



WESTERN CENTRAL ATLANTIC FISHERY COMMISSION Eleventh Session
WECAFC LESSER ANTILLES FISHERIES COMMITTEE Eighth Session
St. George's, Grenada, 21-24 October 2003
MAIN DECISIONS OF TWENTY-FIFTH SESSION OF COFI

INTRODUCTION

1. The Committee on Fisheries held its Twenty-fifth Session in Rome from 24 to 28 February 2003. The Session was attended by 120 Members of the Committee, by observers from one other FAO Member Nation, the Holy See, and two non-Member Nations of FAO, by representatives from six specialized agencies of the United Nations and by observers from 57 intergovernmental and international non-governmental organizations. A list of delegates and observers is attached as Appendix B.
2. Mr Jerónimo Ramos Saenz Pardo (Mexico) was unanimously elected Chairperson of the Committee and Mr Glenn Hurry (Australia) was elected First Vice-Chairperson. Poland, Egypt, USA, Mauritania and India were elected as other Vice-Chairpersons.
3. The Committee elected Mr François Gauthiez (France) as Chairperson of the Drafting Committee with the following membership: Angola, Australia, Canada, China, Colombia, Egypt, European Community, France, Guatemala, Iceland, Indonesia, Japan, New Zealand, South Africa and United States of America.

ACHIEVEMENTS OF MAJOR PROGRAMME 2.3 FISHERIES 2000-2002

The Committee:

4. **Commended** FAO for the progress achieved in the implementation of the work under the Major Programme 2.3 Fisheries.(para. 11)
5. **Emphasized** the importance of new challenges to sustainable fisheries and aquaculture development and the key role required from the part of FAO under the guidance of the Committee.(para. 11)
6. **Noted** with concern the relative stagnation of funding for fisheries and requested that the Organization consider the feasibility of increasing its budgetary allocation to this important Major Programme from FAO Regular Programme resources.(para. 11)
7. **Noted** with satisfaction that FAO has strengthened its collaboration with other specialized international institutions or arrangements, such as WTO, ILO and CITES.(para. 15)

PROGRESS REPORT ON THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES AND RELATED INTERNATIONAL PLANS OF ACTION (CAPACITY, IUU FISHING, SEABIRDS AND SHARKS) AND MAKING MONITORING CONTROL AND SURVEILLANCE OF FISHING VESSELS MORE EFFECTIVE

The Committee:

8. **Recognized** the crucial importance of the Code of Conduct and its related IPOAs in promoting long-term sustainable development in fisheries and aquaculture.(para. 18)
9. **Urged** FAO to broaden and deepen its efforts to promote the implementation of the Code of Conduct and its IPOAs, building on positive past experience.(para. 18)
10. **Noted** the first analysis based on sixteen case studies of Code of Conduct implementation, allowing a more substantive analysis of the challenges being faced in its implementation.(para. 18)
11. **Encouraged** Members to establish and implement national plans of action on sharks and seabirds.(para. 19)
12. **Agreed** that strenuous efforts should be made to control fleet capacity, particularly that of large-scale fishing vessels, and, as appropriate, implement measures to reduce overcapacity and prevent it from migrating to other fully exploited or overexploited fisheries.(para. 20)
13. **Noted** the need to monitor fleet capacity of large scale fishing vessels on a global basis. (para. 20)
14. **Expressed** concern about the continuing high and growing incidence of illegal, unreported and unregulated (IUU) fishing and the lack of effective implementation of the IPOA-IUU. (para. 21)
15. **Reaffirmed** the need for the global implementation of measures against IUU fishing. (para. 21)
16. **Agreed** that there is a linkage between fleet overcapacity and IUU fishing. (para. 23)
17. **Endorsed** a proposal by Japan that FAO should convene a Technical Consultation at FAO Headquarters in Rome in early 2004 to review progress and promote the full implementation of the IPOA-IUU and the IPOA-Capacity.(para. 23)
18. **Agreed** that this Consultation should not lead to the re-negotiation of the IPOAs on capacity and IUU fishing.(para. 23)
19. **Endorsed** the proposal of the Expert Consultation to convene a technical consultation to address substantive issues relating to the role of the port State to prevent, deter and eliminate IUU fishing.(para. 24)
20. **Agreed** that while taking into consideration existing work on sea turtle interactions and conservation, a Technical Consultation as proposed by Japan should be held in Bangkok, Thailand, in 2004.(para. 25)
21. **Agreed** that the Director-General of FAO should enter into consultation with the United Nations Secretary-General with a view to defining practical modalities for the implementation of the (Part VII) trust fund.(para. 27)
22. **Reviewed** the current status of monitoring, control and surveillance (MCS) and vessel monitoring systems (VMS) as tools for responsible fisheries management.(para. 28)
23. **Recognized** the need for international cooperation in making VMS more effective as part of the MCS toolkit and particularly for dealing with the serious and growing problems of IUU fishing.(para. 29)
24. **Noted** the activities of the International MCS Network and encouraged Members to join in this voluntary effort.(para. 31)
25. **Agreed** that FAO should continue to be closely involved with the work of the MCS Network, including provision of strengthened technical support for the coordination of communications and facilitation of awareness raising among Members for Network activities depending on the availability of resources to do

so.(para. 31)

26. **Welcomed** advice by the ILO Representative that a convention on labour conditions on fishing vessels would be elaborated by ILO, commencing in 2003.(para. 32)
27. **Noted** that developing countries face difficulties with regard to capital and technical expertise and have often recourse to the establishment of joint ventures.(para. 34)

DECISIONS AND RECOMMENDATIONS ON THE EIGHTH SESSION OF THE COFI SUB-COMMITTEE ON FISH TRADE, BREMEN, GERMANY, 12-16 FEBRUARY 2003

The Committee:

28. **Expressed** its satisfaction with the work of the Sub- Committee and the important role played by FAO in the field of fish trade.(para. 36)
29. **Endorsed** the report of the Eighth Session of the Sub-Committee on Fish Trade and provided a number of pertinent observations.(para. 37)
30. **Decided** to include as an agenda item for the Ninth Session of the Sub-Committee a report on the alleged link of the use of the fishmeal for animal feed to Bovine Spongiform Encephalopathy (BSE).(para. 41)
31. **Indicated** that FAO should continue the work on harmonization of catch certification schemes, and this should be put on the agenda of the next COFI Sub-Committee on Fish Trade.(para. 43)
32. **Expressed** its appreciation for the generosity of the Hanseatic City of Bremen for hosting the Sub-Committee on Fish Trade and welcomed its offer to host the next Session of the Sub-Committee.(para. 45)
33. **Acknowledged** the work undertaken by the open-ended Friends of the Chair Group and expressed disappointment that consensus could not be reached on the draft MOU between FAO and the CITES Secretariat.(para. 47)
34. **Adopted** the Terms of Reference for the ad hoc Expert Advisory Panel for Assessment of Proposals to CITES, and the Work Plan as reproduced in Appendices E and F. (para. 48)
35. **Agreed** that an open-ended informal group should continue work on the MOU (Appendix G) at opportune times including at the Ninth Session of COFI Sub-Committee on Fish Trade in 2004, and to delegate the authority to finalize the draft FAO/CITES Secretariat MOU to the Sub-Committee on Fish Trade.(para. 48)
36. **Acknowledged** the offer by the delegations of Norway and Japan to provide extra-budgetary resources to organize the expert consultations on CITES related issues. (para. 50)

DECISIONS AND RECOMMENDATIONS OF THE FIRST SESSION OF THE COFI SUB-COMMITTEE ON AQUACULTURE, BEIJING, CHINA, 18-22 APRIL 2002

The Committee:

37. **Endorsed** the Report of the Sub-Committee.(para. 51)
38. **Thanked** the People's Republic of China and the Government of Italy for hosting and supporting the First Session.(para. 51)
39. **Appreciated** the excellent work of the Sub-Committee and the Secretariat.(para. 51)
40. **Recognized** the importance of aquaculture as a means to increase fishery production, to generate income and foreign exchange, to help restore and relieve pressure on wild populations, to alleviate poverty, to

increase food security and to provide for diversification of employment.(para. 52)

41. **Acknowledged** that the expertise of FAO will be critical in developing science-based standards for the responsible development of aquaculture from culture to the finished products.(para. 53)
42. **Appreciated** the offer of Japan to create a Trust Fund for Aquaculture Development.(para. 53)
43. **Agreed** to further discuss issues related to prioritization and additional financial resources for aquaculture activities under agenda item 12 dealing with the FAO Programme of Work and Budget.(para. 54)
44. **Noted** the work of the Network of Aquaculture Centres in Asia and the Pacific (NACA).(para. 56)
45. **Supported** continuation of the Sub-Committee on Aquaculture and thanked Norway for its offer to host the second Session in Norway from 7 to 11 August 2003.(para. 58)
46. **Noted** that the USA was considering the possibility of hosting the third Session of the Sub-Committee.(para. 58)

OUTCOME OF THE TECHNICAL CONSULTATION ON IMPROVING INFORMATION ON THE STATUS AND TRENDS OF CAPTURE FISHERIES

The Committee:

47. **Reaffirmed** that improved data and information are of fundamental importance for effective policy-making and fisheries management, essential for implementation of the Code of Conduct for Responsible Fisheries and central to the mandate of FAO.(para. 62)
48. **Stressed** that high priority should be given to capacity-building and the provision of technical assistance to developing countries, as emphasised in the draft Strategy. (para. 63)
49. **Recognized** the need for improved regional cooperation in improving data and information on status and trends of fisheries and the roles of regional fishery bodies and FAO as stated in the draft Strategy.(para. 64)
50. **Approved** the draft Strategy as an important framework for improving information on status and trends of fisheries and recommended its further approval by the FAO Council.(para. 65)
51. **Recognized** the need for additional funding requirements for implementation of the Strategy.(para. 66)
52. **Endorsed** the proposal to seek extra-budgetary funds from donors for projects implementing the Strategy under the FishCode Programme.(para. 66)
53. **Noted** the offer by the United States of America and Japan that they would make financial contribution to promote the implementation of the Strategy.(para. 66)
54. **Recommended** that the Secretariat should monitor the implementation of the Strategy as an integral component of monitoring implementation of the Code of Conduct and its related instruments, and report back regularly to COFI.(para. 67)

CONCLUSIONS AND RECOMMENDATIONS OF THE FAO EXPERT CONSULTATION ON IDENTIFYING, ASSESSING AND REPORTING ON SUBSIDIES IN THE FISHING INDUSTRY, ROME, 3-6 DECEMBER 2002

The Committee:

55. **Appreciated** the work undertaken by the Secretariat on this issue and noted the Report of the Expert Consultation as well as the conclusions and recommendations contained therein.(para. 70)

56. **Urged** FAO to accelerate its work in relation to the impact of subsidies on fisheries resource sustainability and sustainable development.(para. 71)
57. **Encouraged** FAO to continue its leading role in promoting cooperation and coordination with other relevant intergovernmental organizations such as the WTO, OECD, UNEP and others in the field of fisheries.(para. 71)
58. **Agreed** that the guide Identifying, Assessing and Reporting on Subsidies in the Fisheries Sector prepared by FAO and reviewed by the expert consultation provides a useful technical tool.(para. 72)
59. **Agreed** with the Japanese proposal that FAO should convene a Technical Consultation on this issue to be held immediately after the meeting on IUU fishing and fleet overcapacity in early 2004 in Rome.(para. 73)

STRATEGIES FOR INCREASING THE SUSTAINABLE CONTRIBUTION OF SMALL-SCALE FISHERIES TO FOOD SECURITY AND POVERTY ALLEVIATION

The Committee:

60. **Commended** the Secretariat for the quality of the document.(para. 76)
61. **Endorsed** the analysis presented and the Strategies proposed.(para. 76)
62. **Applauded** FAO's initiative to treat the small-scale fisheries sector as a stand alone agenda item for the Committee's attention.(para. 76)
63. **Highlighted** the important role of women in small-scale fish processing and marketing activities.(para. 76)
64. **Noted** the high vulnerability of small-scale fishing communities to the impacts of natural catastrophes and the high risks associated with small-scale fishing operations.(para. 77)
65. **Recognized** that certain current policies do not always treat small-scale fisheries in accordance with the sector's importance to national economic and social development and, in particular, its contribution to food security and poverty reduction.(para. 80)
66. **Further recognized** that small-scale fisheries have often been overlooked in the formulation of national poverty reduction strategies.(para. 80)
67. **Stressed** that better understanding of the causes of vulnerability and poverty in small-scale fisheries were essential to the development of strategies for enhancing the role of the sector in fostering national social and economic welfare.(para. 81)
68. **Recognized** the valuable experiences reported by several Members in enhancing the social and economic contributions of small-scale fisheries.(para. 82)
69. **Requested** that FAO allocate more resources to promote sustainable small-scale fisheries.(para. 84)
70. **Welcomed** the suggestion for the Organization to elaborate, in the context of the Code of Conduct for Responsible Fisheries, technical guidelines on increasing the contribution of small-scale fisheries to food security and poverty alleviation.(para. 84)

IMPLEMENTATION OF ECOSYSTEM APPROACH TO FISHERIES MANAGEMENT TO ACHIEVE RESPONSIBLE FISHERIES RESOURCES AND TO RESTORE FISHERIES RESOURCES AND THE MARINE ENVIRONMENT

The Committee:

71. **Noted** that many Members were already addressing several aspects of EAF.(para. 87)

72. **Agreed** that although the approach needed further clarification, many of its aspects could already be introduced into current fisheries management practices.(para. 89)
73. **Suggested** that FAO, through case studies on small-scale fisheries, develop an adopted EAF tool box with rapid appraisal techniques, participatory processes, conflict resolution, integrated resource, assessment and management, including co-management, and capacity-building. (para. 90)
74. **Supported** the role of FAO in facilitating the process of adoption of the ecosystem approach as agreed during the WSSD.(para. 93)
75. **Suggested** that closer cooperation on the approach with regional fishery organizations would improve consensus and generate more sense of ownership of the Technical Guidelines on the part of those in charge of their implementation.(para. 93)

REVIEW OF MAJOR PROGRAMMES 2.3 FISHERIES

The Committee:

76. **Identified** priority areas which are listed in no particular order: promotion of aquaculture and inland fisheries in food security, strengthening of regional fishery bodies in particular to appropriately assist developing countries in improving their fisheries management, implementation of the Code of Conduct for Responsible Fisheries and related instruments such as International Plans of Actions as well as elaboration of technical guidelines, pursue collaboration with CITES, support sustainable small-scale fisheries and their better inclusion within the formulation of poverty reduction strategies, working on the implementation of the ecosystem approach to fisheries management, implementation of the strategy for improving status and trends reporting, and maintaining the fisheries library. (para. 104)
77. **Stressed**, as a matter of principle, that the priorities identified by COFI should be reflected in the PWB.(para. 104)
78. **Recommended** that deep sea fisheries should be included in the agenda at the next Session of COFI.(para. 106)

ANY OTHER MATTERS

The Committee:

79. **Welcomed** the decision of the Government of Mexico to provide additional financial resources to the Trust Fund that had been set up to help FAO award the Margarita Lizárraga Medal.(para. 108)
80. **Noted** that IUU fishing continues to adversely affect the sustainable management of fisheries and that without the political will it would be difficult for many countries to develop national plans of action called for in paragraph 25 of the IPOA-IUU by 2004 or to adopt measures to deter, reduce and eliminate IUU fishing. (para. 110)
81. **Recommended** that IUU fishing be included in the agenda of the Thirty-second Session of the FAO Conference with a view to calling attention of Members to this issue. (para. 110)
82. **Noted** additional fisheries issues raised by some Members namely: the planned Conference on the Management and Sustainable Development of Fisheries in the Antarctic by Japan, the “White Water to Blue Water” initiative involving a variety of Caribbean countries and other partners by the United States of America and the reference by Japan to FAO’s Fisheries Technical Paper 401 entitled “Understanding the Cultures of Fishery Communities” published in 200.(paras. 109, 111, 112)

SUGGESTED ACTION BY THE COMMISSION

83. The Commission is invited to take note of the main decisions of the Twenty-fifth COFI, especially those that are pertinent to the WECAFC region.

**TERMS OF REFERENCE FOR AD HOC EXPERT ADVISORY PANEL
FOR ASSESSMENT OF PROPOSALS TO CITES**
(Adopted by COFI, see paragraph 48)

1. FAO will establish an ad hoc Expert Advisory Panel for the Assessment of Proposals to Amend CITES Appendices I and II.
2. The Panel shall be established by the FAO Secretariat in advance of each Conference of the Parties, according to its standard rules and procedures and observing, as appropriate, the principle of equitable geographical representation, drawing from a roster of recognized experts, to be established, consisting of scientific and technical specialists in commercially-exploited aquatic species.
3. The Panel members shall participate in the Panel in their personal capacity as experts, and not as representatives of governments or organizations.
4. The Panel will consist of a core group of no more than 10 experts, supplemented for each proposal by up to 10 specialists on the species being considered and aspects of fisheries management relevant to that species.
5. For each proposal the Panel shall:
 - assess each proposal from a scientific perspective in accordance with the CITES biological listing criteria, taking account of the recommendations on the criteria made to CITES by FAO;
 - comment, as appropriate, on technical aspects of the proposal in relation to biology, ecology, trade and management issues, as well as, to the extent possible, the likely effectiveness for conservation.
6. In preparing its report, the Panel will consider the information contained in the proposal and any additional information received by the specified deadline from FAO Members and relevant RFMOs. In addition, it may ask for comments on any proposed amendment, or any aspect of a proposed amendment, from an expert who is not a member of the Panel if it so decides.
7. The Advisory Panel shall make a report based on its assessment and review, providing information and advice as appropriate on each listing proposal. The Panel shall finalize the advisory report no later than ?? days¹ before the start of the CITES Conference of the Parties where the proposed amendment will be addressed. The advisory report shall be distributed as soon as it is finalized to all members of FAO, and to the CITES Secretariat with a request that they distribute it to all CITES Parties.
8. The general sequence of events will be as follows:
 - Proposals received by CITES
 - Proposals forwarded by CITES Secretariat to FAO
 - FAO forwards proposals to FAO Members and RFMOs and notifies them of deadline for receipt of comments
 - Member and RFMO comments and input received by FAO
 - Panel meets and prepares advisory report on each proposal
 - Panel report reviewed by FAO Secretariat and forwarded to FAO Members, RFMOs and CITES Secretariat.

¹ To be discussed with the CITES Secretariat

**FAO WORKPLAN
ON CITES AND COMMERCIALY-EXPLOITED AQUATIC SPECIES**

(Adopted by COFI, see paragraph 48)

The Twenty-fifth Session of COFI agreed on the following guidelines for an experts' process to be followed by the FAO Secretariat.

- i) One Expert Consultation should be convened to address the following issues:
- CITES Article II Fundamental Principles, Paragraph 2(b), the “look-alike” clause;
 - Annex 3 of CITES Resolution Conf. 9.24 Criteria for Amendment of Appendices I and II, which deals with split-listing; and aquaculture issues as a group, noting the inter-relationships in these topics.
 - Administrative and monitoring implications of listing and down-listing, including the implications of Annex 4 of Res. Conf. 9.24 for this. It was agreed that this should also include an analysis of the socio-economic impact of listing on sturgeon, queen conch and a number of hypothetical listing proposals. It was suggested that participants to this consultation include those with direct experience in implementation of CITES regulations for such cases.

A second Expert Consultation should be convened to address:

- Applications of the phrase “introduction from the sea” in the definition of trade in Article I of the CITES Convention text, including consideration of the administrative costs associated with the various interpretations of this term.
 - An analysis of the legal implications of the existing CITES listing criteria and the CITES Convention itself in relation to the UN Convention on the Law of the Sea (UNCLOS) and related international law covering fisheries, and of any changes in those implications resulting from adoption of the proposals included in Appendix F to the Report of the FAO Second Technical Consultation.
- ii) FAO should continue to monitor and participate, where appropriate, in the on-going CITES process to amend Resolution Conf. 9.24, with a view to facilitating further progress.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE UNITED NATIONS FOOD AND AGRICULTURE ORGANIZATION (FAO) AND
THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD
FAUNA AND FLORA (CITES)**

(No consensus was reached on this text, see paragraph 48)

RECOGNIZING the primary role of sovereign States, FAO and regional fisheries management organizations in fisheries conservation and management,

RECOGNIZING further that the mission of FAO with respect to fisheries is to facilitate and secure the long-term sustainable development and utilization of the world's fisheries and aquaculture resources,

NOTING IN PARTICULAR FAO's three medium-term strategic objectives for fisheries namely: - Promotion of Responsible Fisheries Sector Management with priority given to the implementation of the Code of Conduct for Responsible Fisheries, Compliance Agreement, International Plans of Action, - Promotion of Increased Contribution of Responsible Fisheries and Aquaculture to World Food Supplies and Food Security and, - Global Monitoring and Strategic Analysis of Fisheries.

RECOGNIZING also the role of CITES in regulating international trade in species threatened with extinction which are or may be affected by international trade and those that may become threatened with extinction unless international trade in specimens of such species is subject to strict regulation as well as other species which must be subject to regulation in order that international trade in specimens of certain species threatened with extinction may be brought under effective control,

RECOGNIZING further that for marine species, the CITES Secretariat has an obligation to consult inter-governmental bodies having a function in relation to those species "especially with a view to obtaining scientific data" and "to ensuring co-ordination with any conservation measures enforced by such bodies."

TAKING account of the results of the 8th Session of the FAO Committee on Fisheries Sub-Committee on Fish Trade held in Bremen, Germany from 12 – 16 February 2002 (which was endorsed by the Twenty-fifth Session of the Committee on Fisheries (COFI) held in Rome from 24 to 28 February 2003) (FAO Fisheries Report No. 673) [and in particular Paragraph 18 and Appendix F of the report of that meeting and the view that CITES listings of commercially exploited aquatic resources should be limited to exceptional cases only and when all relevant bodies associated with the management of the species in question agree that such a listing would be advantageous].

NOTING that CITES cannot replace traditional fisheries management and the particular importance of consulting all relevant bodies associated with the management of the species when considering amendments to CITES appendices.

ALSO TAKING account of the Decision of the 12th Conference of the Parties to CITES regarding the development of an MOU to establish a framework for cooperation between CITES and FAO,

BELIEVING that there is a need to strengthen the process in CITES for scientific evaluation of proposals for amendment of Appendices I and II concerning commercially-exploited aquatic species and improve communication between fisheries agencies and CITES authorities at the national level.

FAO AND CITES IN ORDER TO STRENGTHEN THE COOPERATION BETWEEN THEM HAVE DECIDED AS FOLLOWS:

1. The Fisheries Department of FAO and the CITES Standing Committee will send each other general information of common interest.
2. FAO will be invited as an observer to meetings under the auspices of CITES or its Committees that are

of common interest and CITES will be invited as an observer to meetings of common interest held by the Fisheries Department of FAO, the FAO Committee on Fisheries or its subcommittees.

3. FAO and CITES will cooperate as appropriate to promote capacity building in developing countries for issues relating to commercially-exploited aquatic species listed on CITES appendices.
4. FAO will continue to provide advice to CITES and be involved in the process of revision of the CITES listing criteria.
5. CITES will inform FAO of all proposals for amendment of Appendices I and II concerning commercially-exploited aquatic species related to those species. Such information shall be provided to FAO as soon as possible to allow FAO to carry out a scientific and technical review of such proposals in a manner it deems appropriate and for the resulting output to be transmitted to the CITES Secretariat who will consider it in its deliberations to provide recommendations to the Parties to CITES regarding such proposals.
6. In order to ensure coordination of conservation measures, CITES will incorporate to the greatest extent possible the results of the FAO scientific and technical review of proposals to amend the Appendices, the responses from all the relevant bodies associated with management of the species in question, as well as the substance of the preambular paragraphs of this memorandum in its advice and recommendations to the CITES Parties. [In particular, this shall include the position that CITES listings of commercially exploited aquatic resources should be limited to exceptional cases only and when all relevant bodies associated with the management of the species in question agree that such a listing would be advantageous.]

This Memorandum may be cancelled by either signatory by giving notice to the other in writing at any time.

Director General, FAO _____

Date: _____

Chair, Standing Committee of CITES _____

Date: _____