



**CODE OF ETHICS FOR RESPONSIBLE FISHERIES AND AQUACULTURE IN
THE STATES OF THE CENTRAL AMERICAN ISTHMUS**

1 July 2011



This publication was made possible through the Assistance Project for the Central American Fisheries and Aquaculture Integration Process (PRIPESCA) which has the cooperation of the Republic of China (Taiwan).

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INTRODUCTION

The Organization of the United Nations for Food and Agriculture (FAO), in 2005 prompted the Code of Conduct for Responsible Fisheries, which contains international norms and standards for responsible practices with a view to ensuring the conservation, management and development of living aquatic resources while respecting ecosystems and biodiversity. The Code has been adopted by all FAO member countries, particularly Central America. It is worth the opportunity to mention that in May 2004, El Salvador with the assistance of FAO, formulated and adopted its own Code to promote ethical and moral values in the use of its aquatic resources. Since 2005, member countries of the Central American Integration System (SICA) have launched the Fisheries and Aquaculture Integration Policy in the Central America, with the aim of establishing a common system to increase the participation of fishermen, fish farmers and anyone that in one way or another are related to the sustainable use of fisheries resources and aquaculture products. Its specific objectives consider the integration of regional actions to strengthen cooperation promoting the binding agreements to ensure the biological, economic, social and environmental sustainability of fisheries and aquaculture.

It is in this context that the various regional fisheries and aquaculture sectors decided to boost in the mentioned Regional Policy, the strategic component related with the "Central-American regulatory harmonization" with a governance participatory regional model which has regulations that are implemented such as the Fisheries and Aquaculture Regional Registry, the Regional Fishery

Regulation for the Spiny Lobster and Satellite System for Monitoring and Control of Fishing Vessels. This Policy also includes a specific Code of Ethics. The Central American Integration System (SICA), through its Organization of the Fisheries and Aquaculture Sectors of Central America (OSPESCA) generated a dialogue which was complemented by a regional participatory consultation and ended in the development and adoption of this **Code of Ethics for Responsible Fisheries and Aquaculture in the Central America Countries**.

This publication, which we gladly deliver and hope it will be useful, makes publicly available the contents of the Code which came into force on 1 July 2011. It is a concrete expression of the will and interest that exists in Central America to have a framework that facilitates deeper the renovation, modernization and harmonization of law processes. This will assist management support and sustainable development of fisheries and aquaculture resources through modern management criteria, effectiveness and the use of economies of scale made possible by regional integration; when all of this is said and done, the fish do not know borders.

Juan Daniel Aleman
Secretary General

Certification by Juan Daniel Aleman Guardian, SICA Secretary General



SECRETARIA GENERAL DEL SISTEMA DE LA INTEGRACION CENTROAMERICANA (SG-SICA)

CERTIFICACIÓN

STD/C/010/11

El infrascrito Secretario General del Sistema de la Integración Centroamericana (SICA), **CERTIFICA:** que el texto adjunto que contiene la "**RESOLUCION NUMERO CUATRO: Reglamento OSP-04-11 relativo al Código de de Ética para la Pesca y Acuicultura Responsable en los Estados del Istmo Centroamericano**", suscrita en San Salvador el veintisiete de abril del dos mil once, por René Montero, Ministro de Agricultura y Pesca de Belize; Gloria Abraham Peralta, Ministra de Agricultura y Ganadería de Costa Rica; José Guillermo López Suarez, Ministro de Agricultura y Ganadería de El Salvador, Juan Alfonso de León, Ministro de Agricultura, Ganadería y Alimentación de Guatemala; Jacobo Regalado Weizemblut, Secretario de Agricultura y Ganadería de Honduras; Steadman Fagot Muller, Presidente Ejecutivo de INPESCA de Nicaragua y Emilio José Kieswetter Anguizola, Ministro de Desarrollo Agropecuario de Panamá; consta de una Resolución y un anexo, los cuales son una copia fiel y conforme a su original, que se encuentra depositado en esta Secretaría General, con el cual ha sido debidamente cotejado. La Resolución consta de dos hojas útiles y únicamente utilizadas en su anverso y el anexo consta de seis hojas útiles y únicamente utilizadas en su anverso. La cual extendiendo, firmo y sello para ser remitida al Ing. Juan Alfonso de León García, Ministro de Agricultura Ganadería y Alimentación en su calidad de Presidente Pro Tempore del Consejo Agropecuario Centroamericano-CAC- en la Sede de la Secretaría General del Sistema de la Integración Centroamericana (SICA), San Salvador, República de El Salvador, a los veintisiete días del mes de junio de dos mil once.

Juan Daniel Alemán Guardián
Secretario General



Meeting of the Ministers of Fisheries and Aquaculture of Central
America

RESOLUTION No. Four

Regulation OSP-04-11 on the Code of Ethics for Responsible Fisheries and Aquaculture for the States in the Central American Isthmus.

Ministers of Fisheries and Aquaculture or their representatives, members of the Organization of the Fisheries and Aquaculture Organization of the Central American Isthmus (OSPESCA) acting within the framework of Fisheries and Aquaculture Integration Policy for Central America:

CONSIDERING:

- I. That fisheries and aquaculture resources in the states of the Central American Integration System (SICA) are heritage of high social and economic value for the population and are necessary to protect and develop under ethical and responsible practices.
- II. It is necessary to strengthen the application of principles, values and parameters which encourage practices and attitudes to the sustainability of these resources in the public and private sectors throughout the population, serving as a framework reference to further deepen the harmonization of policy makers.
- III. That the Policy Integration of Fisheries and Aquaculture in Central America implementation from 1 July 2005, considers that the region should go ahead Code of Ethics for Fisheries and Aquaculture in Central America.

RESOLVED:

- I. Approval of Regulation OSP-04-11 on the Code of Ethics for Responsible Fisheries and Aquaculture in the States of the Central America Isthmus which is annexed to this Resolution and comes into effect on July 1, 2011.
- II. Task the Pro Temp President of SICA / OSPESCA to deposit this resolution before the General Secretariat of the Central American Integration System (SICA) for certification.

San Salvador, 27th April 2011.



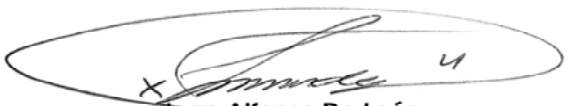
Rene Montero
Ministro de Agricultura y Pesca
Belize



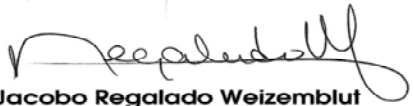
Gloria Abraham Peralta
Ministra de Agricultura y Ganadería
Costa Rica



José Guillermo López Suarez
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Guatemala



Jacobo Regalado Weizemblut
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Steadman Fagoth Muller
Presidente Ejecutivo de INPESCA
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Ministro de Desarrollo Agropecuario
Panamá

**CODE OF ETHICS FOR
RESPONSIBLE FISHERIES AND
AQUACULTURE IN THE STATES OF
THE CENTRAL AMERICAN ISTHMUS**

San Salvador, 1 July 2011

CODE OF ETHICS FOR RESPONSIBLE FISHERIES AND AQUACULTURE IN THE STATES OF THE CENTRAL AMERICAN ISTHMUS

CONSIDERING

- I. That fisheries and aquaculture are defined activities and States, under the Central American Integration System (SICA), highlight the importance to promulgate legislation necessary that guarantee the sustainability of the fishery and aquaculture resources.
- II. That it is necessary to strengthen the principles applicable to fisheries and aquaculture including the precautionary and prevention approaches which are found in the legislation of the Central American States.
- III. That the Fisheries and Aquaculture Integration Policy for the Central American Isthmus that initiated on July 1, 2005 established the mechanism for the region to promote a Code of Ethics for Responsible Fisheries and Aquaculture for Central America.
- IV. That the Central American States have adopted the Code of Conduct for Responsible Fishing of the Food and Agriculture Organization (FAO).
- V. That the Central American States have marine and continental water bodies with important aquatic resources where responsible fisheries and aquaculture should be practiced on a voluntary basis aimed at sustainable development.
- VI. That it is necessary to have in mind the Alliance for Sustainable Development of Central America (ALIDES); the objectives of the Millennium Goals; the Declaration of Universal Human Rights and the American Convention on Human Rights in order to adopt the norms that promote the development of sustainable fisheries and aquaculture.
- VII. That the States should promote the participation of its citizens to strengthen responsible fisheries and aquaculture.

THEREFORE

THE STATES OF THE CENTRAL AMERICAN ISTHMUS

AGREE TO ADOPT THE FOLLOWING:

CODE OF ETHICS FOR RESPONSIBLE FISHERIES AND AQUACULTURE IN THE CENTRAL AMERICAN STATES



Article 1. NATURE AND PRUPOSE.

The present Code is applicable on a voluntary basis in all States of the Central American Isthmus and shall be used as a reference framework in the harmonization of Central American legislation and revision of national legislation, within the guidelines of the Central American Integration System.

Article 2. PARTIES.

The parties subjected to application of this Code shall include: Member States and Organizations of the Central American Integration System; persons and organizations of fishermen and aquaculturists and other users of the aquatic environment, which are related to the fishing activity.

Article 3. ENABLING ENVIRONMENT AND APPLICATION.

It shall be applicable to a) all territories of the Member States of the Central American Integration System and in all areas where the said Sates exercise sovereignty and jurisdiction and b) to conservation, management and sustainable development in fisheries, aquaculture and reproduction of aquatic species, including transformation, processing, domestic and external marketing of fisheries products and scientific and technological investigation in fisheries and aquaculture.

Article 4. OBJECTIVE.

To establish values, criteria, ethical and moral principles that promote responsible conduct for sustainable use of the fisheries and aquaculture resources.

Article 5. DEFINITIONS.

For purposes of this Code the following are defined:

- A. Climate change: change of climate attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in added to natural climate variability observed over comparable time periods.
- B. Illegal fishing activities:
 - a. conducted by national or foreign vessels in waters under the jurisdiction of a State without the permission or in contravention of its laws and regulations;
 - b. conducted by vessels flying the flags of States that are parties to a relevant regional fisheries management organization but operate in contravention of conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions for the applicable international law; or
 - c. in violation of national laws or international obligations, including those undertaken by cooperating States in respect to a regional fisheries management organization.
- C. Unreported fishing: fishing activities:
 - a. that have not been reported, or have been misreported to the national authority, in contravention of national laws and regulations; or
 - b. conducted in the area of jurisdiction of a regional fisheries management organization and has not been reported or have been misreported in contravention of the procedures of that organization.
- D. Unregulated fishing: fishing activities:
 - a. conducted by vessels without nationality in the area of jurisdiction of a relevant regional fisheries management organization, or vessels flying the flag of a State not party to that organization, or by a fishing entity in a way that is not consistent with the conservation and management measures of that organization, or in contravention; or

- b. in areas or in relation to fish stocks for which there are no applicable conservation measures or management and where such fishing activities are conducted in a manner that is not consistent with the responsibilities for marine conservation obliged on the State under international law.



- E. Fisheries Management: control measures or regulations based on scientific data to maintain self-regenerative capacity of the stocks or to restore them to levels that can dynamically permit sustainable catches.
- F. Unfair practices: behaviors that affect fair competition in fisheries and aquaculture, causing damage to these sectors.

Article 6. VALUES, CONDUCTS AND ETHICAL AND MORAL PRINCIPLES.

The following are considered in the present Code:

- 6.1 Recognize the knowledge and traditional practices of the artisanal fishermen and indigenous communities that lead to the sustainability of the fisheries and aquaculture resources.



- 6.2 Carry out fisheries and aquaculture activities in a responsible manner that guarantees sustainability of aquatic resources with a view to guarantee availability for present and future generations.
- 6.3 Promote actions and alternative livelihoods in the fisheries and aquaculture sectors that contribute to food and nutritional security, poverty reduction and the targets set for the region by ALIDES, the Millennium Goals and the FAO Code of Conduct for Responsible Fisheries.
- 6.4 Combat illegal, undeclared, unregulated fishing at the regional and national level and at the same time fostering legal and transparent conducts giving special attention to inspection and certification processes for fishery products.
- 6.5 Cooperate with Regional Fisheries Management Organizations of which the States of the Central American Isthmus are members.
- 6.6 Promote the respect of national laws, Central American legislation and applicable international law including the Universal Human Rights Declaration, American Convention on Human Rights and the Conventions related to the International Labor Organization of which the member States are affiliated.
- 6.7 Promote human dignity for those who practice fishing and aquaculture.

- 6.8 Promote the active participation of women and equity in decision-making and activities related to the fisheries and aquaculture sectors.
- 6.9 Promote the active participation of disabled persons and elders in the decision making process and activities related to fisheries and aquaculture.
- 6.10 Promote the establishment of protection measures for ecosystems including those necessary in pollution prevention and combating the negative effects of climate change in fisheries and aquaculture activities.
- 6.11 Promote the elaboration and use of equipment and gears, fishing methods that protect the marine habitats and reduce by-catch as well as aquaculture production systems that guarantee sustainable development of the fisheries and aquaculture resources.
- 6.12 Promote at the national and regional levels measures to eliminate bad practices derived from fisheries and aquaculture.
- 6.13 The principles contained in the Fisheries and Aquaculture Integration Policy for the Central American Isthmus which highlights: Sustainability, Precaution, Central American Integration, Regional Responsibility, Participation of Citizens, Regional Solidarity and Good Neighbors.
- 6.14 Practice collaboration in all areas including scientific investigation and data collection, fostering the exchange of scientific and technical knowledge on fisheries and aquaculture.



Article 7. EDUCATION IN RESPONSIBLE FISHERIES AND AQUACULTURE.

The importance to promote training in responsible fisheries and aquaculture with emphasis in the principles, values, criteria and conducts contained in the present Code and other pertinent regulations for fisheries and aquaculture, fisheries directorates and anyone that is involved in these sectors is recognized.

Article 8. DIALOGUE AND COMMUNICATION.

Dialogue and communication shall be encouraged and strengthened among fishermen and fish farmers of the Central American Isthmus as a means to promote the organization of associations and to prevent and avoid and resolve controversies.

Article 9. SOCIAL SECURITY.

The States of the Central American Isthmus shall promote access by fishermen, fisherwomen and their families to the social security and welfare systems.

Article 10. FORMATION OF THE FISHERIES AND AQUACULTURE ETHICS COMMITTEE FOR THE CENTRAL AMERICAN ISTHMUS.

A Fisheries and Aquaculture Regional Ethics Committee for the Central American Isthmus shall be created. It shall follow-up on the correct application of the present Code of Ethics for Fisheries and Aquaculture in the States of the Central American Isthmus. It shall be composed by a representative of each Member State of SICA and shall establish consultative mechanisms with the fisheries and aquaculture sectors. The committee shall execute its functions ad-honorem.

Article 11. REVISION AND MODIFICATION.

The present Code shall be subject to periodic revision when deemed necessary at the request of OSPESCA's Steering Committee. Any modification that may result from the revision shall be forwarded to the Council of Ministers responsible for Fisheries and Aquaculture of the Central American Isthmus for the necessary actions.

Article 12. INTERPRETATION.

The regulations set in the present Code shall not be interpreted in the detriment of the sovereignty and jurisdiction of the Member States of SICA and at the same time do not belittle the contracted obligations in virtue of International Rights.

Article 13. VALIDITY AND DEPOSITION

The present Code shall be deposited at the General Secretariat of the Central American Integration System and will become effective July 1, 2011.

To be certified and submitted to the different States of the Central American Isthmus for its publication in each country in the Central American Isthmus.

National Fisheries and Aquaculture Institutions in the Central American Isthmus that can provide information on the Code of Ethics



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