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COMMITTEE ON FISHERIES

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THE VOLUNTARY GUIDELINES FOR CATCH DOCUMENTATION SCHEMES

Executive Summary

This paper provides background and a summary of the progress made to develop the Voluntary Guidelines for Catch Documentation Schemes (the Guidelines), including outcomes of the Expert Consultation on Establishing Guidelines for Catch Documentation Schemes (EC:CDS) from 21 to 24 July 2015, the Fifteenth Session of the Sub-Committee on Fish Trade (COFI:FT-15) from 22 to 26 February 2016, the Technical Consultation on Voluntary Guidelines for Catch Documentation Schemes (TC:CDS) from 18 to 22 April 2016, and the Resumed Session of the Technical Consultation (Resumed TC:CDS) on 8 July 2016.

The Committee is invited to:

- Provide further guidance on the work with regard to the development of the Voluntary Guidelines for Catch Documentation Schemes

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I. INTRODUCTION

1. The Fisheries Resolution adopted by the UN General Assembly on 9 December 2013 expressed serious concerns over the continued threat to fish stocks and aquatic ecosystems presented by illegal, unregulated and unreported (IUU) fishing, and also acknowledged the negative impact this form of fishing has on food security and the economies of states, particularly in developing regions.

Recognizing FAO's work on catch documentation schemes (the CDS) and traceability in accordance with its agreed terms of reference and framework principles, the resolution called upon UN Member States to initiate work within FAO on the elaboration of guidelines, in accordance with international law, including the agreements established under the World Trade Organization (WTO) and other relevant criteria relating to CDS, including possible formats.

2. In response to this request, as expressed in paragraph 68 of the resolution, the Thirty-first session of the Committee on Fisheries (COFI:31), 9–13 June 2014, proposed that FAO undertakes the elaboration of such guidelines for CDS, including possible formats, based on the following principles: (a) conformity with the provisions of relevant international law; (b) not create unnecessary barriers to trade; (c) equivalence; (d) risk-based; (e) reliable, simple, clear and transparent; and (f) electronic if possible. The COFI:31 further stipulated that assessment of schemes and formats would include cost-benefit considerations and take into account the CDSs already implemented by some Member States and regional fisheries management organizations (RFMOs).

II. PROGRESS AND STATUS OF THE VOLUNTARY GUIDELINES FOR CATCH DOCUMENTATION SCHEMES

3. Following the request of the COFI:31, with financial support from Norway, the Expert Consultation to develop the draft CDS guidelines (EC:CDS) was convened in Rome from 21 to 24 July 2015. It was attended by eight experts in their individual capacities, seven resource persons, and FAO staff.

4. The EC:CDS agreed on the basic structure of the text and a table of contents outlining nine distinct sections, which are Preamble; Purpose and scope; Objective; Definitions; Principles; Application of basic principles; Special requirements of developing states; CDS recommended standards and functions; and Data requirements/formats. The EC:CDS proposed two further principles, in addition to the six put forward by the COFI:31, on which the Guidelines were to be based. These were: a) CDS should allow fish and fishery products to be traced from catch to market; and b) CDS are most effective when states involved in the supply chain cooperate in the scheme; states should seek wide multilateral engagement in development and implementation, bearing in mind the obligations of states to cooperate under international agreements. The EC:CDS agreed that the Guidelines should include a section outlining the special requirements of developing states to effectively implement the Guidelines, particularly with regard to the electronic issuance of catch documentation (Section 7). Experts agreed that sufficient consideration of the cost and benefits of CDS had been taken into account for maximizing their effectiveness while avoiding added costs and administrative burdens to stakeholders involved. The EC:CDS agreed by consensus to submit the guidelines to the COFI:FT-15 for review and consideration of next steps.

5. Subsequent to the EC:CDS, an alternative version of the draft Guidelines was submitted by one member, in consultation with several others, to the COFI:FT-15 for discussion. The COFI:FT-15 (held in Agadir, Morocco, 22–26 February 2016) reviewed both the draft Guidelines of the EC:CDS and the alternative version provided.

6. COFI:FT-15 reiterated the importance and value of CDS as an effective tool to combat IUU fishing and commended the Secretariat and the EC:CDS for their important work on the development of the draft Guidelines. However, it further agreed that the alternative paper was more in line with the terms of reference requested by the COFI:31, less prescriptive, better structured and more readable. The COFI:FT-15 agreed that the alternative paper should constitute the starting point for the deliberations

at the upcoming Technical Consultation on Voluntary Guidelines for Catch Documentation Schemes (TC:CDS) with the following considerations that:

- proper attention be given to technical assistance, capacity building and small-scale fisheries;
- responsibility for validation of the catch document to be with competent authorities of flag States;
- accurate information be available along the supply chain; and
- relevant elements from the EC:CDS draft Guidelines be taken into account.

7. The COFI:FT-15 encouraged the Secretariat to ensure that the work of the TC:CDS, scheduled for April 2016, strictly should follow the COFI:31 mandate for CDS Guidelines and be aligned with the six principles identified at COFI:31. Many Members underlined the usefulness of the CDS in covering the supply chain, but warned that it should not become an unnecessary barrier to trade, or an additional financial or administrative burden to Members. COFI:FT-15 suggested that special consideration should be given to the needs of developing countries including the development of electronic systems, and encouraged governments, IGOs, NGOs and financial institutions to support capacity building and technical assistance. COFI:FT-15 underlined the importance of international cooperation and strongly recommended regional or multilateral approaches for optimal effectiveness of CDS. It acknowledged that existing well-established CDS including those of RFMOs, should be taken into account to avoid duplication when possible. COFI:FT-15 also recognized that each CDS should be risk-based, and many Members expressed their willingness to share their technical expertise with others in the development and implementation of IUU regulations. The full report of the COFI:FT-15 is provided as COFI/2016/Inf.9

8. With financial support from Norway, the TC:CDS was held at FAO headquarters from 18 to 22 April 2016. It was attended by 63 delegates from 32 Members of FAO. Delegates had constructive and fruitful debate on the draft Guidelines. Consensus was achieved on the following sections: Scope and Objective, Definition, Basic Principles, Application of Basic Principles and Cooperation with and Recognition of the Special Requirements of Developing States, and the Information Elements for Catch Certificates and Additional Information along the Supply Chain. However, the TC:CDS could not be concluded as there was no consensus on two points. Subsequently, the TC:CDS was adjourned and it was decided to resume at an appropriate time in the future.

9. The Resumed Technical Consultation on Voluntary Guidelines for Catch Documentation Schemes (Resumed TC:CDS) was held on 8 July 2016 at FAO headquarters, wherein the members debated on those two points. Since no consensus was reached the Resumed TC: CDS was adjourned again.