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WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAFC)

SEVENTEENTH SESSION

Miami, United States of America, 15-18 July 2019

**Study on the history, facts and developments of Regional Fishery
Management Organizations (RFMOs) and Regional Fishery Advisory
Bodies (RFABs)**

This document contains some of the findings of an overview titled “Regional Fishery Management Organizations and Advisory Bodies: Activities and Development, 2000 – 2017” that will be published by the FAO in the course of 2019.

The paper provides an overview of the activities and developments of Regional Fishery Management Organizations (RFMOs) and Regional Fishery Advisory Bodies (RFABs) from 2000 to 2017. It is based on a compilation of data and information for 46 RFMOs and RFABs.

This overview is intended to communicate to a wide audience the role and work of RFMOs and RFABs in the context of regional and global ocean governance in general and fisheries sustainability in particular. This is particularly relevant today, as countries face the challenges posed by the Sustainable Development Goals and engage in discussions on the governance of areas beyond national jurisdictions, for example in relation to biological diversity, prohibition of harmful fisheries subsidies contributing to illegal, unreported and unregulated (IUU) fishing, overfishing and overcapacity, and establishment of cross-sectoral cooperation between RFMOs/RFABs and regional seas conventions and programmes

Suggested Action by the Session

The Commission is invited to note and discuss the results of the study, also considering the future of WECAFC

Introduction

1. The international community has increasingly recognized that strengthening governance of shared fisheries is best achieved by enhancing the role of regional fishery bodies (RFBs). There are some 50 RFBs worldwide. Most provide only advice to their members, and are hence referred to in this paper as regional fishery advisory bodies (RFABs). Regional fisheries management organizations (RFMOs) have mandates to adopt legally binding conservation and management measures based on the best scientific evidence.
2. The 2030 Agenda for Sustainable Development emphasizes the importance of regional and subregional dimensions, regional economic integration and interconnectivity in sustainable development. The regional level is the most appropriate level for establishing a collaborative framework to preserve and protect whole ecosystems efficiently while also providing opportunities for participating States to benefit sustainably from the services they render.
3. Global instruments and normative processes have to be implemented and translated into actions at the country and regional levels, as appropriate. In this regard, regionalization of fisheries and aquaculture governance can provide opportunities not only to address common concerns, create synergies and mainstream the global objectives of relevant UN bodies, but also to broaden outreach on the global fisheries agenda to regional partners that may not be directly concerned with fisheries, as well as to the general public.
4. The regional dimension is key to international fisheries management policy, as demonstrated by the rapid expansion of the family of RFBs. RFMOs and RFABs continue to evolve in response to calls for sustainability, improved management and governance, and as a result of lessons learned and stronger commitment by their members.
5. For many years, FAO has promoted and supported RFMOs and RFABs. It has participated directly in the establishment of many of them, formalizing existing opportunities for sharing experiences within a given region, or implementing the processes needed for sustainable management of shared resources. These RFBs have benefited from FAO's advice on technical matters as well as its secretariat, legal, financial and process support.
6. FAO is actively committed to bolstering regional cooperation through the Regional Fishery Body Secretariats' Network (RSN), which provides a forum for promoting consultation and regional dialogue, addressing priority issues of common concern and fostering ongoing cooperation and exchange of information.¹

Regional Fishery Management Organizations (RFMOs)

¹ www.fao.org/fishery/rsn

Overview

7. Regional fisheries management organizations are among the most important building blocks of fisheries management, as they have the authority to adopt international legally binding conservation and management measures concerning fishing operations and associated activities.
8. Most RFMOs have been established for conservation and management in marine waters covering high seas and national waters, while a few are bilateral arrangements. One RFMO covers inland waters. There are basically two types of RFMOs: generic RFMOs (i.e. responsible for conservation and management of living marine resources or fishery resources in general in their area of coverage) and specialized RFMOs (i.e. responsible for the conservation of a particular stock or species). Within the latter group, a notable subgroup is tuna RFMOs (i.e. responsible for conservation and management of tuna and tuna-like species). Three of the generic RFMOs also include aquaculture in their mandates.

Summary of trends

Establishment and membership

9. The number of RFMOs (conventions or agreements entering into force) has increased rather steadily over the past five decades. Seven (a third of all RFMOs) have been established since 2000, namely CACFish, NPFC, RECOFI, SEAFO, SIOFA, SPRFMO and WCPFC (with 5, 6, 8, 7, 10, 13 and 26 member States, respectively).
10. CTMFM, IPHC and PSC are bilateral organizations; nine others also have fewer than ten members; while the RFMOs with the most members are IWC (87), ICCAT (52), IOTC (31), WCPFC (26 member States plus seven territories) and CCAMLR (25).
11. In 2017, 152 States and regional economic integration organizations were members of one or more RFMOs. Many States are members of more than one RFMO.
12. Between 2000 and 2017, 66 States that were not previously members of any RFMO joined one or more RFMOs.

Conservation and management

13. *Fish stocks assessed.* Most RFMOs regularly assess between 1 and 10 fish stocks. Some RFMOs regularly assess more than 10 fish stocks; more specifically, three RFMOs assess between 10 and 20 fish stocks, two assess between 20 and 30, and another two assess more than 50 fish stocks on a regular basis.
14. *Fisheries managed.* Most RFMOs (10 of 18) manage between 1 and 10 fisheries. Some RFMOs manage more than 10 fisheries. More specifically, five manage between 10 and 20 fisheries, one manages between 20 and 30, and another two manage more than 50 fisheries.

15. ***Precautionary approach and ecosystem approach.*** Two RFMO conventions refer directly to the term “ecosystem approach”, while others include language that could be interpreted as referring to the ecosystem approach although that term is not directly used.
16. ***Data collection.*** The conventions and/or agreements of most of the RFMOs established since 2000 refer to the general duty of the parties to ensure that complete and accurate data are collected and shared in an appropriate manner. Similar wording is also incorporated in those treaties that have been amended. According to the survey, 20 of the 22 RFMOs have adopted detailed data submission requirements, which include deadlines and the data-sharing obligations of the various secretariats. In general, data covered include catch of target and non-target species (daily, weekly and/or annual figures), VMS and logbooks; data are shared among members; and an aggregated version of the data is available on the organization’s website.
17. ***Monitoring, control and surveillance.*** According to the survey, 60 percent of the RFMOs have adopted VMS requirements. Other means of MCS include boarding and inspection schemes, observer programmes and/or port inspections.
18. ***Measures targeting IUU fishing.*** IUU fishing has been identified as a major threat to fisheries conservation and marine biodiversity. It can lead to the collapse of a fishery, which in turn may have adverse consequences for the livelihood of the people depending on it. IUU fishing occurs in all fisheries, both within areas under national jurisdiction and on the high seas. Since 2000, RFMOs have increasingly established a suite of measures to combat this phenomenon.
19. In 2000, no RFMO had established IUU vessel lists, only two had adopted port State measures and three had adopted transshipment regulations. By 2017, 13 RFMOs had adopted IUU vessel lists, 10 had adopted transshipment regulations and 11 had adopted port State measures.²

Governance

20. ***Compliance committees.*** In order to monitor and review members’ compliance with conservation and management measures and to address IUU fishing in general, most RFMOs have established compliance committees, which meet regularly. Many of these committees were established between 2000 and 2017.
21. ***Transparency.*** Pursuant to UNSFA Article 12, States shall provide for transparency in RFMO decision-making processes and activities, and representatives from other intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) concerned with straddling fish stocks and highly migratory fish stocks shall be given the opportunity to attend meetings of RFMOs as observers.

² WCPFC adopted port State measures in 2018.

International cooperation

22. Since 2000, some RFMOs have established cooperation with other RFMOs through formal mechanisms such as MoUs. Such arrangements are most common between RFMOs managing tuna and tuna-like species, but also occur between RFMOs that operate in the same oceans. NAFO and NEAFC have also established joint working groups to harmonize reporting requirements.
23. Four RFMOs have established MoUs with regional seas conventions or programmes: Both NASCO and NEAFC have MoUs with the OSPAR Commission for the Protection of the Marine Environment in the North East Atlantic; GFCM has an MoU with the United Nations Environment Programme – Mediterranean Action Plan (UNEP-MAP) Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean; and RECOFI has an MoU with the Regional Organization for the Protection of the Marine Environment (ROPME).

Performance review(s)

24. Responding to calls and recommendations from a variety of fora, 15 of 22 RFMOs have undertaken performance reviews. The first performance review was conducted in 2006. Six of these RFMOs also had a second performance review between 2006 and 2017. (In addition, NAFO had a second performance review in 2018, after the present study was completed.)
25. In essence, RFMOs have been using four general criteria to review their performance: assessment of conservation and management of fish stocks; the level of compliance with international obligations; the status of legal frameworks and organizational and financial affairs; and the level of cooperation with other international organizations and non-member States. Such reviews have become institutionalized and are undertaken with increasing regularity and frequency.

Regional Fishery Advisory Bodies (RFABs)

Overview

26. Unlike RFMOs, regional fishery advisory bodies (RFABs) do not have the authority to adopt legally binding conservation and management measures concerning fishing operations and associated activities. RFABs provide fora for collaboration and coordination and promote sustainable utilization of living aquatic resources by suggesting specific actions and by providing advice to members on fisheries conservation and management.
27. As for RFMOs, there have been numerous calls in various international fora, among them COFI and the United Nations General Assembly, to strengthen RFABs.
28. RFABs vary greatly in size, focus areas and activities. One RFAB focuses only on marine mammals, while the others address more general fisheries and fisheries-related issues. Most of the RFABs have been established to oversee marine living resources in national

waters, while eight cover inland waters and rivers. Many RFABs also address issues related to aquaculture.

Summary of trends

Establishment and membership

29. Since 2000, six additional RFABs have been established: BCC (2013), BOBP-IOG (2003), CRFM (2002), FCWC (2006), LTA (2008) and SWIOFC (2004).
30. In 2017, 156 States were members of one or more RFABs.

Conservation and management

31. *Fish stocks assessed.* According to the survey, five RFABs regularly assess between 1 and 10 fish stocks, two RFABs between 10 and 20 fish stocks, one RFAB between 20 and 30 fish stocks and two RFABs more than 50 stocks. Eight RFABs replied that the question regarding number of fish stocks assessed was not applicable, thereby indicating that they do not regularly assess the status of fish stocks.
32. *Number of fisheries for which advice is provided.* Eight RFABs provide advice for between 1 and 10 fisheries. Two RFABs provide advice for 10 to 20 fisheries, two RFABs for 20 to 30 fisheries and three RFABs for more than 50 fisheries. Three RFABs replied that the question was not applicable, probably because they do not provide scientific advice for particular fisheries.
33. *Precautionary approach and ecosystem approach.* Few RFABs make specific reference to the precautionary approach or the ecosystem approach to fisheries management in their treaty texts. Four RFABs (BCC, EIFAAC, SWIOFC and WECAFC) refer specifically to both approaches. Two RFABs (CRFM and LTA) refer to the precautionary approach only, and one (COPPESAALC) refers to the ecosystem approach only. However, some RFABs refer to the precautionary and ecosystem approaches in key policy documents. For example, the Fisheries and Aquaculture Integration Policy for the Central American Isthmus, which guides the work of OSPESCA, refers specifically to the promotion and application of the ecosystem approach to fisheries and aquaculture, although this approach is not mentioned in the act that established the organization (the Act of San Salvador).
34. *Data collection.* According to a survey carried out for this study, 11 of the 18 RFABs that responded to the survey have adopted a detailed system for data collection and sharing, and another four RFABs are establishing such systems.
35. *Monitoring, control and surveillance.* MCS, including VMS, is a key component of fisheries management for which RFABs can provide support to their members. Of the 18 RFABs that responded to the survey, 8 reported that they support measures to implement VMS in the area of their agreement. Another five RFABs replied that actions to support the implementation of VMS are being established. Most RFABs also support their

members in implementing MCS and combating IUU fishing through workshops, working groups or regional projects.

36. **Transparency.** All RFABs have either established their own website or have a website provided by FAO. The websites provide general information about the organizations and often make meeting reports publicly available. Most RFABs have established processes for granting observer status to international organizations, including NGOs.

International cooperation

37. A number of RFABs have signed MoUs or other formal arrangements for collaboration with other RFABs. Joint working groups have sometimes been created as a means for collaboration; the joint working groups established by CRFM, OSPESCA and WECAFC are an example.

Performance review(s)

38. Five of the RFABs have been subject to performance reviews between 2000 and 2017: CECAF (2012), CRFM (2013), FFA (twice, in 2010 and 2017), SWIOFC (2013) and WECAFC (2014).