meetings of the Committee and exercise such other functions as may be required to facilitate its work. In the event of the Chairperson and the first Vice-Chairperson not being able to preside at a meeting, the Committee shall appoint one of the other Vice-Chairpersons or, failing these, a representative of its Members to take the chair.

~~4.~~ 6. The Director-General of the Organization shall appoint a Secretary, who shall perform such duties as the work of the Committee may require and prepare the records of the proceedings of the Committee.

**Rule II  
Sessions**

1. The Committee shall hold sessions as provided in Rule XXX, paragraphs 4 and 5 of the General Rules of the Organization with timing that enables the Programme and Finance Committees to take into consideration the report of the Committee in formulating advice to the Council.

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<sup>1</sup> In the text of the draft amendments reproduced below, the proposals regarding deletions are indicated using strikethrough text and the proposals for insertions are indicated using *underlined italics*.

<sup>2</sup> The insertion was proposed by Thailand, on behalf of some Members of the Asia Regional Group, during the 30<sup>th</sup> Session of COFI held in July 2012.

<sup>3</sup> The insertion is proposed in response to the proposal by Thailand to change current practice whereby the Vice-Chairperson is automatically elected as Chairperson at the succeeding COFI session. The proposed phrasing is similar to Rule I, paragraph 2, of the RoP of the Committee on Forestry. It is worth noting, at its 97<sup>th</sup> session in October 2013, the CCLM has considered the possibility to recommend that a similar provision be adopted by the other Technical Committees. On that occasion, the CCLM considered document CCLM 97/3 on *Bureaus and Steering Committees of Technical Committees under Article v of the Constitution (Composition and Functions)* and, noting that issues considered were under negotiation by the membership of Technical Committees, decided to review the matter again at a future session (CL 148/2 Rev.1, paragraphs 6-7).

2. Any number of separate meetings may be held during each session of the Committee.
3. The sessions of the Committee shall in the years immediately following a regular session of the Conference be held at the seat of the Organization; in other years they may be held in another place in pursuance of a decision taken by the Committee in consultation with the Director-General.
4. Notice of the date and place of each session shall normally be communicated at least two months in advance of the session to all Member Nations and Associate Members of the Organization, and to such non-member States and international organizations as may have been invited to attend the session.
5. Each Member of the Committee may appoint alternates and advisers to its representative on the Committee.
6. Presence of representatives of a majority of the Members of the Committee shall constitute a quorum for any formal action by the Committee.

### **Rule III**

#### **Attendance**

1. Participation of international organizations in an observer capacity in the work of the Committee shall be governed by the relevant provisions of the Constitution and the General Rules of the Organization,<sup>4</sup> as well as by the general rules of the Organization on relations with international organizations.
2. Attendance by non-member States of the Organization at sessions of the Committee shall be governed by the principles relating to the granting of observer status to nations adopted by the Conference.
3.
  - a) Meetings of the Committee shall be held in public, unless the Committee decides to meet in private for discussion of any items on its agenda.
  - b) Subject to the provisions of subparagraph (c) below, any Member Nation not represented on the Committee, any Associate Member or any non-member State invited to attend in an observer capacity a session of the Committee may submit memoranda and participate without vote in any discussion at a public or private meeting of the Committee.
  - c) In exceptional circumstances, the Committee may decide to restrict attendance at private meetings to the representative or observer of each Member Nation of the Organization.

### **Rule IV**

#### **Agenda and Documents**

1. The Director-General, in consultation with the Bureau through the Chairperson of the Committee, shall prepare a provisional agenda and shall normally circulate it at least two months in advance of the session to all Member Nations and Associate Members of the

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<sup>4</sup> It is understood that in this context the terms "Constitution" and "the General Rules of the Organization" are to be taken to include all general rules and policy statements formally adopted by the Conference and intended to supplement the Constitution and the Rules, such as the "Statement of principles relating to the granting of observer status to nations", and the general rules regarding relationships between the Organization and governmental and non-governmental organizations.

Organization and to all non-member States and international organizations invited to attend the session.

2. All Member Nations of the Organization and Associate Members acting within the limits of their status may request the Director-General normally not less than 30 days before the proposed date of the session to insert an item in the provisional agenda. The Director-General shall thereupon circulate the proposed item to all Members of the Committee, together with any necessary papers.

3. The first item on the provisional agenda shall be the adoption of the agenda. The Committee in session may by general consent amend the agenda by the deletion, addition or modification of any item, provided that no matter referred to it by the Council or on the request of the Conference be omitted from the agenda.

4. Documents not already circulated shall be dispatched with the provisional agenda, or as soon as possible thereafter.

#### **Rule V** **Voting**

1. Each Member of the Committee shall have one vote.

2. The decisions of the Committee shall be ascertained by the Chairperson, who shall resort, upon the request of one or more Members, to a vote, in which case the pertinent provisions of Rule XII of the General Rules of the Organization shall apply *mutatis mutandis*.

#### **Rule VI** **Records and Reports**

1. At each session, the Committee shall approve a report embodying its views, recommendations and decisions, including when requested a statement of minority views. The Committee shall make every effort to ensure that recommendations are precise and can be implemented. Policy and regulatory matters shall be referred to the Conference whereas programme and budget matters shall be referred to the Council. Any recommendations adopted by the Committee which affect the programme or finances of the Organization shall be reported to the Council with the comments of the appropriate subsidiary committees of the Council.

2. Reports of sessions shall be circulated to all Member Nations and Associate Members of the Organization and to non-member States invited to attend the session, as well as to interested international organizations entitled to be represented at the session.

3. The comments of the Committee on the report of any of its subsidiary bodies and, if one or more Members of the Committee so request, the views of those Members shall be incorporated into the Committee's report. If any Member so requests, this part of the Committee's report shall be circulated as soon as possible by the Director-General to the States or international organizations which normally receive the reports of the subsidiary body in question. The Committee may also request the Director-General, in transmitting the report and records of its proceedings to Members, to call particular attention to its views and comments on the report of any of its subsidiary bodies.

4. The Committee shall determine the procedures in regard to press communiqués concerning its activities.

#### **Rule VII**

##### **Subsidiary Bodies**

1. In accordance with the provisions of Rule XXX, paragraph 10 of the General Rules of the Organization, the Committee may, when necessary, establish subcommittees, subsidiary working parties or study groups, subject to the necessary funds being available in the relevant chapter of the approved budget of the Organization, and may include in the membership of such subcommittees, subsidiary working parties or study groups Member Nations that are not Members of the Committee and Associate Members. The membership of such subcommittees, subsidiary working parties and study groups established by the Committee may include States which, while not Member Nations or Associate Members of the Organization, are members of the United Nations, any of its specialized agencies or the International Atomic Energy Agency.

2. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Committee shall have before it a report from the Director-General on the administrative and financial implications thereof.

3. The Committee shall determine the terms of reference of its subsidiary bodies, who shall report to the Committee. The reports of the subsidiary bodies shall be made available for information to all members of the subsidiary bodies concerned, all Member Nations and Associate Members of the Organization, non-member States invited to the sessions of the subsidiary bodies, and to interested international organizations entitled to attend such sessions.

#### **Rule VIII**

##### **Suspension of Rules**

The Committee may decide to suspend any of the foregoing Rules of Procedure, provided that 24 hours' notice of the proposal for the suspension has been given and that the action contemplated is consistent with the Constitution and the General Rules of the Organization.<sup>5</sup> Such notice may be waived if no Member objects.

#### **Rule IX**

##### **Amendment of Rules**

The Committee may, by a two-thirds majority of the votes cast, amend its Rules of Procedure, provided that such amendment is consistent with the Constitution and the General Rules of the Organization. No proposal for the amendment of these Rules shall be included in the agenda of any session of the Committee unless notice thereof has been dispatched by the Director-General to Members of the Committee at least 30 days before the opening of the session.

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<sup>5</sup> See footnote to Rule III, paragraph 1.

**APPENDIX K**

**The Chairperson's statement with regard to the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication**

It has been brought to my attention that the issue is that of the universal applicability of the SSF Guidelines.

The interpretation of the Chair is that the SSF Guidelines are applicable to all small-scale fisheries worldwide including in countries and territories under occupation.

I will ask that this statement be added to the Report of this COFI Session.

## APPENDIX L

**COFI Members' comments proposed at the time of the adoption of the Report of the  
Thirty-first Session of COFI and after the session<sup>1</sup>**

Cambodia : Statement under Agenda Item 14, Any Other Matters

The delegation of Cambodia highlighted the important contribution of small-scale fisheries to food security and underscored the need for capacity building in fisheries management within the sector. It welcomed the upcoming Inland Fisheries Conference to be held in FAO Headquarters, Rome, from 26 to 30 January 2015, which will include a session on governance and tenure rights. It also extended its invitation to all Members to attend the Tenure and User Rights Conference organized by the Government of Cambodia from 23 to 27 March 2015.

Canada: comments regarding the draft Report of COFI 31 (June 2014)

We welcome the opportunity to submit comments regarding the draft COFI report, which identify the key revisions that Canada would have suggested during the report adoption process, had we had more time to do so.

Given the unusual circumstances of the COFI 31 session, which we would not wish to see repeated, we have kept our comments to a minimum. Our recollection of the COFI 31 proceedings is that the Committee agreed that Participants could submit such comments after the COFI 31 session, prior to the finalization of the report. We understand that any such comments will not result in changes being made to the report, but instead will be appended to the COFI report in one combined annex. It is with this understanding that we have opted not to comment on matters raised by other Members during the report adoption process which may be reflected in the comments annex. In this regard, it should be noted that our approval of the report should not be construed as an endorsement of other Members' appended comments.

Furthermore, it is our understanding that Canada's explanation of position regarding the *Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication* will be appended to the COFI report in a separate annex to the COFI report, along with the *Voluntary Guidelines*.

With the above understanding, please find below, Canada's comments on the draft COFI 31 report. Please note that paragraphs are numbered according to the draft circulated on 13 June 2014.

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<sup>1</sup> This Appendix contains comments (including proposed amendments) made by COFI Members on the Final Draft COFI Report, at the time of the adoption of the Draft Report (See Paragraphs 96 to 98) or after the 31<sup>st</sup> Session of COFI. These comments do not relate to that part of the Final Draft COFI Report on the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (See paragraphs 17 to 22). The comments (including proposed amendments) shall be understood as expressing the views of the Member which made the comment. They shall not be understood as having been submitted to the 31<sup>st</sup> Session of COFI for its consideration and adoption.

**Paragraph 37<sup>2</sup>**

Canada does not agree that COFI noted a “slow rate” of ratification, approval, acceptance or accession to the PSMA. We do not recall such statements in plenary. Processes to become Party to a treaty can take a certain amount of time. We would have suggested it read: "The Committee **welcomed the new ratifications, approvals, acceptances and accessions** to the PSMA."

**Paragraph 76<sup>3</sup>**

Canada indicated in its intervention that the Global Aquaculture Advancement Partnership Programme (GAAP) should not divert attention away from the FAO’s core activities in convening and supporting the Sub-Committee on Aquaculture, especially in relation to the development of a strategic framework/workplan. Thus, we would have suggested adding a sentence: "**The Secretariat was cautioned that the GAAP should not divert attention and resources from the Secretariat’s and Sub-Committee’s core activities.**"

As stated above, please accept these as Canada’s comments on the draft report of COFI 31, to be appended to the said report.

Mexico : Proposal on paragraph 38 (originally 37) of the draft Report

To insert “or the other measures being adopted to achieve the essential objectives of the Agreement” at the end of the third sentence in the paragraph.

Republic of Korea : Proposal on the second sentence in paragraph 33 (originally 32) of the draft Report

[Current text]

Some Members expressed support for the proposal made by the Republic of Korea to establish a “FAO World Fisheries University”. The proposed University would promote the Blue Growth Initiative to enhance capacity building of developing States in the field of fisheries through education and training.

[Proposed modification]

Some Members expressed support of the Joint initiative driven by the Republic of Korea and FAO to establish a “FAO World Fisheries University”. The University would promote the Blue Growth Initiative by enhancing capacity building of developing States in the fields of fisheries and aquaculture through education and training.

[Reason]

This is not a proposal but a fact that both FAO and Republic of Korea agreed to promote the establishment of the University through MOU. Member’s strong support will accelerate the establishment of the University.

Spain: Statement under Agenda item 11, Multi-Year Programme of Work (MYPOW) of the Committee

Spain announced a contribution of 250 000 EUR to FAO for the establishment of the Global Record of Fishing Vessels as a new concrete tool to fight IUU fishing and related activities.

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<sup>2</sup> It has become paragraph 38 in the current main text.

<sup>3</sup> It has become paragraph 77 in the current main text.



The Thirty-first Session of the Committee on Fisheries (COFI) was held in Rome, Italy, from 9 to 13 June 2014. The Committee reviewed issues of an international character, as well as the FAO programme in fisheries and aquaculture and its implementation. It expressed its praise and support for the publication *The State of World Fisheries and Aquaculture 2014*, and emphasized the need for further measures to rebuild fish stocks. While commending the new web-based questionnaire on the implementation of the FAO Code of Conduct for Responsible Fisheries (the Code), COFI called upon FAO to further develop and review the questionnaire. While noting the progress made by the Members in implementing the Code and related instruments, COFI underscored the need to continue supporting developing countries. It acknowledged efforts being made by Members in combating illegal, unreported and unregulated (IUU) fishing and emphasized the importance of the coming into force of the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing as soon as possible. The Committee requested FAO to expand its efforts to implement effectively the International Guidelines on Bycatch Management and Reduction of Discards. It endorsed the Voluntary Guidelines for Flag State Performance, and it reiterated its support for the continued development of the Global Record. It endorsed the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) and agreed to dedicate them to Ms Chandrika Sharma, the Executive Secretary of the International Collective in Support of Fishworkers. The Committee welcomed FAO's proposal for a Global Assistance Programme (GAP) for implementation of the SSF Guidelines and recommended to further develop the GAP in a participatory manner. It acknowledged FAO's Blue Growth Initiative (BGI) and suggested the establishment of a BGI working group to further develop its application. It acknowledged the importance of inland fisheries and recommended that inland fishery issues be better included in national, subregional, regional and global instruments addressing water use and food security. The Committee urged FAO to provide guidance and increase capacity development in the areas of data collection and analysis, stock assessment, management, post-harvesting, and policy development. It endorsed the reports of the fourteenth session of the Sub-Committee on Fish Trade and the seventh session of the Sub-Committee on Aquaculture. The Committee welcomed FAO's new Strategic Objectives as a basis for focusing FAO's work in fisheries and aquaculture. It endorsed the Progress Report of the Multi-year Programme of Work (MYPOW) 2012–2015 of the Committee and the MYPOW 2014–2017. The Committee adopted the proposed amendments to the Rules of Procedure of the Committee.

ISBN 978-92-5-108780-0 ISSN 2070-6065



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