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**SIXTH MEETING OF THE REGIONAL FISHERY BODY SECRETARIATS'
NETWORK (RSN-6)**

Rome, 9 and 15 July 2016

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PREPARATION OF THIS DOCUMENT

This is the final version of the report of the Sixth Meeting of Regional Fishery Body Secretariats' Network (RSN-6), held in Rome, Italy, on 9 and 15 July 2016. The Report was prepared by the RSN Secretariat.

The material in the appendixes is reproduced as submitted.

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Report of the Sixth Meeting of the Regional Fishery Body Secretariats' Network, Rome, Italy, 9 and 15 July 2016.

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ABSTRACT

Thirty-four secretaries participated in the meeting representing regional fisheries bodies with diverse mandates and from all geographic regions, including FAO and non-FAO regional fisheries bodies, and marine and inland fishery advisory and management bodies.

RSN-6 discussions covered several subjects, including conservation and the sustainable use of marine biological diversity in areas beyond national jurisdiction, the Assistance Fund provided under Part VII of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea, issues related to the functioning and performance of regional fisheries bodies, and the consolidation and development of the RSN. Background documents to support discussions are annexed to this report, including the RSN Chair's Statement that was delivered at the 32nd Session of the Committee on Fisheries.

The meeting provided a unique forum to foster cooperation among regional fisheries bodies established across oceans and inland waters of the world.

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ABBREVIATIONS AND ACRONYMS

ABNJ	areas beyond national jurisdiction
ACAP	Agreement on the Conservation of Albatrosses and Petrels
APFIC	Asia-Pacific Fishery Commission
ASEAN	Association of Southeast Asian Nations
ATLAFCO	Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean
BBNJ	biological diversity beyond areas of national jurisdiction
BBNJ PrepCom	biological diversity beyond areas of national jurisdiction Preparatory Committee
BGI	Blue Growth Initiative
BOBP-IGO	Bay of Bengal Programme – Intergovernmental Organization
CACFish	Central Asian and Caucasus Regional Fisheries and Aquaculture Convention
CBD	Convention on Biological Diversity
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CECAF	Fishery Committee for the Eastern Central Atlantic
CIHEAM	Centre International de Hautes Etudes Agronomiques Méditerranéennes- International Center for Advanced Mediterranean Agronomic Studies
CITES	Convention on International Trade in Endangered Species of Fauna and Flora
CLAV	Consolidated List of Authorized Vessels
CLME	Caribbean Large Marine Ecosystem
COFI	Committee on Fisheries (FAO)
COMHAFAT	Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic (ATLAFCO)
COPESCAALC	Commission for Inland Fisheries and Aquaculture of Latin America and the Caribbean
CRFM	Caribbean Regional Fisheries Mechanism
CSOs	civil society organizations
CTMFM	Joint Technical Commission for the Argentina/Uruguay Maritime Front
CWP	Coordinating Working Party on Fishery Statistics
EAA	ecosystem approach to aquaculture
EAF	ecosystem approach to fisheries
EBSAS	ecologically or biologically significant marine areas
EEZ	exclusive economic zone
FAD	fish aggregating device
FCWC	Fishery Committee for the West Central Gulf of Guinea
FFA	Pacific Islands Forum Fisheries Agency
FIAP	Marine and Inland Fisheries Branch (FAO)
FIAO	Fishing Operations and Technology Branch (FAO)
FIAP	Policy, Economics and Institutions Branch (FAO)
FIAS	Statistics and Information Branch (FAO)
FIDD	Fisheries and Aquaculture Department (FAO)
FIRMS	Fisheries Resources Monitoring System
GFCM	General Fisheries Commission for the Mediterranean
IATTC	Inter-American Tropical Tuna Commission
ICCAT	International Commission for the Conservation of Atlantic Tunas
ICES	International Council for the Exploration of the Sea
IGO	intergovernmental organization

IOTC	Indian Ocean Tuna Commission
IUU	illegal, unreported and unregulated (fishing)
IWC	International Whaling Commission
LCBC	Lake Chad Basin Commission
LTA	Lake Tanganyika Authority
LVFO	Lake Victoria Fisheries Organization
MCS	monitoring, control and surveillance
MedAC	Mediterranean Advisory Council
MedPAN	Network of Marine Protected Area Managers in the Mediterranean
MoU	memorandum of understanding
MPA	marine protected area
NAFO	Northwest Atlantic Fisheries Organization
NASCO	North Atlantic Salmon Conservation Organization
NASOs	National Aquaculture Sector Overviews
NEAFC	Northeast Atlantic Fisheries Commission
NGO	non-governmental organization
NPAFC	North Pacific Anadromous Fish Commission
NPFC	North Pacific Fisheries Commission
OLDEPESCA	Latin-American Organization for Fisheries Development
OSPESCA	Central America Fisheries and Aquaculture Organization
PR	performance review
PSMA	Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
RECOFI	Regional Commission for Fisheries
RFB	regional fishery body
RFMO	regional fisheries management organisation
RPOA	regional plan of action
RSN	Regional Fisheries Body Secretariats' Network
RSO	Regional Seas Organization
SDG	sustainable development goal
SEAFDEC	Southeast Asian Fisheries Development Center
SEAFO	South East Atlantic Fisheries Organisation
SOFIA	The State of World Fisheries and Aquaculture (biennial FAO publication)
SP	strategic programme
SPC	Pacific Community
SPRFMO	South Pacific Regional Fisheries Management Organisation
SSF	small-scale fishery
SWIOFC	South West Indian Ocean Fisheries Commission
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNDOALOS	United Nations Division for Ocean Affairs and the Law of the Sea
UNEP	United Nations Environment Programme
UNFSA	United Nations Fish Stocks Agreement
UNGA	United Nations General Assembly
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forest in the Context of National Food Security
VG-SSF	voluntary guidelines for securing sustainable small-scale fisheries in the context of food security and poverty eradication
VME	vulnerable marine ecosystem

VMS	vessel monitoring system
WCPFC	Western and Central Pacific Fisheries Commission
WECAFC	Western and Central Atlantic Fishery Commission
WMO	World Meteorological Organization
WWF	World Wide Fund for Nature

OPENING OF THE MEETING¹

1. The Chairperson, Mr Stefán Ásmundsson, Secretary of the North East Atlantic Fisheries Commission (NEAFC), opened the Sixth Meeting of the Regional Fishery Body Secretariats' Network (RSN-6). He welcomed the secretaries of Regional Fishery Bodies (RFBs), and thanked the Food and Agriculture Organization (FAO) for its support in providing intersessional activities and organizing the RSN meeting.

MEETING ARRANGEMENTS

2. The Chairperson invited participants to introduce themselves. Thirty-four RFBs were represented at RSN-6 as well as the United Nations Division for Ocean Affairs and the Law of the Sea (UNDOALOS) and the World Meteorological Organization (WMO) (See Appendix 2). Apologies for not attending the meeting were received from Mr Marco Favero, Executive Secretary of the Agreement on the Conservation of Albatrosses and Petrels (ACAP). The Lake Chad Basin Commission (LCBC) joined the Network for the first time.

3. The Chairperson described the RSN as a forum of RFB secretariats that meets in the margins of the biennial session of the Committee on Fisheries (COFI), and works with the objective of supporting dialogue and exchanges of experiences relevant to fisheries governance and sustainable aquaculture in all regions. He referred to the diversity that characterizes this group as an advantage in terms of cooperation and information sharing, noting that it also implies some challenges when organizing RSN meetings and defining the related agenda in order to reflect different needs.

4. The RSN Secretary, Mr Piero Mannini, Senior Liaison Officer, Fisheries and Aquaculture Policy, Economics and Institutions Branch (FIAP), FAO, Rome, Italy, briefed participants on meeting arrangements for both sessions of RSN-6.

REPORT OF THE CHAIRPERSON

5. The Chairperson provided a brief update of intersessional RSN activities supported by FAO since RSN-5 in 2014.

Communications: The Chairperson noted that the LCBC joined the Network, and welcomed the new representatives attending RSN-6: Mr Dae-Yeon Moon, Secretary of the North Pacific Fisheries Commission (NPFC); Ms Johanne Fischer, Secretary of the South Pacific Regional Fisheries Management Organisation (SPRFMO); and Mr Wesley Norris, Deputy Director of the Pacific Islands Forum Fisheries Agency (FFA).

Publications: The Chairperson recalled that FAO Circular No. 1108, “The Implementation of Performance Review Reports by Regional Fishery Bodies, 2004 – 2014”² is accessible online. He noted that in the 2016 State of World Fisheries and Aquaculture (SOFIA 2016), a specific section on RFBs had been included, and that four newsletters were produced during the intersessional period thanks to inputs provided by RFBs. The Chairperson also noted that the RSN meeting has supportive background documents purposely prepared by the Secretariat.

Activities: The Chairperson noted that a side event organized by FAO and NEAFC, on “Regional fisheries bodies and management organizations: Challenges and opportunities with a focus on combating IUU Fishing” had been successfully conducted during the 2016 Resumed Review Conference on the United Nations Fish Stocks Agreement (UNFSA) on 23 May 2016 (hereinafter referred to as the “2016 Resumed Review Conference on the UNFSA”).

¹ Throughout this document the name of the RFBs is used in reference to their Secretariats attending the meeting and not to the respective Commission.

² Available at www.fao.org/3/a-i4869e.pdf

Engagement of RFBs in COFI: The Chairperson reported that, following the request made by RSN-5 to COFI 31, the COFI 32 Bureau accepted to reinstate nameplates for intergovernmental organizations (IGOs), recognizing the relevance of RFBs, and ensuring that these organizations are given precedence on the Speaker's List ahead of non-governmental organizations (NGOs).

6. In concluding this agenda item, the Chairperson remarked that while each RFB plays a different role and has different activities, all related efforts must address the conservation and sustainable use of fisheries resources. In this regard, the importance of sharing experiences and lessons learned across the Network was stressed.

ADOPTION OF THE AGENDA

7. The Chairperson praised FAO's efforts in producing the background documents to facilitate discussions during the meeting³.

8. The agenda, attached as Appendix 1, was adopted. The list of documents for RSN-6 is attached as Appendix 3.

9. The Chairperson noted the challenges in identifying topics for discussion that would be relevant and of common interest to the Network, and sought suggestions from members on how to develop the agenda of future meetings of the RSN. Some members emphasized that an inclusive participatory process to prepare the agenda could be of help to reflect particular needs from different regions and sub-regions.

10. The meeting decided to prepare a statement for COFI 32, and agreed that the document should stress the relevant work carried out by RFBs, with the objective to raise awareness of the RSN and to reflect major discussions taking place during the first session of RSN-6; it should not tackle policy issues that are for member States to deal with, but instead discuss topics at a broader scale. The statement delivered is attached as Appendix 12.

RFBs AND BIODIVERSITY, INCLUDING BIOLOGICAL DIVERSITY BEYOND AREAS OF NATIONAL JURISDICTION, AND ONGOING COOPERATION BETWEEN FAO, THE UNITED NATIONS ENVIRONMENT PROGRAMME AND THE CONVENTION ON BIOLOGICAL DIVERSITY

11. Ms Merete Tandstad, Fishery Resources Officer, Marine and Inland Fisheries Branch (FIAF), FAO, Rome, Italy, gave a presentation on "RFBs and biodiversity, including biological diversity beyond areas of national jurisdiction (BBNJ), and ongoing cooperation between FAO, UNEP and CBD". The background paper is here annexed to this report as Appendix 4.

12. The presentation illustrated issues related to deep-sea fisheries in the high seas, and on the United Nations General Assembly (UNGA), BBNJ, the Cooperation between FAO, United Nations Environment Programme (UNEP) and the Convention on Biological Diversity (CBD), as well as other relevant processes (e.g., the sustainable development goals -SDGs-, the Convention on International Trade in Endangered Species of Fauna and Flora -CITES-). She provided information and analysis on related existing instruments and initiatives, including the Code of Conduct for Responsible Fisheries and its technical guidelines (on the Ecosystem Approach to Fisheries -EAF- and on Marine Protected Areas -MPA-); the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA); the Voluntary Guidelines for Flag State Performance; the International Guidelines for the Management of Deep-sea Fisheries in the High Seas (FAO Deep-sea Fisheries Guidelines), and the International Guidelines on Bycatch Management and Reduction of Discards.

³ Available at www.fao.org/fi/static-media/MeetingDocuments/RSN/sixth/default.htm.

13. Ms Tandstad highlighted that fisheries are key to ocean issues worldwide, and noted the role of RFBs in addressing many biodiversity concerns and improving fisheries management in different contexts and forms.

14. A discussion and exchange of experiences followed the presentation. The UNDOALOS provided information regarding the workshop to discuss implementation of paragraphs 113, 117 and 119 to 124 of resolution 64/72 and paragraphs 121, 126, 129, 130 and 132 to 134 of resolution 66/68 on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems, and the long-term sustainability of deep-sea fish stocks, to be held from 1 to 2 August 2016 in New York. UNDOALOS noted that the workshop would allow for a formative discussion between a wide range of stakeholders such as States, RFBs and NGOs, and that its outcome would feed into and inform the review that will take place in November 2016, during informal consultations of States on the draft General Assembly resolution on sustainable fisheries.

15. The UNDOALOS mentioned that the Chairperson's overview of the first session of the Preparatory Committee⁴ (BBNJ PrepCom) held in March 2016, comprising a roadmap and a list of issues raised during this session, had been published on the UNDOALOS website⁵.

16. The International Commission for the Conservation of Atlantic Tunas (ICCAT) raised the discussion over the ongoing attempts of the international community to create other legal instruments that could potentially compete with the mandates of regional fisheries management organisations (RFMOs). In this regard, the lack of coordination between various agencies was mentioned, noting that government representatives attending meetings on fisheries-related matters organized by FAO are often not part of the national delegation attending the UNGA meetings on oceans and the law of the sea or sustainable fisheries. The ICCAT also stressed the need to convey the message that RFMOs' performance depends on their members, and sought the assistance of FAO in this effort.

17. The General Fisheries Commission for the Mediterranean (GFCM) emphasized the need to address this matter, considering that the role of FAO in collaborating with RFMOs is relevant to ensure coherence and coordination, and proposed to reflect this issue in the RSN statement to be delivered during COFI 32, under agenda item 10.

18. The Northwest Atlantic Fisheries Organization (NAFO) described its ongoing engagement with various UN bodies and processes, such as the CBD's ecologically or biologically significant marine areas (EBSAs) and Aichi Targets, remarking on these bodies' lack of awareness of NAFO's work in the region that could be relevant to their own work.

19. The SPRFMO Executive Secretary observed that if new bodies were to be established to cover specific parts of the ocean, those same parts will have to be monitored, and rules will need to be enforced to ensure that international law is being complied with, pointing to the fact that RFMOs already have monitoring systems in place.

20. The Bay of Bengal Programme - Intergovernmental Organization (BOBP-IGO) expressed its concerns over the fact that most of the international instruments and agreements on fisheries-related matters at the national level are not being handled by the appropriate ministries.

21. The Indian Ocean Tuna Commission (IOTC) also referred to the importance of ensuring the participation of the relevant ministries involved in fisheries-related discussions, so as to guarantee that decision-makers are well informed of and in line with key technical considerations. It also noted that policy aspects remain with RFB member States, and that RFBs should inform their membership of what is being discussed in international fora on fisheries-related matters.

⁴ It refers to the Preparatory Committee (BBNJ PrepCom) established by General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ process).

⁵ Available at www.un.org/depts/los/biodiversity/prepcom_files/PrepCom_1_Chair's_Overview.pdf

22. The Caribbean Regional Fisheries Mechanism (CRFM) noted the misinformation of many national delegations on the work carried out by RFBs, and stressed the need to raise awareness on what RFBs are doing beyond the fisheries world, including with regard to other marine environmental stakeholders. The CRFM further stressed the importance for both FAO and RFBs to be fully engaged in relevant UN processes, in particular the BBNJ. The limited capacity to work across these diverse areas was identified as a major challenge for many RFBs.

23. The South East Atlantic Fisheries Organisation (SEAFO) supported the call for increasing knowledge about the BBNJ process, and noted that it was the only RFB to attend the first session of the BBNJ PrepCom held in March 2016. In this regard, the importance of increasing the visibility of RFBs in the BBNJ process was also stressed by the NPFC, which considered that the potential for duplicating work could arise depending on the outcome of the BBNJ process.

24. The Western and Central Atlantic Fishery Commission (WECAFC) listed limited financial and human resources as a main constraint to achieving the sustainable goals foreseen by the international agenda, and encouraged RSN members to discuss this issue at the “Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations, and Regional Fisheries Bodies on Accelerating Progress Towards the Aichi Biodiversity Targets”, to be held in September 2016, in Seoul.

25. Mr Árni M. Mathiesen, Assistant Director-General of the FAO Fisheries and Aquaculture Department, noted that both political and financial support are needed in order for RFBs to work and implement their decisions and recommendations. Mr Mathiesen further described FAO’s ongoing efforts to raise funds for the Assistance Fund under Part VII of UNFSA and, in this regard, he briefed the Network on the recent decision of the 2016 Resumed Review Conference on the UNFSA, to use the Assistance Fund in a broader sense and in accordance with its terms of reference. The “Note by the Food and Agriculture Organization on reinforcing the use of the Part VII Assistance Fund”, prepared for the conference is annexed to this report as Appendix 6.

26. The UNDOALOS reminded the group that the UNGA resolution establishing the BBNJ PrepCom⁶, clearly specifies that the BBNJ process should not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies, noting that several delegations during BBNJ PrepCom1 had expressed the view that RFMOs should participate in the process.

27. The Western and Central Pacific Fisheries Commission (WCPFC) added that the RSN statement to be delivered at COFI 32 should also reach BBNJ PrepCom 2, to be held in August 2016, and highlighted the importance for RFBs to properly inform their members, recalling that member States are the ones with the decision-making power.

28. While noting that FAO was following the BBNJ process as an observer, Ms Tandstad reminded the Network that the FAO paper on its [...] “work relating to the elements of a draft text of an international legally-binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of ABNJ”, had been made available online⁷. With regard to the “Sustainable Ocean Initiative Global Dialogue with Regional Seas Organizations and Regional Fisheries Bodies on Accelerating Progress Towards the Aichi Biodiversity Targets”, the meeting was informed that CBD, FAO and UNEP were trying to call RFMOs to highlight some of the issues raised during RSN-6.

29. The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) underscored the important role of RFBs, recalling that policy issues should remain with member States, noting that they are often members of multiple bodies with different priorities, interests and positions. RFB secretariat engagement is constrained by limited funding and time during annual sessions for strategizing and coordinating members’ input to global processes such as the BBNJ process.

⁶ A/RES/69/292 is available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/187/55/PDF/N1518755.pdf?OpenElement>.

⁷ Available at www.fao.org/3/a-mr024e.pdf.

30. The Chairperson encouraged RFBs to bring the concerns discussed to the attention of their members, recalling the need of consistency between fishery fora and the broader discussions taking place within the aegis of the UNGA. The key role played by RFBs in working to achieve the SDGs was also highlighted.

COORDINATION AND COOPERATION AMONG RFBs AND WITH CIVIL SOCIETY ORGANISATIONS

31. Two presentations were provided under this agenda item. Mr Nicola Ferri, Legal and Institutional Officer, GFCM, FAO, Rome, Italy, shared the experience of the GFCM in partnering with civil society organisations (CSOs) by applying the 2013 FAO Policy on Strategy for Partnerships with CSOs and the GFCM Agreement (art. 16), which provides for fostering consultations and collaboration with international organizations and institutions in matters of mutual interest. Examples of cooperation were provided, including with the Centre International de Hautes Etudes Agronomiques Méditerranéennes-International Center for Advanced Mediterranean Agronomic Studies (CIHEAM) Zaragoza, Mediterranean Advisory Council (Med-AC), Network of Marine Protected Area Managers in the Mediterranean (MedPan), OceanCare and World Wide Fund for Nature (WWF). The procedure of negotiating and implementing a memorandum of understanding (MoU) was described. Mr Ferri finalized his presentation by highlighting the value added when working in partnership, mentioning that it increases advocacy and enhances stakeholder ownership of policies and strategies relevant for fisheries governance.

32. The second presentation on this topic was made by Mr Raymon Van Anrooy, Fishery and Aquaculture Officer, WECAFC, FAO, Barbados. Mr Van Anrooy gave a presentation on the role of the WECAFC in coordinating and cooperating activities in the Caribbean, noting the various organizations existing in the same area (ICCAT, CRFM, OSPESCA, OLDEPESCA, COOPESCALC, IWC, among others). Good practices in partnering with different actors were provided, observing the advantage of working together to avoid duplication and reduce overlaps; to increase knowledge exchange, harmonization of methods and measures; and for sharing responsibilities. He mentioned the Caribbean Large Marine Ecosystem Project and the Interim Coordination Arrangement for Sustainable Fisheries, which is a joint collaboration between CRFM, OSPESCA and WECAFC. RFB-related developments in the area were cited, including WECAFC's discussion to become an RFMO in the western central Atlantic; the CRFM process to be assigned as a Competent Agency under the Caribbean Community Common Fisheries Policy; and the CLME+ project pilots on lobster (OSPESCA), flying fish (CRFM) and shrimp (WECAFC).

33. The meeting discussed the topics involved in both presentations and emphasized the importance of cooperation. The ICCAT noted the interest it received from some RFMOs to establish MoUs for cooperation activities.

34. The GFCM explained that an MoU requires synergies and common needs between two or more organizations working on the same subject, pointing out that an MoU is an agreement that might include clear objectives and priorities, actions to be undertaken in the long and medium term as well as expected deliveries. The MoU between the GFCM and the Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic (COMHAFAT) was mentioned as an example of information sharing on IUU fishing.

35. The UNDOALOS informed that the issue of cooperation among RFMOs and between RFMOs, regional seas conventions and action plans and CSOs had been included in the outcome of the 2016 Resumed Review Conference on the UNFSA, including the need for collaboration to collect scientific information on climate change adaptation.

36. While praising the efforts made by the WECAFC, the CRFM noted that limited resources are a major obstacle for enhancing cooperation. The importance of engaging with environmental organizations, NGOs and CSO.

37. The RSN Secretary noted the importance of sharing lessons learned on cooperative efforts of various

bodies, as well as the need to define clear boundaries between the regional bodies with fisheries-related responsibilities and those dealing with environmental issues.

THE IMPLEMENTATION OF PERFORMANCE REVIEW REPORTS AND FOLLOW-UP TO FAO FISHERIES AND AQUACULTURE CIRCULAR No. 1108

38. The RSN Secretary, Mr Piero Mannini, gave a presentation on the implementation of performance review reports (PRs or PR), based on the information provided in the background document “Analytical compilation of the performance review reports: Methods, content and the way forward” (annexed to this report as Appendix 5). Following considerations related to the importance of PRs, as recognized by the COFI in its Twenty-sixth session as well as in several UNGA resolutions, criteria provided by different instruments were specified (i.e. criteria indicated in the FAO Fisheries and Aquaculture Circular No. 1072 / 2012, in the FAO Circular No. 1108, “The Implementation of Performance Review Reports by Regional Fishery Bodies, 2004-2014”, and in the outcomes of the 2016 Resumed Review Conference on the UNFSA). Mr Mannini emphasized the need to include new elements and criteria so as to ensure a complete and clear assessment of how RFBs are performing, and which could reflect specific geo-political, environment and factors related to each regional context. It was also noted that the FAO was looking at possible modalities and criteria for the development of another similar document to Circular No. 1108, and that secretaries of RFBs were invited to provide inputs and views in order to guarantee a constructive consultative process guided by principles and elements suggested in the 2016 Resumed Review Conference on the UNFSA and FAO Circular No. 1108.

39. The meeting thanked Mr Mannini for bringing this subject to the attention of the RSN. The ICCAT recalled the efforts undertaken by many RFBs in conducting PRs and also noted that some RFBs were in the process of completing or starting a second PR, hence responding to the call made by the international community. The ICCAT further stated the need for RFBs to showcase the good work done at international fora, observing that most RFMOs did not attend the last Resumed Review Conference on the UNFSA.

40. The UNDOALOS noted that the 2016 Resumed Review Conference on the UNFSA had discussed PRs, and that the report of the Secretary-General prepared for the conference highlighted some progress by RFBs in implementing the recommendations of the Review Conference in 2006 and 2010 as a response to recommendations made in PR conclusions. The 2016 Resumed Review Conference on the UNFSA considered potential criteria to be applied in PRs, the possibility of having regular reviews and a follow up to the implementation of PR outcomes in a timely and transparent manner.

41. The NAFO shared information on its upcoming second PR, which is expected to build on key findings of the previous one. NAFO noted that FAO Circular No. 1108 contains factual errors, and suggested that the drafters of future similar publications need to check with RFB secretariats before publishing.

42. The Lake Victoria Fisheries Organization (LVFO) observed that PRs are mainly conducted by RFMOs. Given the costs and challenges faced by inland water bodies, it called for FAO’s assistance in conducting such a review.

43. The CRFM praised FAO’s efforts in supporting its PR, and stressed the need of promoting frequent PRs and collaborating with other entities to ensure the effective implementation of related recommendations.

44. The Chairperson highlighted the importance of having time-bounded recommendations, and noted that the practice to follow up the recommendations, as done by the NEAFC, would render them more valuable and their implementation easier to track. The Chairperson further praised the work that is being done by RFBs in conducting PRs.

45. The IOTC noted that it had conducted two PRs (in 2009 and 2016), and added that following the recommendation of becoming independent from FAO, made in 2016, a working group was established to look at this possibility. It referred to the importance of member States to commit to the recommendations coming out of the PRs, which would facilitate the tracking process.

46. The North Atlantic Salmon Conservation Organization (NASCO) shared its experiences of two PRs that were conducted in 2004/05 and 2012. The first review involved stakeholder consultations and resulted in substantial changes to NASCO's work in terms of commitment to its agreements, effective and efficient use of time, transparency and inclusivity, and raising the organization's public and political profile. Further changes had been made in light of the second performance review. It emphasized the importance of detailed and transparent reporting on the actions taken to implement the recommendations of PRs and, to this end, NASCO has developed an action plan that is updated annually and is publically available. The information provided in the action plan may also be of assistance in considering the need for, and focus of, further PRs. With regards to references made to the need for independent PRs, it noted that this does not preclude stakeholder input to the review process. NASCO referred to recent findings from a study in Norway that indicate that only one-third of the wild Atlantic salmon populations examined did not show signs of genetic introgression from farmed fish. This highlights the need for further improvements to ensure that salmon farming practices are sustainable in order to protect the genetic diversity of wild salmon stocks.

CONTRIBUTE TO THE IMPLEMENTATION OF THE UN FISH STOCKS AGREEMENT THROUGH THE ASSISTANCE FUND ESTABLISHED UNDER PART VII OF THE AGREEMENT (i.e. PART VII FUND)

47. Mr Gudni Bragason, Senior Advisor, Fisheries and Aquaculture Department (FID), FAO, Rome, Italy, introduced this agenda item. Considerations included that the UNFSA calls for strengthening the role of RFMOs and arrangements, and that the proper functioning of RFMOs is important for the effectiveness of the UNFSA. In this context, he highlighted that Part VII of the UNFSA provides for a special fund administered by FAO that was established in 2003 by the UNGA (Resolution A/58/14, Art. 10) to assist developing countries that are parties to the UNFSA in implementing the agreement. Recent fundraising efforts tend to make this supportive mechanism more effective by inviting member States, IGOs, international financial organizations and NGOs to provide voluntary financial contributions to the fund (according to article 11 of the fund's terms of reference). The 2016 Resumed Review Conference on the UNFSA supports the widening of the scope of the Part VII Fund.

48. The resulting discussion focused on needed fundraising efforts, considering that the fund is severely depleted, as well as the best approach to facilitate the use of this fund. The SPRFMO Executive Secretary noted that SPRFMO had established a similar fund to the Part VII Fund in accordance with article 19 of the convention to help with developing State contracting parties with capacity development related to data reporting, fishery science and stock assessment, and monitoring, control and surveillance (MCS). The SPRFMO also provides financial support to its members from developing States for attendance at SPRFMO meetings. The importance of making the application process for projects both easier and shorter was stressed.

49. The ICCAT noted that it had a similar fund to that of the SPRFMO and expressed the need to inform parties of the existence of the Part VII Fund for it to be properly used by States. ICCAT also noted the fact that delegations attending FAO meetings are different from those attending UNGA meetings creates a lack of communication.

50. The Fishery Committee for the Eastern Central Atlantic (CECAF) reaffirmed the key role of RFBs, with assistance of FAO, in raising awareness and informing States that they would be able to benefit from the fund by becoming party to the UNFSA.

51. The UNDOALOS highlighted its ongoing cooperation with FAO in fundraising as well as managing the fund. It mentioned that information on the Part VII Fund is regularly provided in various reports of the Secretary-General, as well as during intergovernmental meetings and processes, such as informal consultations on the UNGA resolution on sustainable fisheries. It also stressed the need to further publicize the availability of the fund, pointing to the fact that some regions use the fund more than others. In response to a question, it clarified that the fund's terms of reference do not distinguish between landlocked and coastal States but generally refers to developing States.

52. The CRFM praised the FAO collaboration aimed at publicizing the Part VII Fund and welcomed the outcome of the 2016 Resumed Review Conference on the UNFSA, which supported a wider use of the Fund, in conformity with its terms of reference.

53. The IOTC shared its practice on sending out letters of invitations to its meetings, accompanied by instructions on how to apply to the Part VII Fund, and noted that it had established a separate fund to cover the cost of travel for those members that are not able to avail themselves to the Part VII Fund given that they are not party to the UNFSA.

54. The Fishery Committee for the West Central Gulf of Guinea (FCWC) noted that it is playing an important role in advocating for and supporting the ratification process of the UNFSA, observing that the decision to become a party to it remains with member States.

55. The Chairperson praised FAO's fundraising efforts and welcomed the recent outcome of the 2016 Resumed Review Conference on the UNFSA.

USER RIGHTS: FOLLOW-UP TO “TENURE AND FISHING RIGHTS 2015: A GLOBAL FORUM ON RIGHTS-BASED APPROACHES IN FISHERIES”

56. Ms Rebecca Metzner, Head of the Policy, Economics and Institutions Branch (FIAP), FAO, Rome Italy, presented the FAO work on rights-based approaches in fisheries, in particular the outcomes of Tenure and Fishing Rights 2015, a global forum on rights-based approaches to fisheries (UserRights 2015), co-organized by FAO and the Government of the Kingdom of Cambodia, which is reported in background documents annexed as Appendixes 7 and 8.

57. Ms Metzner explained that FAO's work on rights-based approaches, including the proposed global work programme, is being developed in the context of FAO's strategic framework and its five strategic programmes (SPs). Particular emphasis is given to eradicating hunger, food insecurity and malnutrition (SP-1); sustainable management and utilization of natural resources (SP-2); and eliminating rural poverty through socioeconomic development (SP-3). The rights-based approach supports FAO's Corporate Blue Growth Initiative and is aligned with the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forest in the Context of National Food Security (VGGT), the Voluntary Guidelines on Small Scale Fisheries (VG-SSF) and the Code of Conduct for Responsible Fisheries. She concluded that a participative and inclusive process of implementation with a multi-stakeholder and inter-sectorial approach is required, given the diversity of interconnected issues to be addressed.

58. Outcomes of recent activities were noted, including the importance of effective stakeholder involvement; the need to address mechanisms of financing rights-based approaches; and ensuring gender equality and empowerment, good governance, transparency and accountability. A work programme, to be considered by COFI 32, was further explained. The outline and main features of the proposed global work programme can be found in COFI/2016/Inf.15.

59. The BOBP-IGO expressed that discussions around the VG-SSF and on rights-based approaches in fisheries should reach a broader domain beyond the fisheries audience, so as to include other relevant sectors with influence on the related decision making process, as well as consider relevant concepts (e.g., tenure).

60. The Southeast Asian Fisheries Development Center (SEAFDEC) further stressed the relevance of involving other sectors and mentioned that this broader approach will be essential for achieving the objectives foreseen by the user rights agenda.

61. The Chairperson concurred with the need of making sure issues pertaining to VG-SSF and VGGT reached beyond the fisheries domain, and proposed to raise this aspect during COFI 32.

CONSOLIDATION AND DEVELOPMENT OF RSN

62. Mr Mannini gave a presentation providing a description of the RSN developments since 1999 when it consisted of just a meeting of FAO and non-FAO organizations. The RSN progressed to the point of becoming a Network that works in collaboration with FAO, and has greatly expanded, taking non-binding decisions to its members and the organizations represented by them. The presentation focused on the main objective of the RSN, which is promoting information sharing and discussion among secretariats on emerging issues or subjects covered by the mandate of their respective organizations, and to support the role played by RFBs in the conservation, management and sustainable use of fisheries resources. Also mentioned were cooperation and coordination among RFBs as effective ways to strengthen regional fisheries governance. Based on this, Mr Mannini suggested options to the consideration of RSN members, with the objective to enhance the RSN's role and capacity to support RFBs, including by strengthening institutional relations as well as communication and visibility. The background document for this presentation can be found annexed to this report as Appendix 9.

63. Subsequent discussion and interventions focused on the potential options to innovate mechanisms of communication and related visibility of the Network. The Chairperson noted the efforts made in applying a balanced approach to develop an agenda that would be valuable to all RFBs. With regard to the functioning of the Network, the Chairperson also mentioned that the RSN started as a meeting and subsequently became a Network. He further sought the view of members with regard to the possibility of increasing the meetings of the RSN in the intersessional period, as well as organizing subgroups on specific topics. While recalling that policy development is left to member States to decide on, he stressed the importance for RFB secretaries to disseminate the key information that will be delivered through the RSN statement to COFI 32.

64. The BOBP-IGO praised the work done by the RSN Secretariat and its members in recent years, as well as the presentation of Mr Mannini, which recalled the evolution of the Network from its very beginning. While listing the heterogeneity of the Network as a major strength, he noted the budget constraints that many RFBs would face in the event that increasing the number of meetings in the intersessional period will be approved.

65. The Lake Tanganyika Authority (LTA) proposed having a two-day meeting prior to COFI, and suggested that given the key role of small-scale fisheries in the sector, there should be a specific agenda item dedicated on this very topic at the next RSN meeting.

66. The Asia-Pacific Fishery Commission (APFIC) pointed to the important role of the RSN in identifying key intersessional activities that RFBs secretariats should strive to convene either individually or through the support of the FAO. The APFIC agreed to the idea of intersessional meeting of inland bodies, noting that such an arrangement would help these bodies to tackle key issues and at the same time help FAO in getting more information on the status of inland fisheries.

67. The Central Asian and Caucasus Regional Fisheries and Aquaculture Convention (CACFish) noted its administrative difficulties in functioning as an Article VI body given its dependence on FAO financial support.

68. The SPRFMO Executive Secretary thought that the RSN is a key forum for sharing information among RFBs, and suggested that the informal structure of the Network be kept. She also supported the improvement of the RSN website and mentioned that increasing intersessional meetings of the Network would imply a substantial escalation of costs, which most RFBs will not be able to cover.

69. The NAFO mentioned the usefulness of the RSN in sharing lessons learned among RFBs, and supported the idea of intersessional meetings. It agreed with the possibility of having break-out sessions for certain types of RFMOs, such as for inland fisheries, tuna and deep-seas bodies. Coherence and cooperation with other UN organizations were listed as issues to be addressed, calling on FAO to support these matters.

70. The UNDOALOS expressed support for the further development of the website and considered that the newsletter, as well as the website, could provide a place for exchanging information grouped by topics and for depositing relevant documents.

71. The Commission for Inland Fisheries and Aquaculture of Latin America and the Caribbean (COPESCAALC) stressed the need of having a systemic approach, noting that many solutions in the fisheries field are often decided on by other sectors. While noting the difficulties in agreeing on appropriate themes for discussion during meetings, due to the diversity of interests, it further suggested using an online survey, inviting all RFBs to provide feedback on potential cross-cutting issues to be included in the agenda of the next RSN meeting.

72. The FCWC supported the ‘*status quo*’ by having the RSN meeting back to back with COFI. It further reminded the group of the possibility of using available instruments which provide options from which financial resources could be withdrawn.

73. The CRFM pointed to the fact that notwithstanding the different issues and contexts of each RFB, the challenges remain the same, and mentioned the importance of improving visibility by raising awareness of RFBs work worldwide, to increase the general understanding of the challenges faced by these bodies as well as the progress made to date.

74. The NPFC supported the idea of having common themes at the next meeting of the RSN and informed RSN-6 that it is starting the process of developing the website, which could include linkages to the information provided in the RSN website.

75. The COMHAFAT agreed on holding an RSN annual meeting on a topic of interest to all RFBs, and volunteered to host the next meeting.

76. The South West Indian Ocean Fisheries Commission (SWIOFC) noted the important role of RFBs in assisting its members in policy-making processes by providing, *inter alia*, information on regional and global processes, best practices and activities. The possibility of making use of the RSN email list to exchange information and provide support on issues of general interest to other RSN members was mentioned.

77. The LVFO reported the ongoing efforts of the African Union to align the situation of many RFBs in the region, and emphasized the role of regional institutions in increasing political will in fisheries governance.

78. The Chairperson noted that the majority of RSN members supported the idea of keeping the Network with an informal format. RSN-6 members further considered the financial constraints expressed by participants and suggested a two-day meeting prior to COFI, with a general session and a second session composed of break-out groups covering different issues in depth. It was noted that the group might wish to consider the possibility of meeting more often in the intersessional period.

OTHER MATTERS

79. The Chairperson invited the WMO representative to present its “Proposal for WMO and RFMO Collaboration”.

80. Ms Sarah Louise Grimes, Senior Scientific Officer, WMO, Geneva, Switzerland, gave a presentation based on the background document annexed as Appendix 10. The WMO is dedicated to international cooperation and coordination on the state and behaviour of the Earth’s atmosphere; its interaction with land and oceans, the weather and climate, and the resulting distribution of water resources. Ms Grimes emphasized that there has been an important interaction between the WMO and fisheries communities around the world through the Global Ocean Observing System (GOOS), the WMO Technical Commission for Agriculture Meteorology (CAgM), and the Joint WMO and UNESCO - Intergovernmental Oceanographic Commission (IOC) Technical Commission for Oceanography and Marine Meteorology and Agricultural Meteorology (JCOMM). She added that WMO has learned that RFMOs and other institutions can, and in some cases already do, collect marine meteorological and oceanic observations by ships and anchored fish aggregating devices (FADs). Based on this, WMO is proposing collaborations with RFMOs to receive reports on marine meteorological and oceanic data and observations, and to develop standards to collect data. The data will be used to improve climate and marine forecasting, which will benefit fisheries communities through improved safety information for people at sea or living on coasts, and as

well, better forecasting of fish stock migration, ultimately improving fisheries sustainability. In addition to the proposal, Ms Grimes presented the issue of vandalism (deliberate and unintentional) of ocean monitoring equipment. Particularly, buoys are often used for mooring without awareness of their value for safety (e.g., tsunami warning buoys) or marine forecasting. WMO members at the WMO Executive Council-68 (2016) requested a regionally relevant education and outreach strategy that could be implemented by WMO, UNESCO-IOC, FAO, RFBs and their respective members, the fisheries sector, and other relevant organizations in order to substantially reduce damage through vandalism or interference to ocean data buoys. Ms Grimes sought assistance from meeting participants with this request.

81. Following the WMO presentation, the BOBP-IGO shared its experience on issues related to buoy vandalism and its involvement in developing outreach materials (since 2011) for the Bay of Bengal. It considered this an important potential collaboration, which WMO acknowledged. Along the same line, the CTM noted that cooperation with WMO on the issue of vandalism would be relevant not only for RFMOs but also for RFBs with an advisory mandate. Finally, the SPRFMO encouraged WMO to participate as an observer at its next commission meeting.

82. The second topic provided under this agenda item was introduced by Mr Aureliano Gentile, Fishery Statistics and Information Officer, Fishery Statistics and Information Branch (FIAS), FAO, Rome, Italy.

83. Mr Gentile, gave a presentation on the Fishery and Aquaculture knowledge base (the related background document is annexed to this report as Appendix 11), which is a public or access-restricted pool of information that is available as a coherent package of knowledge for the fisheries and aquaculture community. He explained how FAO can contribute to the improvement of the knowledge base by enabling rich knowledge building and management; emphasizing that a considerable amount of information is being provided by RFBs under different agreements, including examples of collective knowledge of global relevance, including RFB fact sheets and map viewer; Coordinating Working Party on Fishery Statistics (CWP) / Statlant questionnaires; Stocks and Fisheries (FIRMS Partnership Fisheries Resources Monitoring System); Vulnerable Marine Ecosystems (VME) database; Database of measures on conservation and management of sharks; Fishery and Aquaculture Country Profiles (FACP) and National Aquaculture Sector Overviews (NASOs); Global Record of Fishing Vessels; Consolidated List of Authorized Vessels (CLAV); Atlas of Tuna and Billfish Catches; Global Tuna Nominal Catches.

84. These databases contribute to the overall Fishery and Aquaculture knowledge base, which goes beyond the boundaries of FAO and embraces the fisheries and aquaculture community in the form of collective knowledge. Mr Gentile focused on the established collaboration between the RFB community and the FAO Fishery and Aquaculture Department. Examples of shared information and related RFB involvement under different types of data provision arrangements were provided (an indicative table is provided in the background document). Having noted issues related to the rapidity and efficiency of the information flows, an appeal was made to all RFBs to make timely contributions to the collective knowledge on fisheries and aquaculture and to investigate areas where supportive information is required.

85. Closing the First Session, the meeting agreed that the RSN Chairperson and the Secretariat would prepare and circulate among members, a paper to be delivered at COFI 32, and that this statement might provide relevant information on the RSN-6 meeting and related discussions.

OTHER MATTERS (*continued*)

86. The Chairperson opened the meeting at 09:30 and asked Mr Gentile to continue his presentation on “Our Fishery and Aquaculture knowledge base - A community approach to collective knowledge”.

87. The subsequent discussion mainly covered cooperation issues in order to increase information sharing in a timely manner, and revealed the interest of several RFBs to collaborate with FAO. The need for data consistency and reliability to strengthen global governance and managerial and technical capacities of members was also stressed.

88. The BOBP-IGO noted the importance of knowledge dissemination and proposed to link its website with the FAO Fishery and Aquaculture knowledge base to ensure information sharing with all related constituencies.
89. The North Pacific Anadromous Fish Commission (NPAFC) described its comprehensive database for Pacific salmon and, in this regard, suggested the possibility of linking such a database with the FAO knowledge base.
90. The FCWC described the difficulties encountered by developing States in collecting data. It thanked FAO for supporting a two-year technical cooperation project on small-scale fisheries, which will take into consideration fishing effort for data collection.
91. The SPRFMO Executive Secretary appreciated FAO's efforts aimed at improving knowledge dissemination. While noting the difficulties for the SPRFMO to join the Coordinating Working Party (CWP) and other related bodies, due to the limited financial and human resources available, it proposed to develop a cost-effective way of contributing without having to participate in meetings.
92. The UNDOALOS recalled that FAO had submitted a paper to the 2016 Resumed Review Conference on the UNFSA on the method that data was collected between the high seas and exclusive economic zones (EEZs). It noted that this issue had been discussed at the 2016 Resumed Review Conference and sought, in this regard, any additional foreseen developments.
93. The Regional Commission for Fisheries (RECOFI) reported on its progress with data-related issues, and noted that, notwithstanding the small secretariat and limited resources, an information base was successfully created and maintained. It was mentioned that aspects related to confidentiality still remained to be agreed upon, and that the issue of information dissemination will be discussed at the forthcoming meeting of RECOFI.
94. The CRFM mentioned its efforts aimed at collecting data and offered to share this information with the view to enhance knowledge dissemination.
95. The NAFO referred to its active involvement with CWP and FIRMS and stressed on the importance of making data available for advocacy in the fisheries sector. It noted that NAFO has technical resources and structures available to allow for the distinction of catches between the high seas and EEZs.
96. The FFA noted that most of the data it shares is enforcement-related information and that the process of distinguishing between catches in EEZs and the high seas would be possible with the structure in place.
97. The WECAFC thanked FIAS for the support it provided, and celebrated the FAO for the launching of the VME database in December 2015, noting that this platform would allow the identification of overlaps between VME and EBSAS.
98. Mr Marc Taconet, Head, Statistics and Information Branch (FIAS), FAO, Rome, Italy, supported the call made to strengthen advocacy, as is being done in the context of the VME database. The importance of adopting data standards so as to ensure that data are collected in a given unified format and in a timely manner, was also stressed. In this regard, the meeting was informed that CWP is suggesting to start developing such standards. Mr Taconet also enquired as to whether the RSN would be able to secure funding for hiring a person to support the management of data for those RFBs that have financial limitations. He further supported the suggestion of remote participation and support in initiatives such as CWP or FIRMS.
99. Mr Luca Garibaldi, Fishery Statistician, Statistics and Information Branch (FIAS), FAO, Rome, Italy, turned to the issue raised by UNDOALOS and noted that the UNGA recommendation to revise FAO's global fisheries statistics database (to provide information for the stocks to which the UNFSA applies and for high-seas discrete stocks on the basis of where the catch was taken) was first stated in 2006. He pointed out that an FAO

proposal (COFI/2016/Inf.21) to address the cited recommendation had been prepared for COFI 32. The document highlighted the need of a commitment of member States to collect, compile and make available to the FAO catch data separated by catches taken inside and outside of EZZs. The FAO would then modify the structure of its global capture database accordingly. It was also noted that in order to properly implement the recommendation it would be necessary for some RFMOs, from which the FAO derives catch statistics, to loosen their rules on confidentiality of catches, which they have made stricter since the late 2000s. The process of implementing the recommendation could also be accompanied by a general call for a full transparency of fisheries activities.

100. Mr Ásmundsson announced that he would no longer be serving as Secretary of NEAFC in the forthcoming months, and that this causes the regular termination of his mandate as Chairperson of the Network. He invited members to propose options on how to proceed for the appointment of the new Chair.

101. RSN members thanked the Chairperson for his work with the RSN and the dedication that characterized his contribution to the Network during the past years, and wished Mr Ásmundsson successful paths in his career.

102. Following the intervention of Mr Yugray Yadava (BOBP-IGO), who confirmed his interest in continuing as First Vice-Chairperson, members discussed what type of RFBs (i.e. RFBs, RFMOs, Tuna RFMOs, Deep-Sea RFMOs) should chair the RSN, concluding that it should be a Tuna RFMO. Subsequently, the meeting kindly requested the Inter-American Tropical Tuna Commission (IATTC), to consult among the group in order to provide feedback on the potential Tuna RFMO willing to take on this position.

103. As agreed on by all members attending the Second Session, during the first week following the RSN-6 meeting, Mr Guillermo Campean, Director, IATTC, conducted electronic consultations among Tuna RFMOs and notified the RSN Secretariat that Mr Driss Meski, Executive Secretary, ICCAT, has expressed his availability to serve as the new RSN Chairperson. The Secretariat, on behalf of the outgoing Chairperson, sent a message to the Network proposing that, unless otherwise advised, Mr Meski would be considered elected within 30 days from the date of this respective communication and that the appointment would become effective once the RSN-6 report has been circulated and approved.

104. The RSN Secretariat and all RSN members reiterated the great appreciation expressed to Mr Ásmundsson for the work done and thanked Mr Meski for accepting to assume the role of Chairperson of the Regional Fishery Body Secretariats' Network.

105. Following the thoughtful words of Mr Ásmundsson, the meeting observed a minute of silence for the passing of Mr Robin Allen and Mr Kjartan Hoydal, and praised their essential contribution in the field of fisheries science and management.

RSN RULES OF PROCEDURE

106. The Chairperson introduced the drafted document providing the RSN Rules of Procedure, noted the willingness expressed by some members to keep an informal structure without establishing rules of procedures, and opened the floor to RFBs for feedbacks on this subject.

107. CCAMLR provided the session with background information on the genesis of the Rules of Procedure.

108. The SPRFMO Executive Secretary added views related to whether membership to the RSN should be based on an agreement or automatic procedure, and noted the difficulties some secretariats may encounter if their participation required a signed agreement by the organization. The SPRFMO Executive Secretary also expressed concern over the use of the term “decisions” in the draft Rules of Procedures and questioned the need of a quorum in the decision-making process, reminding the group that the role of the RSN in this regard is limited to making recommendations.

109. The NAFO also expressed concern over the use of the term “decisions”.
110. The UNDOALOS suggested having a situation whereby current members of the RSN would be the ones comprising the Network and new organizations would need to notify the Chairperson of their intention to become members.
111. The NPAFC supported the current wording of the draft Rules of Procedures related to the participation (Rule 4), and noted the importance of having a mechanism in place that would manage the voluntary withdrawal from the Network made by RFBs, as well as proceedings to accept new members.
112. The APFIC noted the importance of having a rule defining the applicable ‘*quorum*’ that could be sometimes necessary, even if the Network is not tasked with making decisions. The APFIC supported the text in the draft Rules of Procedures regarding the issue of participation to the Network, indicating that it should be the RSN to decide what type of body can become a member, and that applications should be submitted to the Chairperson with enough time to notify the RSN and for it to make a decision.
113. The CCAMLR stressed the need for at least some rules to guide discussions in the Network and proposed the adoption of the current Rules of Procedure on an ‘*ad interim*’ basis.
114. The BOBP-IGO noted the importance of keeping the Network informal while at the same time having a framework that provides some guiding mechanism, supporting the idea of adopting, ‘*ad interim*’, the draft Rules of Procedures, including the changes suggested during this meeting and considering the possibility of formally adopting them at the next meeting of the RSN.
115. The meeting agreed to accept, ‘*ad interim*’, the provisional Rules of Procedure as previously amended during the session. The amended document is attached to this report as Appendix 13.

COFI 32 OUTCOMES AND IMPLICATION FOR RFBs and RFMOs

116. The Chairperson acknowledged the positive comments and feedbacks on the RSN and RFB related work that delegations attending COFI 32 have expressed, and opened the floor for RFB interventions.
117. The APFIC proposed to revise the RSN website and related communications tools with the view to increase the visibility of the work that RFBs and the RSN are carrying out, and to provide a space for sharing knowledge, best practices, discussions and agendas.
118. The CCAMLR, former Chair of the RSN, communicated that the requests made by the RSN regarding nameplates and seating arrangements of RFBs during COFI 32 had been appreciated.
119. The BOBP-IGO emphasized the magnitude of positive responses and comments on the RSN and RFBs during the COFI 32 and, in this regard, praised the efforts of the RSN Chairperson and Secretariat.
120. The NAFO commented on the importance of advocacy related to the work that is being done by RFBs and its relevance to the fisheries governance discussions, and highlighted the need for accuracy and consistency of the information provided by the FAO and in the website of other UN agencies.
121. The Chairperson reminded the group of the call made by COFI 32 for RFBs to be more active in international fora, while at the same time recognizing that in doing this most RFBs could encounter financial difficulties.

122. The RSN Secretary agreed on the need to improve the visibility of the Network, and recalled that the RSN was currently working with no additional resources. He noted that a greater visibility of the Network could be achieved only with the combined efforts, financial and human, of all members.

ADOPTION OF THE REPORT

123. The meeting agreed that the report would be prepared by the RSN Secretariat, shared with all members, and adopted electronically.

CLOSURE OF THE MEETING

124. The meeting closed at 11.30 on 15 July 2016.

**AGENDA OF THE SIXTH MEETING OF THE REGIONAL FISHERY
BODY SECRETARIATS' NETWORK**

**First Session, Saturday 9 July 2016
Room: German Room
From 09:00 hours to 17:00 hours**

- 1) Opening of the meeting
- 2) Meeting arrangements
- 3) Report of the chairperson
- 4) Adoption of the agenda
- 5) RFBs and biodiversity including biological diversity beyond areas of national jurisdiction (BBNJ), and ongoing cooperation between FAO, UNEP and CBD
- 6) Coordination and cooperation among RFBs and with CSOs
- 7) The implementation of performance review reports and follow-up to FAO Fisheries and Aquaculture Circular No. 1108
- 8) Contribute to the implementation of the UN Fish Stocks Agreement through the assistance fund established under Part VII of the Agreement (i.e. Part VII fund)
- 9) User rights: follow-up to “Tenure & Fishing Rights 2015: A global forum on rights-based approaches in fisheries”
- 10) Consolidation and development of RSN
- 11) Other matters

**Second Session, Friday 15-07-2016
Room: Ethiopia room
From 09:30 hours to 11:30 hours**

- 12) RSN - Rules of Procedure
- 13) COFI-32 outcomes and implications for RFBs/RFMOs

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**FAO'S WORK RELATING TO THE ELEMENTS OF A DRAFT TEXT OF AN
INTERNATIONAL LEGALLY-BINDING INSTRUMENTS UNDER THE UNITED
NATIONS CONVENTION ON THE LAW OF THE SEA ON THE CONSERVATION AND
SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND
NATIONAL JURISDICTION¹**

SIDE NOTE FOR COFI 32

Preparatory Committee established by General Assembly Resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

1.1 In November 2004 the United Nations General Assembly adopted Resolution 59/24 and established an Ad Hoc Open-ended Informal Working Group (WG) to study the feasibility of an implementing agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ WG). The BBNJ WG agreed on a set of recommendations provided in Resolution 69/292 of June 2015 to develop an implementing agreement on BBNJ. The first session of the Preparatory Committee (PrepCom) was held on 28 March - 8 April 2016 and the second session will be held on 26 August - 9 September 2016.

1.2 The PrepCom will consider the four elements of the “2011 Package” identified in the annex of Resolution 66/231, namely the: marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, and environmental impact assessments, capacity-building and the transfer of marine technology. During the first session of the PrepCom in New York, from 28 March - 08 April 2016, the Committee considered the scope of an internationally legally binding instrument and its relationship with other instruments, guiding approaches and principles, and the four elements of the “2011 Package”. At the second session of the PrepCom, States are expected to progress discussions on the objective, scope, guiding principles, and the four core elements of the implementing agreement.

1.3 The scope of these ongoing discussions for the BBNJ have the potential to impact global fisheries management in the areas beyond national jurisdiction (ABNJ) and, fisheries is a recurrent discussion item in the negotiations thus, COFI, as the only global forum dealing with issues pertaining to fisheries and aquaculture, may wish to pay attention to the developments in this important process.

I. OVERVIEW

1. The Food and Agriculture Organization of the United Nations (FAO) recognizes the sustainable use and conservation of marine living resources of the world's oceans, including fish stocks and associated species, as a

¹ The original document is a working document of the COFI-32, COFI/2016/8/Sup.1, available at www.fao.org/about/meetings/cofi/documents/en/

priority. In the fisheries context, FAO works with States and other stakeholders to facilitate the development and implementation of international mechanisms and instruments, both binding and voluntary and facilitates the formulation of tools, provides technical advice, and compiles, disseminates and shares knowledge and good practices for sustainable use and conservation of marine living resources, including for areas beyond national jurisdiction (ABNJ).

2. Under its Constitution, FAO has a mandate to promote and, where appropriate, recommend national and international action on scientific, technological, social, and economic research relating to fisheries (Articles I and V)². Over the years, FAO has been requested to undertake many activities with the aim of promoting the advancement of science and technology for the conservation and sustainable use of natural resources and the strengthening of related national, regional, and international mechanisms.

3. FAO collaborates with various partners, through its normative work and through extra budgetary supported programmes or projects, to provide support to States, regional fisheries management organizations or arrangements (RFMO/As), other regional fishery bodies (RFBs) and their members, as well as with other stakeholders for building State and regional capacity to address and develop effective solutions for ABNJ issues and to promote the sustainable use of living marine resources in the ABNJ.

4. An RFMO/A is an intergovernmental organization explicitly recognized under the United Nations Convention on the Law of the Sea of 1982 (LOSC) and the United Nations Fish Stocks Agreement of 1995 through which States and other entities cooperate in, inter alia, developing and implementing measures on the conservation and management of fisheries and related issues. The area of competence of most RFMO/As is the ABNJ, although some also encompass Exclusive Economic Zones (EEZ).

5. The international community has increasingly recognized that strengthening governance of shared fisheries is best achieved by enhancing the role of RFBs. There are 50 RFBs³ worldwide, half of which having an advisory role towards their members. However, RFMO/As, an important subset of RFBs, do have a regulatory mandate and the capacity for their members to adopt binding conservation and management measures based on best scientific evidence. Moreover, 30% of these regional bodies (both RFBs and RFMOs) also have an aquaculture mandate, either exclusively or jointly with a fisheries mandate.

6. The PrepCom is to consider the four elements of the “2011 Package” identified in the annex of Resolution 66/231, namely: marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, and environmental impact assessments, capacity-building and the transfer of marine technology. There are a number of existing FAO activities that address the “2011 package”. This brief provides an overview of some of these activities. The Annex to this brief refers to examples of implementation in the ABNJ through the RFMO/As. While the brief is not exhaustive, it is intended to provide delegates with the scope and content of current ABNJ initiatives that addresses issues of relevance to the PrepCom.

II. FAO ACTIVITIES RELEVANT TO THE “2011 PACKAGE”

A. Marine genetic resources (including benefit-sharing questions)

7. FAO, as the UN organization working on fisheries as well as on biodiversity and genetic resources for food and agriculture, provides global information in relation to marine biological resources such as fish and their

² Basic texts of the Food and Agriculture Organization of the United Nations. 2015. *Volumes I and II* at www.fao.org/3/a-mp046e.pdf.

³ www.fao.org/fishery/rfb/en

exploitation (e.g., *The State of the World Fisheries and Aquaculture 2014 (SOFIA)*⁴ and the *Review of the State of World Marine Fishery Resources*⁵) as well as on genetic resources for food and agriculture.

8. The definition of “marine genetic resources” is central to this component of the 2011 package. Article 2 of the *Convention on Biological Diversity*⁶ defines “genetic resources” as genetic material of actual or potential value, while “genetic material” means any material of plant, animal, microbial or other origin containing functional units of heredity. Given the potential overlaps, it is important to clearly delineate and distinguish “marine genetic resources” from the broader biological resources, noting that “marine biological resource” is generally used in a very wide context- including in the context of fisheries. Marine fishery resources are subject to existing management regimes in the ABNJ through sectoral management schemes and regional bodies. RFMO/As use broad definitions of “fishery resources”.

- a. For example, the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention defines “fishery resources” as: “(f) ...all fish within the Convention Area, including: molluscs; crustaceans; and other living marine resources as may be decided by the Commission; but excluding: (i) sedentary species ...; (ii) highly migratory species listed in Annex I of the 1982 Convention; (iii) anadromous and catadromous species; and (iv) marine mammals, marine reptiles and sea birds...”
- b. The Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR) applies a wider definition: “Antarctic marine living resources means the populations of fin fish, molluscs, crustaceans and all other species of living organisms, including birds, found south of the Antarctic Convergence”.

9. As part of its mandate on biodiversity and genetic resources for food and agriculture, FAO is in the process of preparing the first report on the State of the World’s Aquatic Genetic Resources for Food and Agriculture. The report is prepared under the guidance⁷ of FAO’s Intergovernmental Commission on Genetic Resources for Food and Agriculture⁸ in coordination with FAO’s Committee on fisheries (COFI)⁹, and it will contain country reports compiled and consolidated by the FAO Fisheries and Aquaculture department. The scope of the publication focuses on “farmed aquatic species and their wild relatives within national jurisdiction” as well as nationally important aquatic genetic resources of capture fisheries within national jurisdiction¹⁰.

10. The ad-hoc intergovernmental technical working group on aquatic genetic resources for food and agriculture at its first session in June 2016 reviewed a draft of the report.

11. With regards to access and benefit sharing regimes for genetic resources, the 2001 FAO International Treaty on Plant Genetic Resources for Food and Agriculture¹¹ might be considered as a possible model for the current BBNJ discussions. This treaty is a comprehensive international agreement that, in line with the *Convention on Biological Diversity*, recognizes the sovereign rights of States over their genetic resources. In exercising this

⁴ FAO. 2014. *The State of the World Fisheries and Aquaculture 2014*. Rome. 223 pp. (www.fao.org/3/d1eaa9a1-5a71-4e42-86c0-f2111f07de16/i3720e.pdf).

⁵ FAO. *Review of the state of world marine fisheries resources*. FAO Fisheries and Aquaculture Technical Paper No. 569. Rome, FAO. 2011. 334 pp. (www.fao.org/docrep/015/i2389e/i2389e.pdf).

⁶ www.cbd.int

⁷ Paragraph 75 of the Fourteenth Regular Session of the Commission on Genetic Resources for Food and Agriculture, 15-19 April 2013 (www.fao.org/docrep/meeting/028/mg538e.pdf). Paragraph (v) of the Global Policy and Regulatory Matters for Attention of the Conference at the thirtieth session of the Committee on Fisheries, 9-13 July 2012 (www.fao.org/3/a-i3105e.pdf).

⁸ www.fao.org/nr/cgrfa/cgrfa-home/en/

⁹ www.fao.org/fishery/about/cofi/en

¹⁰ In 2013, FAO’s Intergovernmental Commission on Genetic Resources for Food and Agriculture, “requested FAO to continue its work towards the preparation of *The State of the World’s Aquatic genetic resources for Food and Agriculture*, taking care not to duplicate or assume the work of other UN agencies and recognizing in particular the UN General Assembly’s central role in addressing issues related to the conservation and sustainable use of biodiversity in marine areas beyond national jurisdiction, especially through its Ad-hoc Open ended Informal Working group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, established by the General Assembly (CGRFA-14/13/Report, para76).

¹¹ www.planttreaty.org/content/texts-treaty-official-versions

right, parties to the Plant Genetic Resources Treaty have agreed to create a multi-lateral system of access and benefit-sharing which is addressed at four levels:

- a. Information exchange;
- b. Technology transfer;
- c. Capacity building; and
- d. Sharing of benefits arising from commercialization.

12. For materials falling under the Multilateral System of access and benefit-sharing¹², Contracting Parties have agreed to take the necessary legal and other appropriate measures to provide facilitated access through the Multilateral System. The Treaty sets out the terms and conditions under which materials under the Multilateral System may be accessed and benefits arising from their utilization have to be shared. Access is provided through a Standard Material Transfer Agreement (SMTA)¹³ which was adopted by the Governing Body of the Treaty. The SMTA requires recipients of materials from the Multilateral System that commercialize plant genetic resources incorporating material from the Multilateral System to pay to share the benefits arising from the commercialization of their product with the Benefit-Sharing Fund¹⁴ established by the Governing Body.

B. Area-based management tools/measures (including marine protected areas)

13. Area-based management measures, including in the ABNJ, are tools commonly used for managing fisheries to protect target fish stocks, non-target fish stocks, as well as specific habitats and vulnerable marine ecosystems (VMEs) from undesired impacts from fishing operations. In the ABNJ, the implementation of area-based management tools has been primarily through RFMO/As.

14. The 1995 FAO Code of Conduct for Responsible Fisheries (CCRF)¹⁵ promotes the use of management measures that takes wider ecosystem considerations into account, and recommends the use of management measures such as, but not limited to, temporal and spatial closures and reserved zones.

15. Accordingly, FAO has worked on the principle of exploring the full range of spatial management measures and area closures in a broader sense with relevance to fisheries, taking into account regional and national definitions with the FAO Technical Guidelines for Responsible Fisheries supplement 4 on Marine Protected Areas and Fisheries¹⁶.

16. In the ABNJ, area-based measures have been used both in the context of protecting VMEs and in controlling mortality on certain fish stocks or life stages.

17. RFMO/As with the mandate to manage deep-sea fisheries¹⁷ have implemented spatial measures under which the use of certain gear types, in particular bottom contact gear, are restricted or not allowed in order to protect benthic habitats such as vulnerable marine ecosystems (VMEs)¹⁸. The FAO VME Data-Base¹⁹, which was developed by FAO in collaboration with RFMO/As in response to UNGA resolution 61/105 (para. 90) contains information on management measures taken to reduce current or potential impacts where VMEs are known or

¹² www.planttreaty.org/content/what-multilateral-system

¹³ www.planttreaty.org/content/what-smta

¹⁴ www.planttreaty.org/node/3072

¹⁵ FAO. Code of Conduct for Responsible Fisheries. Rome, FAO. 1995. 41p. (www.fao.org/3/a-v9878e.pdf)

¹⁶ FAO. Fisheries Management. 4. Marine protected areas and fisheries. *FAO Technical Guidelines for Responsible Fisheries*. No. 4, Suppl. 4. Rome, FAO. 2011. 198p. (www.fao.org/docrep/015/i2090e/i2090e.pdf)

¹⁷ The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) has a mandate to manage the fisheries under its jurisdiction (CCAMLR Convention, Article I) and therefore in the context of deep-sea fisheries CCAMLR is included with the other RFMO/As.

¹⁸ While some national laws have defined VMEs, the FAO Deep-Sea Fisheries Guidelines defines characteristics used as criteria in the identification of VMEs (For the VME criteria see paragraph 42 and Annex of the Guidelines).

¹⁹ www.fao.org/in-action/vulnerable-marine-ecosystems/vme-database/en/

likely to occur. The VME Data-Base is an online repository and interactive map of all existing VME closures and other managed areas in the ABNJ, as managed by the deep-sea RFMO/As and other multi-lateral bodies. The criteria for identifying VMEs as outlined in the FAO Deep-sea Fisheries Guidelines and examples of regional processes and practices for identifying and protecting VMEs from some RFMO/As are provided in Annex 1. The FAO Technical Paper Vulnerable Marine Ecosystems: Processes and Practices in the High Seas²⁰ provides an overview of the process and practices in each ocean region with respect to identifying and designating VMEs.

18. FAO recognizes that the applicability of area-based measures is specific to different fisheries, and while area-based tools may be beneficial for some species, this is not necessarily the case for other species which are highly migratory in nature (such as for tuna and tuna-like species). However, some RFMO/As with the mandate to manage tuna and tuna-like species have utilized area-based management measures to take advantage of specific opportunities provided by the distribution of the fish from temporal heterogeneities. Examples include the prescribed seasonal closure by the Inter-American Tropical Tuna Commission of the Eastern Pacific Ocean to the purse-seine fishery²¹, the Indian Ocean Tuna Commission²² and the International Commission for the Conservation of Atlantic Tuna²³; and the closure or special management in high seas areas by the Western and Central Pacific Fisheries Commission²⁴.

C. Environmental impact assessments

19. Awareness, both within the fisheries sector and among the public, has been increasing on the need to assess environmental impacts of fishing activities and a number of international and regional instruments contain provisions on impact assessments, of which some are important to deep-sea fisheries. For example, under the Code of Conduct for Responsible Fisheries the fisheries sector is expected to reduce its impacts in ways that are also compatible with its own sustained existence.

20. FAO has developed technical guidelines for fisheries management focusing on the ecosystem approach to fisheries (EAF)²⁵. The EAF framework includes a risk-based framework to address impacts of fishing, including environmental impacts and call for appropriate management measures where high or moderate risk level are identified. This framework also provides for explicitly addressing external impacts, both natural and human induced, that may impact set management objectives in relation to fisheries, and could serve as a strategic tool to identify possible cumulative effects. The EAF-Toolbox provides information on the different steps of the framework and helps users chose appropriate tools.

²⁰ FAO. (in press). Thompson, A.B.; Sanders, J.S.; Tandstad, M.; Carocci, F.; Fuller, J.; eds. *Vulnerable Marine Ecosystems: Processes and Practices in the High Seas*. FAO Fisheries and Aquaculture Technical Paper No. 595. Rome, Italy.

²¹ IATTC Resolution C-13-01 Multiannual Program for the Conservation of Tuna in the Eastern Pacific Ocean during 2014-2016. (www.iatct.org/PDFFiles2/Resolutions/C-13-01-Tuna-conservation-in-the-EPO-2014-2016.pdf)

²² IOTC Resolutions for the conservation and management of tropical tuna stocks in the IOTC area of competence 10/01 (www.iotc.org/cmm/resolution-1001-conservation-and-management-tropical-tunas-stocks-iotc-area-competence); the recording of catch and effort by fishing vessels in the IOTC area of competence 12/03 (www.iotc.org/cmm/resolution-1203-recording-catch-and-effort-fishing-vessels-iotc-area-competence); and on the removal of obsolete conservation and management measures 14/01 (www.iotc.org/cmm/resolution-1401-removal-obsolete-conservation-and-management-measures).

²³ Recommendation by ICCAT on a Multi-Annual Conservation and Management Program for Tropical Tunas [Rec. 15-01] (www.iccat.int/Documents/Recs/compendiopdf-e/2015-01-e.pdf); Recommendation Amending the Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 14-04] (www.iccat.int/Documents/Recs/compendiopdf-e/2014-04-e.pdf); Recommendation by ICCAT Amending the Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program [Rec. 14-05]; (www.iccat.int/Documents/Recs/compendiopdf-e/2014-05-e.pdf)

²⁴ WCPFC CMM 2015-01 Conservation and Management Measure for bigeye, yellowfin and skipjack tuna in the Western and Central Pacific Ocean (www.wcpfc.int/doc/cmm-2015-01/conservation-and-management-measure-bigeye-yellowfin-and-skipjack-tuna-western-and); WCPFC CMM 2008-01 Conservation and Management Measure for bigeye and yellowfin tuna in the Western and Central Pacific Ocean; WCPFC CMM 2010-02 Conservation and Management Measure for the Eastern High-Seas Pocket Special Management Area (www.wcpfc.int/doc/cmm-2010-02/conservation-and-management-measure-eastern-high-seas-pocket-special-management-area).

²⁵ FAO Fisheries Department. The ecosystem approach to fisheries. *FAO Technical Guidelines for Responsible Fisheries*. No. 4, Suppl. 2. Rome, FAO. 2003. 112 p. (www.fao.org/3/a-y4470e.pdf).

21. In the specific context of the ABNJ, FAO has produced guidance for impact assessments in relation to vulnerable marine ecosystems, through the International Guidelines for the Management of Deep-sea fisheries in the High Seas (FAO Deep-sea Fisheries Guidelines, paras 47-53)²⁶. Paragraph 47 provides that Flag States and RFMO/As: should conduct assessments to establish if deep-sea fishing activities are likely to produce significant adverse impacts in a given area. The FAO Deep-sea Fisheries Guidelines also provides information on what the impact assessment should address (Annex II).

22. Many of the deep-sea RFMO/As have developed procedures for impact assessments and assessment standards in relation to areas within and beyond spatially-defined existing fishing areas, such as in their protocols for exploratory fishing²⁷. Exploratory fisheries occur when the impacts on the stock or ecosystem are unknown or poorly known. They include fisheries outside of identified existing fishing areas or when there have been significant changes within an existing fishery. Deep-sea RFMO/As provide specific definitions of exploratory fisheries²⁸. Key steps in protocols for exploratory fishing normally include: a pre-assessment of fishing impacts on the environment and related resources by the proposing contracting party, an assessment of the pre-assessment by the competent body (often a scientific body), and a final decision by the RFMO/A on whether or not to permit the proposed exploratory fishing.

23. In May 2015, FAO organized a multi-stakeholder technical workshop to look at regional experiences in the application and use of the RFMO/A protocols in relation to impact assessments for deep-sea fisheries in the ABNJ²⁹. The workshop formulated a set of general observations on the use of current impact assessment procedures (Annex II). In general terms it was noted that the FAO Deep-sea Fisheries Guidelines has been used for guidance to develop regional protocols relating to impacts from deep-sea bottom fisheries.

24. RFMOs with a mandate to manage tuna and tuna-like species routinely conduct assessments of the impact of fishing operations on the environment, in particular, the incidental catch of non-target, associated and dependent species. These assessments have led to a number of conservation measures intended to restrict retention practices for fish species that are vulnerable, or to mitigate practices to reduce the incidental mortality of non-commercial species (e.g., birds in longline operations; marine mammals in the eastern Pacific Ocean). The ABNJ

²⁶ FAO. International Guidelines for the Management of Deep-sea Fisheries in the High Seas. Directives internationales sur la gestion de la pêche profonde en haute mer. Directrices Internacionales para la Ordenación de las Pesquerías de Aguas Profundas en Alta Mar. Rome/Roma, FAO. 2009. 73p. (www.fao.org/docrep/011/i0816t/i0816t00.HTM)

²⁷ See: South East Atlantic Fisheries Organisation: Conservation Measure 30/15 on Bottom Fishing Activities and Vulnerable Marine Ecosystems in the SEAFO Convention Area (www.seafo.org/Management/Conservation-Measures); Commission on the Conservation of Antarctic Marine Living Resources Conservation Measure 22-06 (2015) Bottom fishing in the Convention Area (www.ccamlr.org/en/measure-22-06-2015); North East Atlantic Fisheries Commission: Recommendation 19 2014: Recommendation on the Protection of Vulnerable Marine Ecosystems in NEAFC Regulatory Area as Amended by Recommendation 09:2015 (www.neafc.org/system/files/Rec_19-2014_as_amended_by_09_2015_fulltext_0.pdf); North Pacific Fisheries Commission: New Mechanisms for Protection of Vulnerable Marine Ecosystems and Sustainable Management of High Seas Bottom Fisheries in the Northwestern Pacific Ocean (<http://nwpbfo.nomaki.jp/IM-maintext.pdf>) and Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (<http://nwpbfo.nomaki.jp/IM-Annex1.pdf>); South Pacific Regional Fisheries Management Organisation CMM 4.03 Conservation and Management Measure for the Management of Bottom Fishing in the SPRFMO Convention Area (www.sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/CMM-4.03-Bottom-Fishing-2016-4Mar2016.pdf) and the Bottom Fishery Impact Assessment Standard (www.sprfmo.int/assets/Meetings/Meetings-before-2013/Scientific-Working-Group/SWG-06-2008/a-Miscellaneous-Documents/SPRFMO-Bottom-Fishing-Impact-Assessment-Standardagreed-Vanuatu-Fri23Sep2011-1140am.pdf) ; Northwest Atlantic Fisheries Organisation: NAFO Conservation and Enforcement Measures 2015, NAFO/FC Doc. 15/01, Chapter II (Articles 15 – 24).

²⁸ See: SEAFO (CM 30/15, Article 2(c): “exploratory bottom fishing” means all commercial bottom fishing activities outside area closures and existing bottom fishing areas, or fisheries within existing bottom fishing areas when a new fishing method and/or strategy are attempted to be used); NEAFC (Recommendation 19/2014 as amended by Recommendation 9/2015, Article 2(d): “exploratory bottom fishing” means all commercial bottom fishing activities outside area closures and existing bottom fishing areas, or if there are significant changes to the conduct and technology of bottom fishing activities within existing bottom fishing areas); NAFO (CEM 2015, Chapter II, Article 15.2: “exploratory bottom fishing activities” means bottom fishing activities conducted outside the footprint, or within the footprint with significant changes to the conduct or in the technology used in the fishery); CCAMLR (CM 21-02, paragraph 1(i): an exploratory fishery shall be defined as a fishery that was previously classified as a ‘new fishery’, as defined by Conservation Measure 21-01); NPFC (Northwestern Pacific Ocean Interim Measures Annex 1, paragraph 1, Northeastern Pacific Ocean Interim Measures Annex 3, paragraph 1: From 1 January 2009, all bottom fishing activities in new fishing areas or with bottom gear not previously used in the existing fishing areas, are to be considered as “exploratory fisheries” and to be conducted in accordance with this protocol); SPRFMO (Convention, Article 22: A fishery that has not been subject to fishing or has not been subject to fishing with a particular gear type or technique for ten years or more).

²⁹ FAO. (in press). *Report of the FAO workshop on encounter protocols and impact assessments*. 5 – 8 May 2015.

Tuna Project³⁰ of the Common Oceans Programme supports efforts at evaluating previously unknown environmental impacts of operations such as the gillnet fisheries in the northern Indian Ocean, as well as promoting mitigating practices in key tuna fisheries.

25. Finally, from a strategic environmental assessment perspective, it should be noted that RFMO/As are subject to performance reviews. Generally, such reviews encompass, inter alia, the constitutive instrument and measures including plans, policies and programmes, as well as the status of the stocks, effectiveness of conservation and management, decision-making processes, cooperation arrangements and relations with other RFMO/As³¹.

26. In response to the challenges faced by the international community to ensure the sustainable use of fishery resources, RFMO/As are taking measures to strengthen their performance through the conduct, and implementation of, the results of performance reviews. FAO provided an overview of independent performance reviews of RFBs from 2004 to 2014 and of the steps that RFBs have undertaken to implement the recommendations of their performance reviews³². Moreover, in the recent years, some RFBs, especially those with limited mandate in their constituent instruments, have reviewed their mandate and scope to address international concerns. These actions are aimed to support RFMO/A members and other States in the implementation of international instruments for fisheries management and conservation.

D. Capacity building and the transfer of marine technology

27. FAO, as the UN specialized organization dealing with fisheries, has spearheaded a number of capacity development initiatives largely through the Fisheries and Aquaculture Department and with other units as appropriate, aimed at supporting sustainable use and conservation of fisheries resources, including some initiatives specifically developed to address ABNJ issues, a few of which are highlighted here:

- a. The Common Oceans ABNJ programme³³ aims to promote the efficient and sustainable management of fisheries resources and biodiversity conservation in the ABNJ. The programme consists of four projects, one of which is specific to capacity development in the ABNJ:
 - i. The ABNJ Capacity project³⁴, is co-led by FAO and the Global Oceans Forum and is devoted to capacity development at the policy level, including for cross-sectoral policy dialogue, knowledge management, and outreach. Since the start of the project, the main activities have included two international workshops held in Rome and Grenada, which aimed at building capacity in the management of ABNJ and two ABNJ Regional Leaders Program initiatives, both held in New York in the margins of BBNJ, which aimed at strengthening the capacity of regional leaders to effectively participate in regional and global ABNJ discussions.
 - ii. The ABNJ Deep-seas project³⁵ of the Common Oceans ABNJ programme, co-lead by FAO and UNEP, also contains many activities for regional capacity development in relation to the management of deep-sea fisheries. The project provides capacity development opportunities for, among others,

³⁰ www.commonoceans.org/tuna-biodiversity/en/#c158976

³¹ See for example: Performance Review Panel Report of NEAFC (http://archive.neafc.org/reports/annual-meeting/am_2006/docs/2006-31_review-vol_1.pdf); NAFO Performance Assessment Review 2011 (<http://www.nafo.int/publications/PAR-2011.pdf>); and SEAFO Report of the Performance Review Panel 2010 (www.seafo.org/media/0f02e6be-2f45-45e1-8cb4-36b50afb18f8/SEAFOweb/pdf/COMM/open/eng/Performance%20Review%20English%20Report-2010.pdf).

³² FAO. 2015. The implementation of performance review reports by regional fishery bodies, 2004–2014, by Péter D. Szigeti and Gail L. Lugten. FAO Fisheries and Aquaculture Circular No. 1108. Rome, Italy. (www.fao.org/3/a-i4869e.pdf)

³³ www.commonoceans.org

³⁴ www.commonoceans.org/strengthening-capacity/en/

³⁵ www.commonoceans.org/deep-seas-biodiversity/en/

policy and legal issues, the ecosystem approach to fisheries, vulnerable marine ecosystems, species identification, stock assessments, and area-based planning.

- iii. The ABNJ Tuna Project³⁶ implemented by FAO aims at achieving efficiency and sustainability in tuna production and biodiversity conservation in the ABNJ and harness the efforts of a large and diverse array of partners, including the five tuna RFMOs, governments, inter-governmental organizations, non-governmental organizations and private sector. The Project supports capacity development in various areas, in particular: (i) workshops and collaboration between scientists and managers to advance the development of science-based harvest strategies for all major tuna stocks; (ii) a certification-based training program that offers a new career path for enforcement and compliance officers; (iii) strengthening initiatives and developing and trailing new tools and innovative electronic monitoring systems to improve compliance by RFMO developing member States; and (iv) workshops to manage and conduct analyses of bycatch data and the effectiveness of bycatch mitigation measures for seabirds, turtles and sharks.
- b. FAO organizes and implements a number of regional workshops³⁷ for awareness raising, the exchange of best practices and knowledge-sharing in different regions related to the protection of vulnerable marine ecosystems (VMEs). Several regional workshops to raise awareness and promote best practice in deep-sea fisheries, which include looking at the use of VME criteria and appropriate management actions, have been organized in recent years and two additional workshops are planned for 2016. Regional workshops and training on taxonomy and the use of species identification guides for the identification of vulnerable deep-sea species, such as sharks, which are supplemented by the FAO species identification and data programme (FishFinder)³⁸ are also organized and constitutes an important integral part of the capacity development programme on deep-sea fisheries.
- c. FAO has a long-standing collaboration with Norway through the EAF-Nansen project³⁹ which supports the implementation of the ecosystem approach to marine fisheries management, mainly in African EEZs. The availability of a specialized research vessel has allowed initiatives to be undertaken, in collaboration with the Norwegian Institute for Marine Research⁴⁰, to improve the knowledge of fisheries resources and ecosystems in developing countries. In early 2015, the research vessel conducted deep-sea fisheries surveys in the Convention Area of the South East Atlantic Fisheries Organization (SEAFO)⁴¹. A new phase of the project in 2017 will allow for opportunities to be expanded for improving knowledge on marine ecosystems through capacity strengthening and the improvement of strategic partnerships.
- d. FAO also supports the implementation of the Agreement on Port State Measures to Prevent, Deter and

³⁶ www.commonoceans.org/tuna-biodiversity/en/

³⁷ See *inter alia*: FAO. Report of the Workshop on Deep-sea Species Identification, Rome, 2–4 December 2009. *FAO Fisheries and Aquaculture Report No. 947*. Rome, FAO. 2011. 209 pp. (www.fao.org/docrep/015/ba0088e/ba0088e.pdf); FAO. Report of the FAO Workshop on the Implementation of the International Guidelines for the Management of Deep-sea Fisheries in the High Seas – Challenges and Ways Forward, Busan, Republic of Korea, 10–12 May 2010. *FAO Fisheries and Aquaculture Report No. 948*. Rome, FAO. 2011. 74p. (www.fao.org/docrep/014/i2135e/i2135e00.pdf); FAO. 2013. Report of the Regional Workshop on Vulnerable Marine Ecosystems (VMEs) in the Indian Ocean, Flic en Flac, Mauritius, 25–27 July 2012. *FAO Fisheries and Aquaculture Report No. 1030*. Rome. 49 pp. (<http://www.fao.org/3/a-i3311e.pdf>); FAO. 2013. Report on the FAO Regional Workshop on the Development of Species Identification Guides for Deep-sea Cartilaginous Fishes of the Indian Ocean, Flic en Flac, Mauritius, 16–18 January 2013. *FAO Fisheries and Aquaculture Report No. 1050*. Rome. 31 pp. (www.fao.org/docrep/018/i3376e/i3376e.pdf); FAO/Western Central Atlantic Fishery Commission. 2015. Report of the first meeting of the WECAFC Working Group on the Management of Deep-sea Fisheries, Christ Church, Barbados, 30 September–2 October 2014. *FAO Fisheries and Aquaculture Report No. 1087*. Bridgetown, FAO. 61 pp. (<http://www.fao.org/3/a-i4329e.pdf>); FAO. 2015. Report of the Regional Workshop on Vulnerable Marine Ecosystems in the Southeast Atlantic Ocean, Swakopmund, Namibia, 15–17 April 2013. *FAO Fisheries and Aquaculture Report No. 1085*. Rome, Italy. (www.fao.org/3/a-i4923e.pdf); FAO. 2016. Report of the FAO Regional Workshop on Vulnerable Marine Ecosystems (VMEs) in the North Pacific Ocean, 11–13 March 2014. *FAO Fisheries and Aquaculture Report No. 1121*. Rome, Italy. (www.fao.org/3/a-i5319e.pdf).

³⁸ www.fao.org/fishery/fishfinder/about/en

³⁹ www.fao.org/in-action/eaf-nansen/en

⁴⁰ www.imr.no/en

⁴¹ www.seafo.org/About/Convention-Area

Eliminate Illegal, Unreported and Unregulated Fishing (Port State Measures Agreement)⁴², with programme activities aimed at facilitating the entry into force of the Agreement and its implementation. Several regional workshops have been organized that contribute to the development of national capacity in order to maximize the benefits available through the effective use of the Port State Measures Agreement and promote bilateral, sub-regional, and/or regional coordination.

- e. Finally FAO, in collaboration with UNDOALOS, manages the Assistance Fund under Part VII of the United Nations Fish Stocks Agreement (UNFSA)⁴³, which plays an important role in assisting developing State Parties to UNFSA with the implementation of this instrument.

28. All of these efforts are embedded in the FAO Blue Growth Initiative⁴⁴ supporting capacity development throughout the range of issues relating to fisheries through work at the global, regional, and national levels.

E. EXISTING INSTRUMENTS AND INITIATIVES

29. Binding and voluntary instruments that have been negotiated or developed under the auspices of the FAO to support the sustainable management of marine living resources in the ABNJ 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 (LOSC)⁴⁵.

30. In relation to the sustainable use and conservation of marine living resources in ABNJ, the instruments identified may be categorized broadly as: providing general policy guidance, supporting the management of deep-sea fisheries, and enhancing monitoring, control and surveillance. These instruments include:

- a. Code of Conduct for Responsible Fisheries⁴⁶ (and its technical guidelines).
 - i. FAO Technical Guidelines on the Ecosystem Approach to Fisheries⁴⁷.
 - ii. FAO Technical Guidelines on Marine Protected Areas⁴⁸.
- b. Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (Compliance Agreement)⁴⁹.
- c. Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing (Port State Measures Agreement)⁵⁰.

⁴² FAO. 2016. Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Accord relatif aux mesures du ressort de l'État du port visant à prévenir, contrecarrer et éliminer la pêche illicite, non déclarée et non réglementée. Acuerdo sobre medidas del Estado rector del Puerto destinadas a prevenir, desalentar y eliminar la pesca ilegal, no declarada y no reglamentada. Rome/Roma, Italy/Italie/Italia. (www.fao.org/3/a-i5469t.pdf).

⁴³ www.un.org/depts/los/convention_agreements/fishstocktrustfund/fishstocktrustfund.htm

⁴⁴ www.fao.org/3/a-mk541e/mk541e02.pdf

⁴⁵ [/www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf](http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf)

⁴⁶ FAO. Code of Conduct for Responsible Fisheries. Rome, FAO. 1995. 41p. (www.fao.org/3/a-v9878e.pdf)

⁴⁷ FAO. Fisheries Department. The ecosystem approach to fisheries. *FAO Technical Guidelines for Responsible Fisheries*. No. 4, Suppl. 2. Rome, FAO. 2003. 112p. ([/www.fao.org/3/a-y4470e.pdf](http://www.fao.org/3/a-y4470e.pdf)).

⁴⁸ FAO. Fisheries Management. 4. Marine protected areas and fisheries. *FAO Technical Guidelines for Responsible Fisheries*. No. 4, Suppl. 4. Rome, FAO. 2011. 198p. (www.fao.org/docrep/015/i2090e/i2090e.pdf)

⁴⁹ FAO. 1995. Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas. Rome, Italy. (www.fao.org/docrep/meeting/003/x3130m/X3130E00.htm).

⁵⁰ FAO. 2016. Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Accord relative aux mesures du resort de l'État du port visant à prévenir, contrecarrer et éliminer la pêche illicite, non déclarée et non réglementée. Acuerdo sobre medidas del Estado rector del Puerto destinadas a prevenir, desalentar y eliminar la pesca ilegal, no declarada y no reglamentada. Rome/Roma, Italy/Italie/Italia. (www.fao.org/3/a-i5469t.pdf).

- d. Voluntary Guidelines for Flag State Performance⁵¹.
- e. International Guidelines for the Management of Deep-sea Fisheries in the High Seas (FAO Deep-sea Fisheries Guidelines)⁵².
- f. International Guidelines on Bycatch Management and Reduction of Discards⁵³.

31. The Code of Conduct for Responsible Fisheries⁵⁴ contains general principles defined in accordance with the relevant rules of international law, for responsible fishing and related activities, taking into account all their relevant biological, technological, economic, social, environmental and commercial aspects (Articles 6 and 7). Responsibilities of States in relation to fishing operations are set out in the instrument, particularly in Article 8. Provisions of the Code are supplemented by technical guidelines such as the guidelines on the application of the ecosystem approach and on marine protected areas.

32. For deep-sea fisheries, the FAO Deep-sea Fisheries Guidelines were developed in order to assist States and RFMO/As in sustainably managing deep-sea fisheries and in implementing the United Nations General Assembly Resolution 61/105, paragraphs 76-95, concerning responsible fisheries in the marine ecosystem.

33. The FAO Deep-sea Fisheries Guidelines call upon States and RFMO/As to establish measures to prevent significant adverse impacts on vulnerable marine ecosystems, and as such provides advice on impact assessments (paragraphs 42 – 53 and Annex).

34. RFMO/As that manage deep-sea fisheries have, under the recommendations of related UNGA resolutions, the FAO Deep-sea Fisheries Guidelines, and the general provisions of the LOSC, established conservation and management measures, recommendations, and resolutions for the sustainable use of deep-sea fisheries and the conservation of VMEs⁵⁵.

35. These measures include, but are not limited to, catch and effort limits for targeted deep-sea fisheries, gear regulations for the reduction of bycatch, specific measures to reduce the incidental mortality of associated species such as seabirds, sea turtles, and marine mammals, and VME-related measures (including the designation of VME closures or other fishery closures).

36. On monitoring, control and surveillance, the Port State Measures Agreement, Guidelines on flag State performance, and Compliance Agreement are pertinent. The Port State Measures Agreement is designed to prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing through the implementation of

⁵¹ FAO. 2015. Voluntary Guidelines for Flag State Performance. Directives volontaires pour la conduite de l'État du pavillon. Directrices Voluntarias para la Actuación del Estado del Pabellón. Rome/Roma. 53pp. (www.fao.org/3/a-i4577t.pdf).

⁵² FAO. International Guidelines for the Management of Deep-sea Fisheries in the High Seas. Directives internationales sur la gestion de la pêche profonde en haute mer. Directrices Internacionales para la Ordenación de las Pesquerías de Aguas Profundas en Alta Mar. Rome/Roma, FAO. 2009. 73p. (www.fao.org/docrep/011/i0816t/i0816t00.HTM)

⁵³ FAO. International Guidelines on Bycatch Management and Reduction of Discards. Directives internationales sur la gestion des prises accessoires et la réduction des rejets en mer. Directrices Internacionales para la Ordenación de las Capturas Incidentales y la Reducción de los Descartes. Rome/Roma, FAO. 2011. 73 pp. (www.fao.org/3/a-ba0022t.pdf).

⁵⁴ FAO. Code of Conduct for Responsible Fisheries. Rome, FAO. 1995. 41p. (www.fao.org/3/a-v9878e.pdf)

⁵⁵ See: CCAMLR Conservation Measure 22-06: Bottom fishing in the Convention Area (www.ccamlr.org/en/measure-22-06-2015); GFCM Resolution GFCM/37/2013/1 on area based management of fisheries, including through the establishment of Fisheries Restricted Areas (FRAs) in the GFCM convention area and coordination with the UNEP-MAP initiatives on the establishment of SPAMIs (www.fao.org/3/a-ax392e.pdf); NAFO Conservation and Enforcement Measures Chapter II: Protection of vulnerable marine ecosystems (VMEs) in the regulatory area from bottom fishing activities (<http://archive.nafo.int/open/fc/2015/fdoc15-01.pdf>); NEAFC Recommendation 19:2014: Protection of VMEs in NEAFC Regulatory Area as Amended by Recommendation 09:2015 (www.neafc.org/system/files/Rec_19-2014_as_amended_by_09_2015_fulltext_0.pdf); NPFC Main text of the interim measures Annex 2 (Northwestern Pacific Ocean): Standard of identification of VMEs and assessment of impacts on VMEs (<http://nwpbfo.nomaki.jp/IM-Annex2.pdf>) and Annex 1 (Northeastern Pacific Ocean; <http://nwpbfo.nomaki.jp/IM-Annex1.pdf>); SEAFO Conservation Measure 30/15 on Bottom Fishing Activities and Vulnerable Marine Ecosystems in the SEAFO Convention Area (www.seafo.org/media/8933d489-854c-4c99-895e-66573c7010a4/SEAFOweb/CM/open/eng/CM30-15.pdf); SPRFMO Conservation and Management Measure 4.03: Bottom fishing in the SPRFMO Convention Area (www.sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/CMM-4.03-Bottom-Fishing-2016-4Mar2016.pdf).

effective port State measures. Minimum standards prescribed in this instrument promote a level of uniformity in the application of port State measures. The Port State Measures Agreement entered into force on 5 June 2016.

37. The Compliance Agreement is a binding instrument which specifies flag States' responsibility in respect of fishing vessels entitled to fly their flags and operating on the high seas, including the authorization by the flag State of such operations, as well as through strengthened international cooperation and increased transparency through the exchange of information on high seas fishing.

38. In contrast, the Guidelines on flag State performance are voluntary but certain elements are based on relevant rules of international law including those reflected in the LOSC. The guidelines aim to promote the effective implementation of flag State responsibilities.

39. Moreover, measures of RFMO/As also include comprehensive provisions for the monitoring, control and compliance of fishing vessels operating in their respective areas of competence, as well as protocols for data reporting and research.

40. Finally, each of these instruments contain provisions on the recognition of the special requirements of developing States including the development of capacity. Article 21 of the Port State Measures Agreement includes the establishment of an ad hoc working group that periodically reports and make recommendations to the Parties on the establishment of funding mechanisms including a scheme for contributions, identification and mobilization of funds, the development of criteria and procedures to guide implementation, and progress in the implementation of funding mechanisms.

ANNEX I: AREA-BASED MEASURES AND VME CRITERIA

Area-based measures in RFMO/As

1. Provisions for area-based measures in RFMO/As are varied, however in most cases the RFMO/As have adopted certain procedures taking measures in areas where VMEs are known or likely to occur. All current VME closures are presented in the online VME DataBase⁵⁶. In some cases, VME closures are implemented as precautionary measures until more scientific knowledge is known and analyzed on the potential risks of negatively impacting VMEs in the closed area whereas in other regions measures have been taken based on scientific inputs.

2. If evidence of VMEs are encountered during the course of normal bottom fishing operations in existing fishing areas, a general response by the relevant management body is to temporarily close the area until the relevant scientific body determines the impacts of the fishing activity on VMEs known or likely to occur in the area. If no impact is determined, the area is reopened to fishing. If an impact is determined and it is considered to be significantly adverse on the VME, the area remains closed to bottom fishing activities until further consideration. In general, many VME closures are designated as precautionary measures until further research can be conducted in the area. The FAO Deep-sea Fisheries Guidelines note that: "...In circumstances of limited information, States and RFMO/As should apply the precautionary approach in their determinations regarding the nature and duration of impacts." (paragraph 20).

3. CCAMLR has measures for both VME closures and other protected areas. Under the general framework for the establishment of CCAMLR MPAs (CM 91-04)⁵⁷, CCAMLR MPAs will be established on the basis of the best available scientific evidence and following advice from the Scientific Committee. As such, CCAMLR MPAs will be established for the achievement of certain objectives that include inter alia the protection of representative examples of marine ecosystems, biodiversity and habitats, and key ecosystem processes. In establishing these

⁵⁶ www.fao.org/in-action/vulnerable-marine-ecosystems/vme-database/en/

⁵⁷ www.ccamlr.org/en/measure-91-04-2011

MPAs, the Commission will adopt conservation measures to include the specific objectives of the MPA, spatial boundaries of the MPA, activities that are restricted or prohibited in the MPA, the period of designation, and priority elements for a management plan and a research and monitoring plan.

4. In the GFCM area, Fisheries Restricted Areas (FRAs) are established to ensure the protection of deep-sea sensitive habitats in delimited areas. FRAs regulate or restrict human activities in these areas by either introducing closures or prohibiting the use of certain gears. Additionally, in 2005 the GFCM endorsed the decision to prohibit bottom-trawling activities in waters deeper than 1 000 m in order to protect the deep-sea benthic environments of the Mediterranean and Black Sea.

5. The FAO Deep-sea Fisheries Guidelines provide guidance on identifying VMEs and assessing significant adverse impact (SAI). The guidelines provide a list of characteristics that should be used as criteria in the identification of VMEs, which include (paragraph 42):

- i. uniqueness or rarity; an area or ecosystem that is unique or that contains rare species whose loss could not be compensated for by similar areas or ecosystems; These include:
 - habitats that contain endemic species;
 - habitats of rare, threatened or endangered species that occur only in discrete areas; or
 - nurseries or discrete feeding, breeding, or spawning areas.
- ii. functional significance of the habitat: discrete areas or habitats that are necessary for the survival, function, spawning/reproduction or recovery of fish stocks, particular life-history stages (e.g., nursery grounds or rearing areas) or of rare, threatened or endangered marine species.
- iii. fragility: an ecosystem that is highly susceptible to degradation by anthropogenic activities.
- iv. life history traits of component species that make recovery difficult- ecosystems that are characterized by populations or assemblages of species with one or more of the following characteristics:
 - Slow growth rates;
 - Late age of maturity;
 - Low or unpredictable recruitment; or
 - Long-lived.
- v. structural complexity: an ecosystem that is characterized by complex physical structures created by significant concentrations of biotic or abiotic features. In these ecosystems, ecological processes are usually highly dependent on these structures systems. Further, such ecosystems often have high diversity, which is dependent on the structuring organism.

6. The Annex to the Guidelines also give examples of potentially vulnerable species groups, communities, and habitats, as well as features that potentially support them. This includes Examples of species groups, communities and habitat forming species that are documented or considered sensitive and potentially vulnerable to DSFs in the high-seas, and which may contribute to forming VMEs as well as examples of topographical, hydrophysical or geological features, including fragile geological structures, that potentially support the species groups or communities.

7. Following this guidance, some RFMO/As have developed species lists for VME indicator species⁵⁸.

⁵⁸ NAFO identification guide for coral, sponge, and other vulnerable marine ecosystem indicators (www.nafo.int/publications/studies/vme-guide.html); CCAMLR VME taxa classification guide (<https://www.ccamlr.org/en/document/publications/vme-taxa-classification-guide>); SEAFO identification guide for corals and sponges for use by sea-going observers in the SEAFO Convention Area ([/www.seafo.org/media/99e0a982-a325-49d4-af88-97c0f484e3c8/SEAFOweb/pdf/SC/open/eng/SEAFO%20Sponges%20and%20Coral%20Guide%20Ramos%20et%20al%202009SEAFOfINAL_pdf](http://www.seafo.org/media/99e0a982-a325-49d4-af88-97c0f484e3c8/SEAFOweb/pdf/SC/open/eng/SEAFO%20Sponges%20and%20Coral%20Guide%20Ramos%20et%20al%202009SEAFOfINAL_pdf)).

ANNEX II: ENVIRONMENTAL IMPACT ASSESSMENTS

1. The FAO Deep-sea Fisheries Guidelines also contain specific provisions detailing information necessary for an impact assessment in ABNJ deep-sea fisheries (paragraph 47):

Flag States and RFMO/As should conduct assessments to establish if deep-sea fishing activities are likely to produce significant adverse impacts in a given area. Such an impact assessment should address, inter alia:

- i. type(s) of fishing conducted or contemplated, including vessels and gear types, fishing areas, target and potential bycatch species, fishing effort levels and duration of fishing (harvesting plan);
- ii. best available scientific and technical information on the current state of fishery resources and baseline information on the ecosystems, habitats and communities in the fishing area, against which future changes are to be compared;
- iii. identification, description and mapping of VMEs known or likely to occur in the fishing area;
- iv. data and methods used to identify, describe and assess the impacts of the activity, the identification of gaps in knowledge, and an evaluation of uncertainties in the information presented in the assessment;
- v. identification, description and evaluation of the occurrence, scale and duration of likely impacts, including cumulative impacts of activities covered by the assessment on VMEs and low productivity fishery resources in the fishing area;
- vi. risk assessment of likely impacts by the fishing operations to determine which impacts are likely to be significant adverse impacts, particularly impacts on VMEs and low-productivity fishery resources; and
- vii. the proposed mitigation and management measures to be used to prevent significant adverse impacts on VMEs and ensure longterm conservation and sustainable utilization of low-productivity fishery resources, and the measures to be used to monitor effects of the fishing operations.

2. Of the seven RFMO/As in force with the mandate to manage deep-sea fisheries in the ABNJ, six have conservation measures in place with provisions for environmental impact assessments in the context of exploratory fisheries (SEAFO, CCAMLR, NEAFC, NPFC, SPRFMO, and NAFO)⁵⁹. In general, these impact assessments draw upon the relevant paragraphs of the FAO Deep-sea Fisheries Guidelines for environmental impact assessments (paragraphs 47 – 53). In these cases, individual States undertake the impact assessments as part of the initial process for conducting exploratory fisheries. Paragraph 48 of the FAO Deep-sea Fisheries Guidelines states that: “Risk assessments [...] should take into account, as appropriate, differing conditions prevailing in areas where [deep-sea fisheries] are well established and in areas where [deep-sea fisheries] have not taken place or only occur occasionally.”

⁵⁹ See: South East Atlantic Fisheries Organisation: Conservation Measure 30/15 on Bottom Fishing Activities and Vulnerable Marine Ecosystems in the SEAFO Convention Area <<http://www.seafo.org/Management/Conservation-Measures>>; Commission on the Conservation of Antarctic Marine Living Resources Conservation Measure 22-06 (2015) Bottom fishing in the Convention Area (www.ccamlr.org/en/measure-22-06-2015); North East Atlantic Fisheries Commission: Recommendation 19 2014: Recommendation on the Protection of Vulnerable Marine Ecosystems in NEAFC Regulatory Area as Amended by Recommendation 09:2015 (www.neafc.org/system/files/Rec_19-2014_as_amended_by_09_2015_fulltext_0.pdf) ; North Pacific Fisheries Commission: New Mechanisms for Protection of Vulnerable Marine Ecosystems and Sustainable Management of High Seas Bottom Fisheries in the Northwestern Pacific Ocean (<http://nwpbfo.nomaki.jp/IM-maintext.pdf>) and Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (<http://nwpbfo.nomaki.jp/IM-Annex1.pdf>); South Pacific Regional Fisheries Management Organisation CMM 4.03 Conservation and Management Measure for the Management of Bottom Fishing in the SPRFMO Convention Area (www.sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/CMM-4.03-Bottom-Fishing-2016-4Mar2016.pdf) and the Bottom Fishery Impact Assessment Standard (www.sprfmo.int/assets/Meetings/Meetings-before-2013/Scientific-Working-Group/SWG-06-2008/a-Miscellaneous-Documents/SPRFMO-Bottom-Fishing-Impact-Assessment-Standardagreed-Vanuatu-Fri23Sep2011-1140am.pdf); Northwest Atlantic Fisheries Organisation: NAFO Conservation and Enforcement Measures 2015, NAFO/FC Doc. 15/01, Chapter II (Articles 15 – 24).

3. In general, the impact assessment provisions for the RFMO/As include requirements for Contracting Parties to gather relevant data to facilitate assessments of exploratory bottom fishing by the relevant scientific body of the RFMO/As. The measures provide that such data would include information from sea-bed mapping programmes (e.g., echo-sounders, multi-beam sounders).

4. Broadly, the Contracting Party wishing to conduct exploratory bottom fishing in the competence area must first submit to the Secretariat of the relevant regional organization a Notice of Intent to undertake exploratory bottom fishing, providing information on the harvesting plan, a mitigation plan, a catch monitoring plan, a sufficient system for recording/reporting of catch, a fine-sale data collection plan on the distribution of intended tows and sets, a data collection plan to facilitate the identification of VMEs in the area fished, plans for monitoring bottom fishing activities using gear monitoring technology, and monitoring data. Once the required information is submitted to the relevant scientific body, the data is reviewed and if it is determined that no SAIs will occur on VMEs in the proposed area, permission will be granted for the proposed fishing to commence.

5. To date, SEAFO, CCAMLR, and NEAFC have all considered impact assessments submitted by Members for exploratory fishing, and all have been granted permission to proceed with the activity. In some other regions where the RFMO/A was not yet in force at the adoption of UNGA res. 61/105, a part of the resolution applied which calls upon flag States to either adopt or implement measures in accordance with paragraph 83 in ABNJ (paragraph 86). As such, prior to the entry of SPRFMO into force Australia and New Zealand developed individual impact assessment protocols for use in what is now the SPRFMO Convention Area. Currently, SPRFMO has Conservation and Management Measure 4.03, which contains provisions for assessments of bottom fishing (paragraphs 10 and 11) that are in accordance with the FAO Deep-sea Fisheries Guidelines.

Examples of regional activities

South East Atlantic

6. In the SEAFO Convention Area, Japan undertook impact assessments prior to the commencement of exploratory bottom longline fisheries in a new fishing area for Patagonian toothfish in 2012-2013. In this case, the results were reviewed by the Scientific Committee⁶⁰, which determined that no SAIs would occur on VMEs, and the proposed areas were opened to bottom fishing⁶¹.

North East Atlantic

7. In the NEAFC Regulatory Area, impact assessments have been conducted by Spain as part of collaborative research initiatives between scientists and fishermen. The Spanish Institute of Oceanography (IEO) led two of these initiatives for the Hatton Bank (under the old NEAFC protocol), and the Central Barents Sea (under the new NEAFC protocol). In the Hatton Bank impact assessment, habitat mapping surveys, as well as bottom trawl and bottom longline exploratory surveys were conducted, which resulted in the identification of several VME areas, which were subsequently closed to fishing.

South Pacific

8. Before the entry into force of the SPRFMO Convention, interim measures existed with guidance on impact assessments in the SPRFMO area for exploratory bottom fisheries. During this time, New Zealand

⁶⁰ SEAFO. 2013. Report of the SEAFO Scientific Committee, 30 September – 11 October 2013, Swakopmund, Namibia. (www.seafo.org/media/00bfc878-a115-4573-a016-ee776f876332/SEAFOweb/pdf/SC/open/eng/SC%20Report%202013.pdf).

⁶¹ Decision 6.3.3 of the SEAFO Annual Commission Report, 9 – 12 December 2013, Swakopmund, Namibia (www.seafo.org/media/37233d87-8b52-45ea-8c24-56a01ae0b169/SEAFOweb/pdf/COMM/open/eng/Annual%20Commission%20Report%202013).

developed Bottom Fishery Impact Assessment procedures⁶² as required by those interim measures. Broadly, the procedures specify that the type of information to be provided will include a description of proposed fishing activities, mapping and description of proposed fishing areas, evaluation of expected interaction with VMEs and ecosystem impacts, status of the deepwater stocks to be fished, information gathering and reporting, management and mitigation measures, and environmental impact assessments for the identification of potential adverse impacts on benthic VMEs and other vulnerable species. Australia also conducted a bottom fishery impact assessment for Australian vessels fishing in the area of application of SPRFMO (prior to its entry into force), using data from the 2002-2009 period⁶³. The assessment focused primarily on the risk of direct impacts by bottom fishing on VMEs, and considered impact and risk, and defined the dependency of these elements on spatial and temporal scales. The assessment concluded that the overall risk of SAIs on VMEs by Australian vessels fishing with bottom trawls and bottom-set auto-longlines was low at the time of the assessment.

Some experiences from the use of environmental impact assessments in the ABNJ

9. In May 2015 FAO organized in Arendal, Norway a technical expert workshop looking at, amongst others, the experience with the use of impact assessments in the context of assessing impacts on VMEs in deep-sea fisheries in the ABNJ. Some of the observations that emerged from the workshop with regards to impact assessments are included here:

- i. The general components of an effective environmental impact assessment (EIA), according to the CBD, include: screening, scoping, analysis and evaluation, reporting, review, decision-making, monitoring, compliance and enforcement, and auditing. Earlier analyses have concluded that the FAO Deep-sea Fisheries Guidelines are in line with the CBD Impact Assessment Guidelines for Biodiversity.
- ii. The FAO Deep-sea Fisheries Guidelines have been used for guidance to develop regional protocols relating to impact assessments for deep-sea bottom fisheries by the RFMO/As and their members and cooperating non-contracting parties (CNCs).
- iii. Most of the existing regional bodies responsible for the management of deep-sea bottom fisheries have developed protocols and processes in support of assessing the impacts of bottom fisheries. In areas where RFMO/As are not yet fully operational or not established, some flag states have established such protocols and processes as interim unilateral arrangements.
- iv. Key steps in the assessment process for exploratory fisheries are: pre-assessment by the proposing “State Party”, assessment of the pre-assessment by the competent body (often the scientific body) followed by a decision of the RFMO/As to allow or not allow the exploratory fishery to proceed, Assessment of the conducted exploratory fisheries and decision on possible action by the RFMO/As. There is limited experience with reviewing the different steps of the exploratory impact assessments, with the exception of the CCAMLR, very few proposals for exploratory fishing have been put forward (2 in Southeast Atlantic Fisheries Organisation (SEAFO) area, 1 in North-East Atlantic Fisheries Commission area (NEAFC) and 1 in the Northwest Atlantic Fisheries Organization area (NAFO), and these are currently at the early stages of the process (pre-assessment or start of exploratory fishing).
- v. While tailoring to regional needs is necessary, it should be an aim to achieve higher level of consistency in the way impact assessment are conducted across RFMO/As.

⁶² New Zealand Ministry of Fisheries. 2008. *Bottom fishery impact assessment: bottom fishing activities by New Zealand vessels fishing in the high seas in the SPRFMO Area during 2008 and 2009*. Ministry of Fisheries, New Zealand. (www.fish.govt.nz/NR/rdonlyres/344F062B-5331-481B-ADD7-FBF244566A96/0/NewZealandBottomFisheryImpactAssessmentv11cDec20082small.pdf).

⁶³ CSIRO. 2011. *Bottom Fishery Impact Assessment. Australia report for the South Pacific Regional Fisheries Management Organisation (SPRFMO)*. (www.sprfmo.int/assets/Meetings/Meetings-before-2013/Scientific-Working-Group/SWG-10-2011/SWG-10-DW-01a-Australian-BFIA-Final-Report.pdf).

- vi. There are key challenges with respect to developing, using and implementing regional and national impact assessment frameworks and in addressing the elements of paragraph 47 of the FAO Deep-sea Fisheries Guidelines. The challenges include: (i) access to adequate information and data to explain baseline situations with regards to status of fish resources, ecosystems, habitats and communities against which future changes can be measured; (ii) mapping of areas likely to contain VMEs, and (iii) evaluation of impacts including the need for having a transparent approach for assessing risks and incorporating uncertainty adapted to the regional situation.
- vii. The experience from CCAMLR shows that with a growing number of initial proposals and reviews, there is a high time demand on existing structures to analyze the pre-assessment and conduct the required reviews of the impact assessments. The additional work associated with a rigorous impact assessment process may also be a particular burden for newer RFMO/As, such as the South Pacific Regional Fisheries Management Organisation (SPRFMO), the Southern Indian Ocean Fisheries Agreement (SIOFA) and the North Pacific Fisheries Commission (NPFC), and their members and CNCPs (which will include a number of developing countries) who may struggle to have the capacity to address all of the different aspects with the human and financial resources at hand.
- viii. Many developing countries and small island developing states (SIDS) lack the capacity to develop pre-assessments. The FAO Deep-sea Fisheries Guidelines recognizes the special requirements for developing countries and this should be addressed when developing new or amending existing frameworks in order to ensure the equal possibility for all countries to participate.

ANALYTICAL COMPILATION OF THE PERFORMANCE REVIEW REPORTS: METHODS, CONTENT AND THE WAY FORWARD

General Considerations

1. The UN General Assembly (UNGA) and the Committee on Fisheries (COFI) have urged the importance of conducting performance reviews with some element of independent evaluation to be undertaken for regional fisheries management organizations and Arrangements (RFMOs/As), with the final goal of ensuring the sustainable use and conservation of the fisheries resources, also implementing the ecosystem approach to fisheries (EAF).
2. The Twenty-sixth Session of COFI (2005) recognized that scrutiny by the broader international community by means of independent assessments of the performance of RFMOs could make a contribution in this regard. To date, there is broad support for the performance assessment to be independent, rather than being carried out solely by RFMOs themselves. This was a major shift in what had been originally proposed during the Second Meeting of Regional Fishery Bodies in 2001 (RFB 2) where most of the representatives of the Regional Fishery Bodies (RFBs) “were of the view that evaluation was a matter for the RFB itself”¹.
3. The visibility and usefulness of the performance assessments and their impact on future performance is potentially much higher if this is carried out on behalf of the UNGA or the FAO. This clear shift shows the willingness of States (through the RFB they are member of) to improve and move in the right direction and it is expected that the same spirit will continue in the future application of this very important process of performance reviews which, as noted during the Resumed Review Conference on the UN Fish Stocks Agreement (UNFSA), still requires some adjustments in order to properly secure the final goal of conservation and sustainable use of the marine resources.

Concerns and issues in conducting performance reviews emerged from FAO Circular No.1108

4. As shown in the FAO Circular No. 1108, “The Implementation of Performance Review Reports by Regional Fishery Bodies, 2004-2014”², it is sometimes difficult to determine what counts as an independent, external performance review.
5. In fact, many of the performance reviews feature “external review” or “independent review” on their title, but the composition of the review panels is more typically mixed, including “internal” members on the panel, such as the chairs of certain committees, or panel members nominated by member States, thus making it difficult to categorize the “internal” or “external” status of a given expert. However, while the composition of panels should include, at least, one fisheries scientist, one international legal expert, and one person with long experience regarding fisheries management or RFBs, the value of having “internal” experts bringing valuable institutional knowledge in the assessment process has also been noted.

¹ FAO Fisheries Report No.645, par.20, available at: www.fao.org/3/a-y0593e.pdf

² Available at www.fao.org/3/a-i4869e.pdf

6. The recommendations set down by the UNGA call for the use of transparent criteria based on the provisions of relevant instruments, including the best practices of the RFMOs/As and further encourages that such performance reviews include some element of independent evaluation. They call on the need to ensure that the results be made publicly available. Such criteria are also found in some of the legal instruments establishing RFBs, as well as UN Conventions and related binding and non-binding instruments on fisheries.

7. The circular shows that the methodology of performance reviews has stayed relatively stable throughout, thus permitting a collection of RFB best practices to be assembled quite easily to and provides a set of results that are comparable. Moreover, it also notes that the criteria developed in 2007 for the use of said tuna organizations' reviews (Kobe criteria³) have become the criteria of choice for a large number of RFBs, while certain RFMOs had criteria of a limited scope, such as for the investigation of financial and administrative practices only.

8. Considering each individual RFMO operates in a relatively unique geo-political environment, while there is nevertheless a strong degree of commonality in the factors affecting their performance however, specific factors in each regional context should be taken into consideration and reflected in the criteria applied, aware of the difficulties in finding criteria that will be accepted by all regions.

9. The FAO Circular provides a list of criteria for performance reviews which represents currently accepted global best practices, namely:

- Conservation and management of fish stocks;
- Compliance with and enforcement of international obligations;
- Legal framework, financial affairs, organization;
- Cooperation with other international organizations and non-member States.

Further criteria in some performance reviews also include the socio-economic aspects of fishing, the duties of RFBs towards developing countries, and the possible effects of fleet modernization.

10. While reiterating the difficulties in having well-accepted and valuable criteria that are able to capture the specific context in which a regional body is operating, it would be important to ensure the performance be translatable into correspondingly holistic accounting measures so that management is able to track their performance. It is clear that a universalization of the criteria may seem improbable due to the geographical, socio-cultural and economical difference between RFBs and their members, however some criteria could be tailored to the specific needs and difficulties of each regional context.

11. The Circular also shows that Panels rely primarily on official documents of the RFB, interviews of officials working for the RFB who are nationals of the members of the RFB, and questionnaires sent to their members. Moreover, it also notes that performance reviews include analysis of the foundational texts of the RFB, which are examined vis-à-vis the international conventions and soft-law fishery instruments.

12. However, the circular also shows that no panel annexes the full record of data used to create its report, and the vague language normally used creates the impression that a deliberate effort is being made not to mention members by name, thus making confidentiality a prerequisite for the interviews.

13. The low response rate of Members to the questionnaires, the anonymity of the answers which does not allow it to be linked to other data about member States' fishing capacities, fish consumption and other relevant

³ Appendix 4, FAO Circular No. 1108.

statistics, and the lack of clarity in the costs/funds spent, are other issues found in this methodology of conducting performance reviews.

Outcome of the resumed Review Conference on the UNFSA

14. RFBs and their performance were discussed during the Resumed Review Conference on the UNFSA held from 23 to 27 May 2016. The Conference agreed, among other things, on the need to undertake regular performance reviews of RFMOs and develop best practice guidelines for conducting performance reviews and implementing their results.

15. The following criteria and elements have been mentioned/suggested by several parties during the Conference, such as:

- Enhancing performance review consistency;
- Making performance review of RFMOs mandatory;
- The need for performance assessments of RFMO members;
- Stepwise approach and follow-up mechanism for implementing performance review recommendations;
- An adaptive, independent and regular review exercise;
- Ensuring the principle of accountability, transparency and participation from civil society;
- Time-bound implementation of recommendations;
- Ensuring regular RFMO performance reviews that include some element of independent evaluation, seeking information from all stakeholders;
- Establishing mechanisms to follow-up actions and implementation of performance review recommendations, when necessary, in a timely manner, including transparency and accountability.

Future reviews of Performance Reviews

16. The willingness and capacity of both the RFMO as a whole, as well as its individual member States, is perhaps the most crucial element in improving performance. This is why there has been an increased focus on performance assessment and review. Overall, it should be noted that both the structure of these regional fishery bodies as well as the way (and elements) in which their performance review are conducted are characterized by a high degree of heterogeneity.

17. The outcome of the Resumed Review Conference on the UNFSA, clearly indicates the need to adjust, or in some other cases include, new elements and criteria to be considered when conducting performance reviews, so as to ensure a complete and clear picture of how the RFBs are performing. The attention given by the international community to the issue of performance of RFBs is thus making clear the need of tailoring the forthcoming performance reviews to the above-mentioned principles and elements. At the same time, this momentum may also call for the need of producing another similar circular to those published by FAO in 2012 and 2015.

18. FAO, as the UN specialized agency dealing with fisheries and aquaculture-related issues, and also providing technical and administrative assistance to several RFBs (FAO and non-FAO), produced the circular “The Implementation of Performance Review Reports by Regional Fishery Bodies, 2004-2014” in 2015 and it is

now in the process of looking at possible modalities and criteria for the development of another similar document. In the process leading to the development of such a circular providing an analytical compilation of RFBs performance reviews, it is envisaged that inputs and views from Secretaries of RFBs, based on the key findings that came out of Circular No. 1108, be taken into consideration so as to guarantee a constructive consultative process.

NOTE BY THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS ON REINFORCING THE USE OF THE PART VII ASSISTANCE FUND

1. Introduction¹

By paragraph 10 of its resolution A/58/14, adopted on 24 November 2003, the United Nations General Assembly (UNGA) established an Assistance Fund under Part VII of the 1995 Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Agreement) to assist developing States Parties in the implementation of the Agreement.

The Part VII Fund is jointly administered by the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS). The Fund plays an important role in assisting developing States Parties in the implementation of the Agreement. Despite generous contributions by States Parties over the years², the Fund is once again nearing depletion.

2. Call for contributions

In a letter to Permanent Representatives in New York, dated 11 December 2014, the Assistant Director-General of the FAO Fisheries and Aquaculture Department and the Director of DOALOS invited Governments to consider contributing to the Assistance Fund. Following this letter, only the Government of Norway contributed to the fund with a donation of \$200,000.

In paragraph 191 of its resolution 70/75 of 8 December 2015 on Sustainable fisheries, the UNGA addresses the same issue by encouraging “States, individually and through regional fisheries management organizations and arrangements, to provide greater assistance and to promote coherence in such assistance for developing States in designing, establishing and implementing relevant agreements, instruments and tools for the conservation and sustainable management of fish stocks, including in designing and strengthening their domestic regulatory fisheries policies and those of regional fisheries management organizations or arrangements in their regions, and the enhancement of research and scientific capabilities through existing funds, such as the Assistance Fund under Part VII of the Agreement”.

3. Use of the Fund

Paragraph 14 of the Terms of Reference provide for several purposes for which assistance could be granted including³:

- a. Facilitating the participation of representatives from developing States Parties, in particular the least-developed among them and small island developing States Parties to the Agreement, in the meetings and activities of relevant regional and Sub-Regional fisheries management organizations and arrangements. Such

¹ This document was presented by FAO at the Resumed Review Conference on the UN Fish Stocks Agreement, 23-27 May 2016, New York

² Up to 31 December 2015 the Governments of Canada, Iceland, Lebanon, New Zealand, Norway and the United States of America had made financial contributions to the Assistance Fund totaling \$1,667,455.

³ For full details, please see the Terms of Reference, which are available at: www.un.org/depts/los/convention_agreements/fishstocktrustfund/tor_fund.pdf

assistance may include such costs as travel costs and, if appropriate, daily subsistence allowances for delegations participating in relevant regional and Sub-Regional fisheries management organisations or arrangements, including technical experts.

b. Assisting with travel costs, and if appropriate daily subsistence allowances, associated with the participation of developing States Parties, in particular the least-developed among them and small island developing States Parties to the Agreement, in relevant meetings concerning high seas fisheries of relevant global organizations, such as the United Nations Development Programme, the Food and Agriculture Organization and other specialised agencies, the Global Environment Facility, the Commission on Sustainable Development and other appropriate international and regional organizations and bodies. Applications for this purpose shall include details of how the meeting in question relates to implementation of the Agreement.

c. Supporting ongoing and future negotiations to establish new regional or Sub-Regional fisheries management organizations and arrangements in areas where such bodies are not currently in place, to renegotiate founding agreements for such organizations and arrangements and to strengthen existing Sub-Regional and regional fisheries management organizations and arrangements in accordance with the Agreement. A condition for such support is that reference to implementing the Agreement is made in founding documents and/or work programmes of the regional or Sub-Regional fisheries management organizations or arrangements and in the national fisheries policies and/or management plans of States Parties.

d. Building capacity for activities in key areas, such as effective exercise of flag State responsibilities, monitoring, control and surveillance, data collection and scientific research relevant to straddling and highly migratory fish stocks on a national and/or regional level.

e. Facilitating exchange of information and experience on the implementation of the Agreement.

f. Assisting developing States Parties to the Agreement, in particular the least-developed among them and small island developing States, with human resources development, technical training, and technical assistance in relation to conservation and management of straddling and highly migratory fish stocks and development of fisheries for such stocks, consistent with the duty to ensure the proper conservation and management of such stocks.

g. Assisting in meeting the costs involved in proceedings for the settlement of disputes between States Parties to the Agreement concerning the interpretation or application of the Agreement in accordance with Part VIII of the Agreement or proceedings concerning the interpretation or application of a Sub-Regional, regional or global fishery agreement relating to straddling fish stocks or highly migratory fish stocks to which they are parties, including any dispute concerning the conservation and management of such stocks and complementary to any assistance provided under the International Tribunal for the Law of the Sea Trust Fund established by General Assembly resolution 55/7 or the Trust Fund for the International Court of Justice established by General Assembly resolution A/47/444 or the financial assistance fund established by the Permanent Court of Arbitration.

Notwithstanding the broad range of purposes, the Fund has increasingly been used to support participation of representatives from the developing countries in meetings and workshops.

Since the Fund's establishment in 2005, approximately 47 percent of the expenditure has been used for purpose 14(a), 24 percent for 14(b), six percent for 14(c), six percent for 14(d), none for 14(e), 15 percent for 14(f), none for 14(g), and two percent for administrative costs. The overwhelming majority of use has been for travel related purposes. More specifically, the Division received 24 applications for assistance in 2015, and 13 applications for assistance thus far in 2016, all of which have been for travel related purposes.

4. Considerations for reinforcing the use of the Fund

a. Broader use of the Fund by States Parties

Given the broad and varied purposes that the Fund can be used for, States Parties may consider reviewing the activities of the Fund and encouraging more diverse requests for assistance, other than travel-related support. FAO and DOALOS could be requested to undertake additional outreach in this regard. However, the use of the fund for some of the other uses foreseen in the Terms of Reference would require the Fund to maintain a much more substantial balance than it has maintained in recent years, therefore necessitating further donations to the Fund.

b. Development of initiatives by RFMO/As

Recalling paragraph 12 of the Terms of Reference, which allows for RFMO/As to submit applications for assistance on behalf of developing States Parties which are contracting Parties to the RFMO/As, the Review Conference may consider encouraging these organizations to be proactive in identifying and developing initiatives, supported by the Part VII Fund, of benefit to such developing States. The outputs of these initiatives would support developing States Parties in the implementation of the Agreement, including by facilitating their participation in the work of RFMOs.

c. Financial contributions towards specific projects under the Part VII Fund

The Review Conference may consider affirming the possibility of accepting voluntary financial contributions from donors for specific projects supporting the implementation of the Agreement under the current Terms of Reference of the Fund. Such projects would supplement the general Fund and constitute an additional component of assistance within the framework of the Part VII Assistance Fund and its Terms of Reference. Such an arrangement may be more suitable for some potential donors, which, due to their internal regulations, are not in a position to contribute to the Fund in its current form.

**OUTCOMES OF AND FOLLOW-UP TO TENURE AND FISHING RIGHTS 2015:
ADVANCING KNOWLEDGE ON RIGHTS-BASED APPROACHES FOR FISHERIES FOR
ENHANCING FOOD SECURITY AND NUTRITION, POVERTY ERADICATION AND
ACHIEVING THE SUSTAINABLE DEVELOPMENT GOALS¹**

Executive Summary

This document reports on work on rights-based approaches in fisheries, in particular on the outcomes of Tenure and Fishing Rights 2015: A global forum on rights-based approaches for fisheries (UserRights 2015) co-organized by FAO and the Government of the Kingdom of Cambodia.

Additionally, it describes the results of subsequent consultative meetings and introduces the thematic areas proposed for a global work programme on rights-based approaches in capture fisheries within the framework of the Sustainable Development Goals (SDGs).

The outline and main features of the proposed global work programme are provided in COFI/2016/Inf.15.

INTRODUCTION

1. The FAO Fisheries and Aquaculture Department (FIA) has a long history of work on rights-based approaches, with early mention made in 1969 in FAO Fisheries Technical Paper 92 “Fisheries management and the limitation of fishing” (J.A. Gulland) and followed by several decades of work on territorial use rights, area fisheries management schemes, and traditional and community-based coastal fisheries management systems.
2. In addition to the series of Fisheries Technical Papers, FAO supported two global conferences FishRights ’99: Use of Property Rights in Fisheries Management and Sharing the Fish ’06: Allocation issues in fisheries management held in Fremantle, Australia in 1999 and 2006, respectively. Both conferences had a strong emphasis on marine commercial fisheries of developed countries.
3. During the same period, FAO was enhancing its research on (i) the importance of the governance setting for the origin and persistence of poverty; (ii) mechanisms that had permitted fishing communities to escape poverty and mechanisms that had caused fishing communities to become poor; (iii) community organizations and customary management regimes, their importance for adequate use of community resources and consequent effects on poverty; and (iv) the scope of occupational opportunities outside the harvesting sector within and outside the community².
4. When endorsing the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) in 2012, the Committee on World Food Security noted the critical role of this instrument to serve as a reference and provide guidance to improve the governance

¹ The original document is a working document of the COFI-32, COFI/2016/7.2, available at www.fao.org/about/meetings/cofi/documents/en/

² FAO. Report of the third session of the Advisory Committee on Fisheries Research. Rome, 5-8 December 2000. FAO Fisheries Report. No.639. Rome, FAO. 2001. Paragraph 17.

of tenure of land, fisheries and forests with the overarching goal of achieving food security for all and to support the progressive realization of the right to adequate food in the context of national food security.

5. Concurrently, FAO supported the development of the Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines). In particular Chapter 5 provides the direct link to the VGGT and the need for secure tenure rights and responsible governance of tenure.

6. FAO's work on rights-based approaches, including the proposed global work programme, is anchored within FAO's strategic framework and its five strategic programmes (SPs) with particular emphasis on: eradicating hunger, food insecurity and malnutrition (SP-1); sustainable management and utilization of natural resources (SP-2); and eliminating rural poverty through socio-economic development (SP-3). The work supports FAO's Corporate Blue Growth Initiative and is aligned with the VGGT, the SSF Guidelines and the Code of Conduct for Responsible Fisheries.

RECENT ACTIVITIES ON RIGHTS-BASED APPROACHES FOR FISHERIES

7. In March 2015 the FAO and the Government of the Kingdom of Cambodia co-organized UserRights 2015 in Siem Reap, Cambodia³. This forum was attended by 140 participants from various fisheries-related disciplines and 39 countries, provided a venue for all stakeholders to share lessons learned about rights-based approaches in marine and inland fisheries, and was supported by several donors and partners.

8. Forum participants discussed experiences, opportunities and challenges relating to rights-based approaches in fisheries. It was emphasised that no 'one-size fits all' solution exists and that context-specific rights-based approaches have to be designed to contribute effectively to environmental, economic and social sustainability. There is a wide range of rights-based approaches, and the full suite of options needs to be considered with clear identification of the impacts of each option on different stakeholders.

9. Discussions stressed the importance of effective stakeholder involvement in the planning and implementation of rights-based approaches with timeframes that are long enough to allow for inclusive stakeholder consultations. It was noted that the sources and mechanisms of financing rights-based approaches should be clearly identified and be context specific. Additionally, rights-based approaches need to ensure gender equality and empowerment.

10. Good governance, transparency and accountability were identified as essential components of rights-based approaches, and devolved management and co-management were noted as possible mechanisms for achieving this.

11. Participants noted that limiting the number of people fishing is usually an essential ingredient of sustainable fisheries, making the enhancement/diversification of livelihood strategies crucial, in particular in a context of poverty and food insecurity.

12. The forum recommended that regional meetings should be held every two to three years and global meetings every five years to share knowledge, compare challenges and solutions, and develop capacity. The need for capacity development for fishers, managers, communities and various government sectors was emphasized to facilitate the development and implementation of sustainable rights-based approaches.

³ The report of the forum is available at www.fao.org/about/meetings/user-rights-2015/resources/conference-documents/en/.

13. In a survey sent out by FAO to UserRights 2015 participants after the forum, 56 respondents identified six thematic key areas for consideration in a global work programme on rights-based approaches in fisheries:

- political economy and governance;
- delineation of rights and processes for doing so;
- capacity development;
- enhancement/diversification of livelihoods;
- transboundary rights; and
- financing.

14. In October 2015, FAO hosted an informal think tank Friends of UserRights 2015 (FoUR15) in Fiumicino, Italy. Using the thematic areas prioritized by the survey, FoUR15 participants developed further the content of a global work programme. The discussions underlined the importance of clarifying terminology and concepts used in the context of rights-based approaches in different regions and re-emphasized the need to acknowledge that ‘no one size fits all’ solution exists. In this context, both analyses of existing rights-based approaches and pilot projects were considered essential components of a work programme. Practical considerations for the programme included the creation of modules within each thematic area to make it responsive to demand-driven requests regarding specific interests, needs and support. Additionally, it was recognized that there is need for extra-budgetary funds from donors and partners to support specific module(s).

15. In March 2016, FAO supported the Lake Victoria Fisheries Organization in holding the workshop Entebbe 2016 in Uganda. Participants reviewed the elements of the proposed programme drafted during FoUR15 and elaborated on types of activities at global, regional and national/local levels. Participants noted the necessity of attention to poverty eradication, food security and nutrition, and the needs of small-scale fisheries communities and vulnerable and marginalized groups within a broader framework for rights-based approaches in all types of fisheries.

PROPOSED WORK PROGRAMME

16. As noted above, the proposed global work programme on rights-based approaches in fisheries underscores six thematic areas. It provides a coherent framework for facilitating FAO’s work on rights-based approaches in both the large- and small-scale fisheries sectors to secure the social, economic and environmental pillars of sustainable development and achieve the SDGs. The programme is designed to be flexible with modules within each of the thematic areas to accommodate global, regional and national/local contexts. The suggested time frame is eight years.

17. The proposed global work programme is comprehensive in scope and supports increased intra- and cross-sectorial dialogue, cooperation and knowledge sharing. The topics of gender, climate change, and illegal, unreported and unregulated (IUU) fishing are recognized as essential and cross-cutting, and the principles of the VGGT and SSF Guidelines are underlined throughout.

18. The outline and main features of the proposed global work programme are found in COFI/2016/Inf.15.

**ADVANCING KNOWLEDGE ON RIGHTS-BASED APPROACHES FOR FISHERIES: A
GLOBAL WORK PROGRAMME FOR ENHANCING FOOD SECURITY AND NUTRITION,
POVERTY ERADICATION AND ACHIEVING THE SUSTAINABLE DEVELOPMENT
GOALS¹**

Executive Summary

This information document, to be read in conjunction with COFI/2016/7.2, provides the outline and main features of the proposed Global Work Programme (GWP) for advancing knowledge on rights-based approaches for marine and inland capture fisheries as part of enhancing food security and nutrition, eradicating poverty and achieving the Sustainable Development Goals (SDGs). The GWP will achieve this objective by putting information within reach by improving global knowledge and access to information about rights-based approaches, sharing policy expertise by sharing lessons learned within and between different regions, providing neutral platforms for exchanging experiences and knowledge, and bringing knowledge to the field by providing technical guidance. The partners in this effort include national and local governments, international organizations including other relevant UN entities, RFMOs and RFBs, fishers, fisherfolk, fishing communities, CSOs, NGOs, academics, and others. The proposed eight year GWP currently covers six thematic areas: (i.) political economy and fisheries governance, (ii.) delineation of rights and processes for doing so, (iii.) capacity development, (iv.) enhancement/diversification of livelihoods, (v.) transboundary rights, and (vi.) financing. Expected outputs and activities identified to date are arranged in modules within each thematic area to make the proposed GWP flexible and responsive to demand-driven requests for support from FAO Members and stakeholder organizations.

INTRODUCTION

1. This information document, to be read in conjunction with COFI/2016/7.2, provides the outline and main features of the proposed Global Work Programme (GWP) for advancing knowledge on rights-based approaches for marine and inland capture fisheries as part of enhancing food security and nutrition, eradicating poverty and achieving the Sustainable Development Goals (SDGs).
2. The GWP aims to strengthen and increase the coherence of work undertaken by the Fisheries and Aquaculture Department (FIA) of the FAO on rights-based approaches. It reflects inputs from the recent Tenure & Fishing Rights 2015: A global forum on rights-based approaches for fisheries (UserRights 2015), Friends of UserRights 2015 and Entebbe 2016 meetings as well as previous work on rights-based approaches for fisheries.
3. The GWP is being proposed to support FAO Members when designing, implementing and / or strengthening rights-based approaches that are appropriate for specific conditions, communities and objectives as identified through transparent and participatory processes. In this way the proposed GWP will enhance the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) with emphasis on fisheries tenure. It will also provide

¹ The original document is an information paper of the COFI-32, COFI/2016/Inf.15, available at <http://www.fao.org/about/meetings/cofi/documents/en/>

support and knowledge to strengthen the implementation of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) with particular emphasis on the responsible governance of tenure (Chapter 5).

4. The partners in this effort include national and local governments, international organizations including other relevant UN entities, RFMOs and RFBs, fishers, fisherfolk, fishing communities, CSOs, NGOs, academics, and others.

5. The implementation of the GWP will depend on stakeholders from various sectors at the local, national, regional, and global levels clarifying their respective priority issues and needs. It is expected that levels of support will also determine the priorities and delivery of activities, as well as the efficacy of the programme.

DESCRIPTION OF THE PROPOSED GWP

6. The overall objective of the GWP is to support FAO Members in designing, implementing, and/or strengthening rights-based approaches that: (i.) contribute to the sustainable development of fisheries, enhanced food security, poverty eradication and attaining the SDGs and (ii.) are suitable for local socio-economic and ecological conditions and objectives as identified in transparent and participatory processes that include all stakeholders.

7. To attain the overall objective, the proposed eight year GWP currently covers six thematic areas: (i.) political economy and fisheries governance, (ii.) delineation of rights and processes for doing so, (iii.) capacity development, (iv.) enhancement/diversification of livelihoods, (v.) transboundary rights, and (vi.) financing.

8. Expected outputs and activities identified to date are arranged in modules within each thematic area to make the proposed GWP flexible and responsive to demand-driven requests for support from FAO Members and stakeholder organizations.

9. The GWP will achieve its objective by:

Putting information within reach by improving global knowledge and access to information about rights-based approaches;

Sharing policy expertise by sharing lessons learned within and between different regions in inclusive, transparent and open dialogs where small- and large-scale fisheries stakeholders and others can actively and equally participate;

Providing neutral platforms for exchanging experiences and knowledge, while improving collaboration and cooperation between large and small-scale fisheries stakeholders as well as other stakeholder groups directly and indirectly affected by rights-based approaches; and

Bringing knowledge to the field by providing technical guidance on introducing or strengthening rights-based approaches in fisheries.

THEMATIC AREAS OF WORK: OUTCOMES, OUTPUTS AND ACTIVITIES

Thematic Area 1: Political Economy and Fisheries Governance

10. This thematic area of work seeks to advance knowledge regarding the political economy and governance elements of using rights-based approaches used in capture fisheries. This thematic area is cross-cutting and strongly linked to the other five thematic areas of this proposed GWP.

11. Key activities identified to date fall under the outcomes of putting information within reach, sharing policy expertise, providing neutral platforms, and bringing skills and knowledge to the field. The activities include creating easily accessible inventories on rights-based approaches, supporting the organization of stakeholders and institutions, and providing assistance for strengthening greater understanding of political economy and governance frameworks in the context of rights-based approaches.

12. This thematic area of work will contribute to achieving SDGs 8, 10, 14, and 16 by advancing the understanding of social, economic, and environmental conditions under which rights-based approaches in marine and inland capture fisheries can operate responsibly and contribute to food and nutrition security and poverty alleviation.

Table 1. Outcomes, outputs and activities for the thematic area of political economy and governance.

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Putting Information within Reach	Easily accessible global knowledge base on rights-based approaches	Prepare an inventory of existing rights-based approaches in fisheries under different legal, policy, economic, cultural, environmental settings	Organize workshops to collect and exchange information and data relevant for the inventories	Support the collection of data and information including traditional knowledge
	Easily accessible database on methodologies, tools and indicators for assessing rights-based approaches	Database on existing methodologies, tools and indicators for assessing rights-based approaches	Organize workshops to collect and exchange information and data relevant for the database.	Identify existing methodologies, tools and indicators
	Communication materials on rights-based approaches and ways to assess them	Prepare communication materials on existing rights-based approaches and methodologies, tools and indicators for assessing them		Disseminate guidelines and easily digestible information among all stakeholders

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Sharing Policy Expertise	Reports from regional workshops		Organize workshops on how to integrate the VGGT and SSF Guidelines into policies and legal frameworks	
	Knowledge materials on cross sectoral policy of rights-based approaches in fisheries			Provide technical guidance on cross-sectoral policy coherence
Providing a Neutral Platform	Reports of global conferences	Hold global conferences for all stakeholders to share perspectives and experiences		
Bringing Skills and Knowledge to the Field	Organizations formed and equipped to participate in fisheries governance			Support creation and engagement of stakeholder organizations in discussions about rights-based approaches

Thematic Area 2: Delineation of Rights and Related Processes

13. This thematic area of work is intended to advance the knowledge about the existing customary and statutory types of rights and the processes that have been used when clarifying, defining and/or assigning rights in capture fisheries. Given the variety of interests in fisheries, the provision of neutral platforms for constructive cross-sectoral dialogues is of utmost importance.

14. The activities are aimed at putting information within reach of all stakeholders, sharing policy-expertise, providing a neutral platform, and bringing skills and knowledge to the field. The VGGT and SSF Guidelines serve as pillars for the work on this topic.

15. This thematic area will contribute to achieving SDGs 8, 14 and 16 by advancing the knowledge on how rights to fisheries can be designed and assigned to enhance food and nutrition security, poverty alleviation, and thus benefit those directly and indirectly dependent on the sustainable development of capture fisheries.

Table 2. Outcomes, outputs and activities for the thematic area of delineation of rights and related processes.

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Putting Information within Reach	Baseline scenarios, case studies, gap analyses			Compile case studies of existing rights-based approaches
	Map(s) of types of rights to understand the suitability of types of rights in various contexts	Document existing types of rights (e.g., access, use, manage, sale) to fisheries resources		Support mapping of different types of rights at specific sites
	Map(s) of vulnerable and marginalized groups		Workshop(s) on the access to justice of vulnerable and marginalized groups and how to improve their potential to organize and participate	Support mapping of vulnerable and marginalized groups, their access to justice, and their potential to organize
	Report(s) evaluating the impact of other sectors / activities on rights-based approaches and vice versa			Support impact evaluations of other sectors / activities on rights-based approaches in fisheries and vice versa
	Documentation on trade-offs within and between various types of rights-based approaches			Analyse trade-offs of the elements within a rights-based approach and between different types of rights-based approaches
	Documentation of tools used to understand the state of the fisheries resource			Describe, and support the application of existing tools for data collection to enhance the understanding of the state of local resources as a basis for coordinating rights

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Sharing Policy Expertise	Frameworks, processes and possible actions for supporting national efforts for reforming or strengthening rights-based approaches aligned with the VGGT and SSF Guidelines			Develop frameworks, processes and possible actions for supporting national efforts for reforming or strengthening rights-based approaches aligned with the VGGT and SSF Guidelines
Providing a Neutral Platform	Reports on knowledge sharing meetings		Meetings to coordinate dialogues between stakeholders, especially with regard to transboundary rights issues	Support coordinated dialogues between stakeholders within and across sectors
	Mechanisms for dispute resolution accessible to all types of stakeholders		Develop and make accessible dispute resolution mechanisms to all stakeholders	Develop and make accessible dispute resolution mechanisms to all stakeholders
Bringing Skills and Knowledge to the Field	Provide legal advice to all stakeholders			Provide support for improved access to justice for vulnerable and marginalized groups and individuals.

Thematic Area 3: Capacity Development

16. This thematic area of work seeks to develop the capacities of all stakeholders to communicate their interests and to participate in discussions and decision-making processes that are related to rights-based approaches. Capacity building activities identified to date relate to human capacity development, infrastructure development and fisheries equipment.

17. It will be essential to involve all stakeholders and institutions and undertake careful case by case assessments of local needs as the mechanism for identifying the various needs for capacity development in different locations. In addition, capacity development activities will also address gender inequality and include marginalised and vulnerable communities and individuals.

18. This thematic area will contribute to achieving SDGs 11, 14, and 16 through supporting capacities required for strengthening human development and aquatic resource conservation.

Table 3. Outcomes, outputs and activities for the thematic area of capacity development

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Putting Information within Reach	Inventory of existing training materials for capacity development	Conduct inventory of training materials for capacity development		
	Inventory of local capacity development processes and globally applicable parameters	Identify capacity development processes (including mechanisms, tools) that may apply to all situations independent from local conditions		Identify and compare local capacity development processes and develop basic descriptive parameters
	Platform to share knowledge on successful and unsuccessful capacity development strategies	Set up a platform to share knowledge on successful and unsuccessful capacity development strategies		
Providing a Neutral Platform	Information materials on best practices for capacity development		Conduct workshops for sharing best practices for capacity development	Support the collection of information on best practices for capacity development
	Increased shared understanding of rights-based approaches among stakeholders			Hold workshops to developing shared understanding about various topics relating to rights-based approaches.
	Increased shared understanding about conflict resolution among stakeholders			Hold local workshops and set up platforms for conflict resolution
Bringing Skills and Knowledge to the Field	"Modern" capacity development tools for greater understanding of rights-based approaches	Provide "modern" tools and approaches to support capacities of all stakeholders (in particular fisherfolk) and institutions (e.g., negotiation skills, communication, organization, etc.)		Support the development and provision of "modern" tools and approaches for capacity development related to rights-based approaches for all stakeholders and institutions

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
	Report(s) on exchange visits			Support exchange visits for lesson learning
	Report(s) on training seminars and / or workshops		Conduct regional training seminars and / or workshops	Providing training materials, trainings and knowledge regarding the processing and use of undervalued products.

Thematic Area 4: Enhancement / Diversification of Livelihoods

19. This thematic area of work recognizes the resilience provided by enhancing and/or diversifying livelihoods for those who are directly and indirectly dependent on fisheries.

20. Knowledge of strategies to enhance and diversify livelihoods will be made available in consultation with local communities. Enhancement and diversification strategies will also address gender inequality and aim to improve the livelihoods of those marginalized and vulnerable.

21. The activities proposed to date include putting information within reach of stakeholders and communities with easily accessible information inventories, sharing policy expertise between stakeholders through consultations and exchange visits, providing neutral platforms for exploring new opportunities, and bringing knowledge to the field by providing tools for communities to self-assess potential livelihood options.

22. This thematic area of work will contribute to achieving SDG 5, 8, and 14 by reducing poverty and supporting balanced, non-exclusive, sustainable socio-economic development.

Table 4. Outcomes, outputs and activities for the thematic area of enhancement / diversification of livelihoods.

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Putting Information within Reach	Socio-economic analyses			Socio-economic analyses within and beyond fisheries to understand diversification / enhancement opportunities
	Global inventory of livelihood strategies	Prepare inventory of enhancement / diversification of livelihood strategies	Support collection of information on livelihood strategies	Consult with stakeholders on opportunities for enhancing /

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
				diversifying livelihoods
	Report(s) on the role of women in the value chain	Promote women's involvement in fisheries value-chain and post-harvest activities to promote gender equality		Promote women's involvement in fisheries value-chain and post-harvest activities to promote gender equality
	Policies on utilization of under-developed resources and by-products		Comparative analyses of utilization of under-developed resources and by-products	
Sharing Policy Expertise	Report(s) of workshops, trainings		Exploration and promotion of feasible enhanced /diversified livelihood strategies through workshops, trainings	Exploration and promotion of feasible enhanced / diversified livelihood strategies through workshops, trainings
Providing a Neutral Platform	Report(s) on results of exchange visits, workshops		Facilitate connections between countries and communities regarding the identification and use of under-valued resources	Facilitate connections between countries and communities regarding the identification and use of under-valued resources
	Report(s) of workshops		Organize workshops to connect socio-economic and environmental experts and potential employers outside the fisheries sector	
Bringing Skills and Knowledge to the Field	Increased active participation / engagement of stakeholders		Support dissemination of knowledge on use of self-evaluation tools and participatory toolkits to promote active participation / engagement with stakeholders	Support use of participatory toolkits to promote active participation / engagement with stakeholders.

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
	Report(s) on value added products and on undervalued resources			Provide tools, support assessments and development of under-valued resources
	Tools and results of training programmes for livelihood enhancement and diversification strategies			Capacity development for livelihood enhancement / diversification strategies (especially for youth)
	Report(s) on outcomes of exchange visits		Facilitate exchange visits for lesson learning	Support exchange visits for lesson learning

Thematic Area 5: Transboundary Rights

23. This thematic area of work is intended to advance knowledge about the various roles of RFMOs and RFBs in the context of rights-based approaches used in inland and marine capture fisheries.

24. Topics identified thus far relate to putting information within reach regarding both the sharing of rights between artisanal, national and international fleets and the development of tools to identify the economic, social, and environmental trade-offs between different types of foreign and domestic fishing arrangements. Topics also include providing neutral platforms for sharing lessons learned.

25. This thematic area of work will contribute to achieving SDGs 14 and 16 through advancing knowledge on the role of regional organizations in the conservation of marine resources.

Table 5. Outcomes, outputs and activities for the thematic area of transboundary rights.

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Putting Information within Reach	Report(s) on RFMOs use of rights-based approaches	Analysis of various right-based approaches used by RFMOs (and RFBs)		
	Reports on allocation issues and lessons learned	Analysis of allocations between artisanal, national and international fleets	Comparative analyses of transboundary rights allocations, issues and solutions	

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
	Evaluation tools	Development of tools to evaluate and assess trade-offs (economic, social-environmental, food security) of foreign fishing versus domestic production		
Providing a Neutral Platform	Report(s) of workshop(s) on transboundary rights		Workshop(s) on transboundary rights	Facilitate discussions about transboundary issues, solutions

Thematic Area 6: Financing

26. This thematic area of work aims to provide information on how various types of rights-based approaches have been or can be financed.

27. Activities include a combination of putting information within reach regarding the financing and financial partners for rights-based approaches, sharing policy expertise, and providing a neutral platform for advancing transparent partnerships amongst governments, communities, and other stakeholders. Activities also include bringing skills and knowledge to the field so that the issues related to external investment, its impacts and implications can also be addressed such that all stakeholders can understand the social, economic, legal, and environmental implications of different types of investment schemes.

28. This thematic area is strongly interlinked with the thematic area of enhancement/diversification of livelihoods and will contribute to achieving SDG 14 by contributing to the conservation of marine resources and sustainable development.

Table 6. Outcomes, outputs and activities for the thematic area of financing.

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
Putting Information within Reach	Report(s) on financing experiences and access to finance related to rights-based approaches	Global comparative analysis of financing of rights-based approaches	Analysis of how rights-based approaches are financed	
	Documentation of payments for ecosystem services (PES)	Support consideration of payments for ecosystem services (PES) to communities for the protection of ecosystems		Collection of data on stocks to help determine the value of right(s)

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
	Case studies			Analysis of investment impacts on various stakeholders
	Report(s) on mechanisms for payments for fisheries management services			Develop mechanisms for payment for management responsibilities / services assumed by fishers, fishing organizations, communities (e.g., enforcement, data collection)
	Report(s) on social support systems and accessible financial resources			Analyse the possibilities for facilitating access to support systems (e.g., social services) and financial resources (e.g., credit)
Sharing Policy Expertise	Report(s) describing potential financial partners and mechanisms	Identification of financial partners and mechanisms for financing rights-based approaches at various levels	Facilitate improved accessibility of financial resources to fisheries institutions, fishery organizations and fisherfolk	Facilitate improved accessibility of financial resources to fisheries institutions, fishery organizations and fisherfolk
Providing a Neutral Platform	Report(s) of workshop(s)	Organize workshop(s) to bring fisherfolk and other fisheries stakeholders together with financial experts	Organize workshop(s) to bring fisherfolk and other fisheries stakeholders together with financial experts	Organize workshop(s) to bring fisherfolk and other fisheries stakeholders together with financial experts
Bringing Skills and Knowledge to the Field	Licenses that cannot be manipulated	Support development of licensing systems and licenses that cannot be manipulated / counterfeited		Analyses of various pressures driving IUU fishing
	Improved knowledge of accounting and implications related to			Develop and disseminate knowledge on financial issues

Outcomes	Outputs	Global Activities	Regional Activities	National / Local Activities
	rights-based approaches			related to rights-based approaches
	Improved capacity to access financial resources		Facilitate increased accessibility to financial resources for fisherfolk (e.g., funds, bonds, micro-credits, loans)	Facilitate local understanding of and accessibility to financial resources (e.g., funds, bonds, micro-credits, loans)

CONSOLIDATION AND DEVELOPMENT OF RSN

Introduction

1. The First meeting of FAO and Non-FAO Regional Fishery Bodies and Arrangements was held in February 1999; participants discussed how to promote the implementation of recent international instruments and initiatives, the precautionary approach to fisheries management; the mechanisms for the exchange of information among RFBs and between RFBs and FAO; potential closer collaboration between RFBs on a geographic or species basis; and mechanisms to promote the global coordination of the activities of RFBs.
2. In 2005, at the Fourth meeting of the FAO and Non-FAO Regional Fishery Bodies (hereinafter referred to as 'RFBs') and Arrangements, considering the fluent consultations in preparing meetings and that "this constituted a virtual group during intersessional periods rather than a single event every two years", the participants agreed that the title of 'RFB Secretariats Network' (hereinafter referred to as 'RSN' or 'the Network') would be more applicable than the Meeting's title¹. The RSN met again in 2007 and consecutively each two years, in coincidence with sessions of the Committee on Fisheries.
3. The RSN is a Network independent from FAO, which according to the RSN-5 report "had expanded to include 51 RFBs and Arrangements"². The decisions made by the RSN are non-binding to its members and the organizations represented by them.
4. The main objective of the RSN is promoting information sharing and discussion among secretariats on emerging issues or subjects covered by the mandate of their respective organizations. The RSN aids to support the important role played by RFBs in the conservation, management and sustainable use of fish stocks, and, contribute to the fact that 'cooperation and coordination among RFBs is one of the most effective ways to strengthen regional fisheries governance'³.

Background - Laying the foundation

5. Regional bodies were established in the context of multilateral agreements which provide for the development and management in fisheries sector; the first RFB, created under the FAO Constitution, in 1948, was the Asia-Pacific Fishery Commission (APFIC). Previously, the FAO Conference referred to the relevance of these bodies and recommended actions to their creation, indicating sea areas of preference⁴. Also the 1998 High-level Panel of External Experts in Fisheries expressed the view that such bodies or arrangements are essential in reinforcing regional cooperation⁵.
6. At the First meeting of FAO and non-FAO Regional Fisheries Bodies or Arrangements, in February 1999, participants highlighted the relevance of these bodies as vehicles for good fishery governance and considered the forum provided by the Meetings an opportunity to share experiences and views upon often common problems,

¹ Report of the Fourth meeting of the Regional Fishery Bodies, Rome, 14-15 March 2005, paragraph 7, www.fao.org/docrep/008/a0078e/a0078e00.htm

² www.fao.org/3/a-i4210e/index.html, page 1, paragraph 8, 1st paragraph.

³ Report of the First Meeting of Regional Fisheries Body Secretariats Network, 12-13 March 2007 www.fao.org/fishery/topic/18244/en#RFB1, Appendix D.

⁴ Report of the FAO Conference, Second Session, Copenhagen, Denmark, 2-13 September 1946; Report of FAO Conference, Third Session, Geneva, Switzerland, 25 August - 11 September 1947. <http://www.fao.org/docrep/x5583E/x5583e00.htm#Contents>, www.fao.org/docrep/x5582e/x5582e00.htm#Contents

⁵ Report of the High-Level Panel of External Experts in Fisheries. Rome, Italy, 26-27 January 1998.

recommending that such meetings should be held regularly with FAO as focal point.⁶

7. As regards its internal functioning, the draft of Rules of procedure was presented by the Chairperson at the Fifth RSN meeting, held in 2014, and members agreed that the document shall be further considered during the Sixth RSN meeting in 2016⁷.

8. The purpose of the network is centred in strengthening information sharing and offering a forum for discussion to RFBs secretaries on fisheries management strategies, challenges and emerging issues of relevance to fisheries governance in their regions. In its biennial meetings, important concerns and experiences in conservation and management are shared, as an exercise for RFBs and FAO to understand practical problems with impact on fisheries and aquaculture development.

9. The Network is supported by FAO, which hosts and provides secretariat services and the venue for meetings; maintains a dedicated website⁸, as a space for providing RFBs data collection, details on bodies' work and conventions, information on Secretariat' Network, plenary and technical reports, as well as institutional framework for fishery governance, comprising principles, agreements, processes, mechanisms and organizations related to fisheries and aquaculture. In this context, the RSN produces a regular newsletter that can be consulted at <http://www.fao.org/fishery/rsn/newsletter/en>.

10. Performance reviews to the work and practices of bodies have been welcomed by the RSN. The recommendations made in these evaluations are a constructive tool to the functioning of RFBs. Its usefulness could be improved if methods and criteria applied for evaluation are considered in the context of local circumstances that each body is dealing with as well as the particular issues affecting their specific area of competence and related regions or sub-regions. The diversity of concerns, from political to technical indole, remarks some complexities to standardise criteria for evaluation.

11. The increasing recognition of the RSN is reflected in references made in publications, meetings and reports, in other technical products as well as communication channels and social media of partners. The RSN networking communication and information flow, through its newsletter and dedicated website, is becoming very instrumental and a useful vehicle through which the RSN makes information available to all RFBs, partners, stakeholders and the general public.

12. Finally, and in order to suggest improvements to the RSN which could concretely help RFBs in developing their role, especially those with more serious constraints, we could consider issues previously identified by these organizations and the kind of activities implemented by them⁹.

Towards future improvements

13. The Network could be particularly well suited to support the strengthening of its related organizations and identifying together collective actions, including by:

- Providing a neutral forum for discussion through more frequent and/or longer meetings.
- Providing a knowledge network, facilitating the collection of documentation and sharing of information and knowledge to develop capacities and good practices required to improve fisheries governance.

⁶ Report of the Meeting of FAO and Non-FAO Regional Fishery Bodies or Arrangements, Rome, 11-12 February 1999, paragraph 12. www.fao.org/docrep/006/X1840E/X1840E00.HTM

⁷Report of the Fifth Meeting of the Regional Fishery Body Secretariats Network, (RSN-5), Rome, 7 and 13 June 2014, paragraph 8, page 2. www.fao.org/fishery/rsn/en

⁸ www.fao.org/fishery/rfb/en

⁹ Report of the Fourth Meeting of the Regional Fishery Body Secretariats Network (RSN-4), Rome, 13 July 2012, Appendix 3.

- Providing specialist expertise; facilitating the sharing of policy expertise and raising political will, as well as supporting the formulation and implementation of effective policies, legislation, programmes and strategies.
- Providing products to foresee sharing experiences, technical support, access to information, including relevant data; and make information readily available to members and institutions engaged on fisheries and aquaculture matters, as well as local constituencies. A dynamic website could be design in order to respond to different necessities (e.g., material to awareness raising, capacity building, good practices, etc).
- Stimulating cooperation between RFBs: considering that some bodies are facing difficulties in terms of resources as well as lack of political will from their members, joint efforts can be made in order to identify strategic areas of collaboration between RFBs and arrangements, to strengthen organizations and contribute to fisheries governance. In this regard, noting the diversity of members in terms of mandates and the need to provide focused attention to them, the organization of more frequent meetings between those covering same area of competence could be proposed¹⁰.

14. Cooperation between the RSN, its related organizations and FAO would be boosted by, among other potential initiatives, making visible how RFBs are promoting FAO policies and contributing to the achievements of the Organization's mandate. Clear examples of regional and sub-regional programmes in implementing FAO policies among member states, and related good practices, might be documented and published and, when applicable, replicated through FAO projects and programs. The RSN could enhance its role as focal point between the RFBs community and FAO, through a collaboration framework to join forces and facilitate the development of above-mentioned initiatives.

Some options for consideration

15. The capacity to support the development and sustainable implementation of the above options remains a main challenge to be addressed and should be opportunely considered.

16. Possible actions for improvements could be based on building mechanisms to provide support and share experiences (e.g., a 'dynamic website'), instead of the current static website, and in line with a broad common strategy, as follows:

¹⁰ This proposal was raised in other meetings, "*in order to better provide for issues unique to inland fisheries, consideration should be given to a possible back-to-back meeting, or a meeting within the margins of the main meeting for those RFBs which had interest in inland fisheries*", FAO Fisheries Report No. 645 - Report of the Second Meeting of FAO and Non-FAO Regional Fishery Bodies or Arrangements, www.fao.org/docrep/003/y0593e/y0593e0b.htm#ANY%20OTHER%20MATTERS, paragraph 70. Also, at the RSN-1 members mentioned that some issues "*require more focused attention by a limited sub-set of RSN members – particularly on small-scale fisheries, inland fisheries and aquaculture matters*", Report of the First Meeting of Regional Fisheries Body Secretariats Network, 12-13 March 2007, www.fao.org/fishery/topic/18244/en#RFB1

A. Institutional aspects

1. Common strategy

For instance, this could be based on e.g., UN (SDGs) and FAO framework

2. Meetings

The frequency of meetings could be reconsidered for a more sustainable collaboration

3. Funding - Collaborative Ownership Approach

The RSN may consider pooled funding approaches for resources mobilization

4. Enhance FAO-RSN collaboration framework

B. Communication and visibility

1. Website re-design

The RSN website could offer space for supporting operational challenges facing by RBFs.

Potential changes would include:

- Platform thinking
- How the RSN can enable its members and related organizations to create value through its tools
- Optimize openness
- Facilitate easy connection for users to share and manage information Database
- Allowing knowledge to different stakeholders
- Market Place

Including:

Awareness Raising package

Capacity Building resources

- Partnership networks - Stakeholders' Forum
- Newsletter
- Calendar and promotion of RFBs community events

2. Visibility

Brand: common symbols, logo design, style, etc.

PROPOSAL FOR WMO AND RFMO COLLABORATION

As a specialized agency of the United Nations, the World Meteorological Organization (WMO) is dedicated to international cooperation and coordination on the state and behavior of the Earth's atmosphere, its interaction with the land and oceans, the weather and climate it produces, and the resulting distribution of water resources.

Over the past few years, there has been greater interaction of the WMO community with the fisheries communities of the world and increased discussion between WMO and FAO on fisheries issues. WMO has learned that Regional Fisheries Management Organizations (RFMOs) and other institutions collect marine meteorological and ocean observations by ships and anchored fish aggregating devices (FADs).

WMO Members, the National Meteorological and Hydrological Services of the world, work around the clock to provide vital weather and climate information worldwide. Their early and reliable warnings of severe weather and ocean conditions as well as of climate variability and change allow decision-makers, communities and individuals to be better prepared for weather and climate events. This includes such as events such as El Niño and La Niña and other ocean conditions that can greatly impact oceanic and inland fisheries.

In order to provide warnings over land and oceans, there is a need for the establishment and liaison of networks of observational sources to provide weather, climate and ocean related data. The National Meteorological and Hydrological Services maintain their own observational networks along with liaising with other national and regional partner institutions. The observations collected are also used to determine the status of the atmosphere and oceans with regards to climate change. The amount of direct surface and sub-surface ocean observations are very sparse and any increase in the number of observations will lead to increased accuracy of short-term weather forecasts (1-10 days) and long-term climate predictions (3-12 months) over the coastal and open oceans areas.

WMO possibly in partnership with FAO would like to propose collaborations with RFMOs on the following issues:

- Explore the possibility of RFMOs of informing their members about the advantages of reporting relevant marine meteorological and ocean observations to the various WMO observation and information systems;
- Recognize the time-sensitivity of these observations and to develop mechanisms on exchanging these data while respecting the mandates of RFMOs and their members;
- Develop possible guidelines and standards in collecting and transmitting these observations; and
- Obtain feedback from RFMOs on improving weather and climate products that are used to protect the safety of marine fleets and possible movements of fish.

OUR FISHERY AND AQUACULTURE KNOWLEDGE BASE A COMMUNITY APPROACH TO COLLECTIVE KNOWLEDGE

The Fishery and Aquaculture knowledge base is a public or access-restricted pool of information available as a coherent package of knowledge for easy access by the fisheries and aquaculture community.

Historically, FAO has always created and shared critical information about food, agriculture and natural resources in the form of global public goods served through a knowledge network with the ultimate goal to support global societal objectives.

Activities of the FAO Fisheries and Aquaculture Department stem its vision and mission statements.

Vision: A world in which responsible and sustainable use of fisheries and aquaculture resources makes an appreciable contribution to human well-being, food security and poverty alleviation.

Mission: To strengthen global governance and the managerial and technical capacities of members and to lead consensus-building towards improved conservation and utilization of aquatic resources.

Today FAO can make the difference to achieve the vision by surfing this information age enabling rich knowledge building and management. Here the objective to support the Sustainable Development Goals become possible.

In this context, the ever growing amount of information which has been collected, collated and disseminated in the last twenty years constitutes our joint Fishery and Aquaculture knowledge base with the hope to serve more and more interested communities.

A considerable amount of information originates from Regional Fishery Bodies (hereinafter referred to as 'RFBs') under different agreements of provision.

Some examples of collective knowledge of global relevance:

- RFB fact sheets and map viewer
- Coordinating Working Party on Fishery Statistics (CWP) / Statlant questionnaires
- Stocks & Fisheries (FIRMS Partnership)
- Vulnerable Marine Ecosystems database
- Database of measures on conservation and management of sharks
- Fishery and Aquaculture Country Profiles (FACP) and National Aquaculture Sector Overviews (NASOs)
- Global Record of Fishing Vessels
- Consolidated List of Authorized Vessels (CLAV)
- Atlas of Tuna and Billfish Catches
- Global Tuna Nominal Catches

The need of shared information relevant to the aquaculture sector is also an emerging issue and several initiatives are running in FAO in collaboration with EU funded projects (iMarine) as well as with IT firms including Google,

for boosting the use of satellite base imagery. Among various, the semi-automated inventory of aquaculture farms is a promising activity in the short term.

The fact sheets on National Aquaculture Sector Overviews (NASOs) are an example of fruitful collaboration established in recent years among FAO, GFCM and SIPAM¹ Member countries in ensuring efficient aquaculture information exchanges to better monitor status and trend of aquaculture at the national and regional levels.

These databases contribute to the overall Fishery and Aquaculture knowledge base which goes beyond the boundaries of FAO and embraces the community in the form of collective knowledge.

Several are the benefits for such information gathering and mutual exchange, the overall partners' return on investment from FAO disseminating third party information include credibility, reliability, neutrality, as well as high visibility. Data owners and data providers can benefit from global data services in fisheries exposed under a common data sharing policy.

IT technologies and web access evolve rapidly and steadily, a new paradigm for managing information is thus needed to properly handle the various formats in which the information is stored and the knowledge is captured, from a hard copy publication to a dynamic database updated in close-to-real time. The new paradigm needs to cope with information collected/collated/disseminated through desktop, laptop, smartphones, tablets etc. up to wearable devices. And the community expects to consume more and more data provided in a timely manner.

Today data consistency and reliability are universally accepted as a must to which all providers are committed. So nowadays which is the new challenge? The answer is timeliness: the rapidity and efficiency of the information flows make the difference and drive users in selecting their preferred content providers. Timeliness is envisaged as a key factor in the new paradigm which contributes to the image of an authoritative source of information.

To that, the FAO-FI department is committed to produce databases of information and update them as frequently as possible. The good cooperation of the partners is a key factor and clear commitments are needed. To date, beyond countries, more than twenty RFBs and other institutions are contributing in different ways to the Fishery and Aquaculture knowledge base, examples of shared information and related RFBs involvement under different types of data provision arrangements are provided in Table 1.

In order to foster timely updates, there is a need to imagine and consolidate new business models in joint efforts, keeping in mind that ensuring the effective reutilization of the information and the data acquired can also attract global donors interested in contributing to the collective knowledge on fisheries and aquaculture and to its impact.

Actions for the RSN

- The RSN is invited to comment on the above focusing on the recognition of the statements enunciated. Any indication on further forms of return on investment is also welcome.
- The RSN is invited to confirm the overall will to contribute to the collective knowledge on fisheries and aquaculture, and to indicate any will to commit to timeliness in the provision of information contributions wherever these have been agreed. Indication of constraints preventing timeliness will enable collaborative thinking and suggestions to resolve timeliness issues.
- The RSN might suggest actions to move forward. I.e. to involve those RFBs so far not yet directly involved in contributions, to investigate other areas of intervention where shared information could make the difference, etc.

¹ SIPAM: Information System for the Promotion of Aquaculture in the Mediterranean Region.

Table 1: Examples of shared information and related RFBs involvement under different types of data provision arrangements

RFB acronym	RFB fact sheets and map viewer	Coordinating Working Party on Fishery Statistics (CWP) / Statlant questionnaires	Stocks & Fisheries - FIRMS Partnership	Vulnerable Marine Ecosystems database	Database of measures on conservation and management of sharks	FACP & NASOs	Global Record of Fishing Vessels	Consolidated List of Authorized Vessels (CLAV)	Atlas of Tuna and Billfish Catches	Global Tuna Nominal Catches
ACAP	X									
ACFR	X									
APFIC	X									
BOBP-IGO	X									
CACFISH	X									
CCAMLR	X	X	X	X	X		X			
CCBSP	X									
CCSBT	X	X	X		X		X	X	X	X
CECAF	X	X	X							
CIFAA	X					X				
COFREMAR	X									
COMHAFAT-ATLAFCO	X									
COPESCAALC	X									
COREP	X									
CPPS	X									
CRFM	X		X							
CTMFM	X						X			
EIFAAC	X									
FCWC	X									
FFA	X						X			
GFCM	X	X	X	X	X	X				
IATTC	X	X	X		X		X	X	X	X
ICCAT	X	X	X		X		X	X	X	X
ICES	X	X	X							
IOTC	X	X	X		X		X	X	X	X
IPHC	X									
IWC	X	X								
JOINTFISH	X									
LTA	X									
LVFO	X									
MRC	X									
NACA	X	X								
NAFO	X	X	X	X	X					
NAMMCO	X									
NASCO	X	X	X							
NEAFC	X	X	X	X	X					
NPAFC	X									
NPFC	X			X						
OLDEPESCA	X									
OSPESCA	X	X								
PERSGA	X									
PICES	X									
PSC	X									
RECOFI	X		X		X					
SEAFDEC	X	X	X			X				
SEAFO	X	X	X	X	X					
SIOFA	X									
SPC	X	X				X			X	
SPRFMO	X			X			X			
SRFC	X									
SWIOFC	X		X							
WCPFC	X	X			X		X	X	X	X
WECAFC	X		X							

COFI 32 - STATEMENT OF THE CHAIRPERSON OF RSN-6
AGENDA ITEM 10

Mr Chair,

Distinguished Delegates,

I am taking the floor as Chair of the Regional Fishery Body Secretariats' Network, also known as the 'RSN'. Regional Fishery Bodies (RFBs) are intergovernmental organizations constituted by FAO Members, which include both advisory bodies and bodies that adopt legally binding conservation and management measures; their focus varies from high seas fisheries to coastal fisheries, inland fisheries and aquaculture. The RSN consists of Secretariats of around fifty such bodies and was established in 1999 as an FAO-led initiative; it is a coordination arrangement, which does not engage in policy development or take decisions of a binding nature, and promotes information sharing and discussion on emerging issues of common concern among the RFB Secretariats. This year, the RSN welcomed two new members. The Network is ever evolving to enhance its role as the RFBs collaboration framework and a focal point between the RSN community and FAO.

Chair,

Last Saturday 9 July, prior to COFI, thirty-five members of the Network participated in the 6th meeting of the RSN. This was a productive meeting and several key topics of the current international agenda on fishery and aquaculture governance were discussed.

At the request of the RSN, I wish to take this opportunity to share some of the issues which came out of our discussions that are of particular relevance for COFI.

First, and most importantly, the RSN would like to bring to the attention of COFI Members that consistency and coordination within and between member state delegations, attending various international fora related to fisheries and/or environmental or ocean governance, is highly instrumental in fostering and supporting the work of RFBs.

The fact that states are often represented by differing government bodies in the various international fora should not prevent those states from having a consistent position, but does require a degree of active coordination, given that consistency is important for the work of RFBs and essential in ensuring harmonization of their decision making at different levels.

In this context, the RSN noted that there was a need for consistency of Member states in their work in RFBs, FAO, CBD, CITES and UNGA-related fora, and, therefore, invites COFI Members to make every effort to ensure that their representatives in other international fora fully acknowledge the positions taken at COFI and within RFBs.

The meeting highlighted the many requests received by RFBs to participate in relevant international processes and discussions, such as the recent initiatives organized by UNEP and CBD aimed at facilitating discussions between regional fishery bodies and the regional seas programmes.

The contribution of RFBs to work that covers broader fishery environment interactions has been much appreciated, as they have a key role to play in accordance with their provided competence. The RSN was in favour of strengthening cooperation at the regional level, where appropriate, including through the adoption of memoranda

of understanding among relevant organizations to avoid duplications and enhance synergies in the context of ocean governance.

The meeting also discussed the importance of giving more visibility to the work carried out by the RFBs not only to the related fisheries constituencies, but also to wider groups at the national and international levels so that coordination and engagement can be further promoted.

The role of RFBs is particularly pertinent with regard to the Sustainable Development Goals. The RSN noted that RFBs could play a functional role in supporting the implementation and meeting the targets of SDGs that are relevant for fisheries and aquaculture, in particular, but not limited to, SDG 14.

The RSN underlined the very low level of participation of RFBs Members in the resumed review Conference on the UNFSA, as well as in the 1st meeting of the preparatory committee on the BBNJ. The RSN encourages RFBs to be actively involved in the work of the preparatory committee, including participation to the ongoing consultations.

The meeting highlighted the importance of the Assistance Fund under Part VII of the UN Fish Stocks Agreement (UNFSA) in supporting countries to participate in these processes. The determination of FAO and DOALOS to foster the broader use of the Fund in line with article 14 of its Terms of Reference, as well as their joint fundraising efforts, were praised, observing that additional financial support from member countries are welcomed.

The RSN stressed that performance reviews, as called for by COFI and other international fora, have been widely adopted as a tool for strengthening the work of RFBs. Many RFBs have undertaken such a review, undertaken work to implement recommendations, and some have completed or are preparing for a second review. The RSN emphasized that performance reviews are both an important tool to identify what could be done better as well as a means to credibly demonstrate to the outside world that RFBs are generally doing a good job.

The RSN appreciated the entry into force of the 2009 FAO Port State Measures Agreement (PSMA) on 5 June 2016, and encourages other FAO members to become Party and support the FAO's PSMA global capacity development program, in conformity with article 21 of the Agreement.

In addition, the RSN mentioned the importance of small scale fisheries as well as the need of securing a cross-cutting approach that would reach a wider, global audience, to support the implementation of both Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries and Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

On behalf of all the inter-governmental organisations members of the Regional Fishery Body Secretariats Network, I wish to thank you, COFI, the COFI bureau and FAO for the positive consideration given to the RSN that provides visibility and recognition to the work of the Regional Fishery Bodies.

Thank you.

RULES OF PROCEDURE¹ –Draft**Rule I****Membership**

1. Members of the Network include regional fisheries bodies and arrangements and regional fisheries management organisations or arrangements, which have been established by formal agreement between two or more States, and intergovernmental organisations with an international mandate that is directly related to the work of regional fisheries bodies and arrangements and regional fisheries management organisations or arrangements.
2. Applications for membership may be considered by Network members inter sessionally by electronic communication circulated by the Chair.
3. Members may be represented at meetings of the Network by the executive of organisations qualifying for Network membership, or their alternate who has been formally notified to the Chair in advance of the meeting.

Rule 2**Officers**

1. The Network shall elect a Chair and a Vice-Chair from among the representatives of its Members for a term that includes two formal meetings of the Network. In normal circumstances this will be for a period of four (4) years.
2. If required, the Chair and the Vice-Chair shall be elected by a majority vote.
3. The Chair, or in his/her absence the Vice-Chair, shall preside at meetings of the Network and exercise such other functions as may be required to facilitate its work. In the event of the Chair and the Vice-Chair not being able to preside at a meeting, the Network shall appoint another representative from among its Members to take the Chair for that meeting.
4. In the event of the Chair and the Vice-Chair resigning their position inter sessionally the next meeting of the Network will elect a new officer(s) under the first item on the agenda for that meeting.
5. The Chair shall liaise with the Director-General of FAO regarding the appointment of a secretary, who shall perform such duties as the Network may require. Such duties include, but are not limited to, support to the meetings of the Network, maintenance of the Network's web pages and any inter sessional work.

¹ The present Rules of Procedure were adopted 'ad interim' during the RSN-6, 2nd Session, held on 15 July 2016. This version reflects the proposed changes to facilitate further analysis at the next RSN meeting.

Rule 3

Meetings

1. The Network shall hold meetings in association with the biennial meeting of the FAO Committee on Fisheries.
2. The meetings of the Network shall be convened in Rome.
3. Notice of the date and venue of each meeting of the Network shall normally be communicated at least two (2) months in advance of the meeting to all Members and to such non-members as may have been invited to participate in the next meeting of the Network under Rule 4.
4. Each Member of the Network may appoint alternates to its representative in the Network.
5. ~~The attendance of a majority of those representatives who are registered to attend the Network meeting shall constitute a quorum for any formal action by the Network.~~

Rule 4

Non-Members

1. Meetings of the Network shall not be open to public participation.
2. Participation by non-members in the meetings of the Network shall be considered by the Chair in consultation with Members, if required.
3. Subject to the provisions of paragraph 4 below, any non-member who is invited to attend a meeting of the Network, may submit information and, subject to the direction of the Chair, participate in discussion at a meeting of the Network.
4. In exceptional circumstances, the Network may decide that particular agenda items at that meeting require meeting attendance to be for Members only.

Rule 5

Agenda and Documents

1. The Chair, in consultation with the secretary, shall prepare a provisional agenda and shall normally circulate it at least two (2) months in advance of the meeting to all Members and non-members invited to attend the meeting.
2. All Members may request the Chair to insert an item in the provisional agenda. The Chair shall thereupon circulate the proposed item to all Members of the Network, together with any accompanying documents.
3. The first item on the provisional agenda shall be the adoption of the agenda. The Network, in its meeting may, by general consent, amend the agenda by the deletion, addition or modification of any item.

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

Rule 6

Decisions

~~Decisions of the Network during meetings will be taken by consensus of those present at the meeting.~~

~~Decisions of the Network taken inter-sessionally shall be by consensus of members which respond to electronic communications circulated by the Chair.~~

~~Decisions of the Network are non-binding.~~

Rule 7

Reports of Meetings

1. ~~t each meeting, T~~he Network shall approve ~~thea~~ report of ~~thea~~ meeting electronically.
2. A draft report of the meeting may be circulated electronically for editorial comment after the meeting.
3. The comments of the Network on the report shall, on request and subject to the decision of the Chair, be incorporated into the Network's report.
4. Reports of Meetings of the Network shall be placed on the Network's website.
5. The Network shall determine the procedures in regard to press communiqués.

Rule 8

Amendment of Rules

1. The Network may, by consensus, amend its Rules of Procedure.
2. Proposals to amend the Rules of Procedure must be circulated to Members, through the Chair, at least four (4) weeks in advance of the meeting at which they will be considered.

Thirty-four secretaries participated in the meeting representing regional fisheries bodies with diverse mandates and from all geographic regions, including FAO and non-FAO regional fisheries bodies, and marine and inland fishery advisory and management bodies.

RSN-6 discussions covered several subjects, including conservation and the sustainable use of marine biological diversity in areas beyond national jurisdiction, the Assistance Fund provided under Part VII of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea, issues related to the functioning and performance of regional fisheries bodies, and the consolidation and development of the RSN. Background documents to support discussions are annexed to this report, including the RSN Chair's Statement that was delivered at the 32nd Session of the Committee on Fisheries.

The meeting provided a unique forum to foster cooperation among regional fisheries bodies established across oceans and inland waters of the world.

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