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COMMITTEE ON FISHERIES

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PROGRESS IN THE IMPLEMENTATION OF THE 1995 CODE OF CONDUCT FOR RESPONSIBLE FISHERIES, RELATED INTERNATIONAL PLANS OF ACTION AND STRATEGY

SUMMARY

This paper provides a summary of some of the FAO activities that support the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries, the four international plans of action and the Strategy that have been concluded within the its framework. It is the fifth such report prepared for the FAO Committee on Fisheries. Moreover, the document reports on progress by FAO Members, regional fishery bodies and non-government organizations to implement the Code. Recent activities of the FishCode Programme are also reviewed. The final section of the paper proposes action by the Committee.

INTRODUCTION

1. Article 4 of the 1995 FAO Code of Conduct for Responsible Fisheries (the Code) states, inter alia, that FAO will report to the FAO Committee on Fisheries (COFI) concerning its implementation. This report is the fifth report prepared by the Secretariat for COFI. The information contained in the report has been supplied by the Secretariat, FAO Members, regional fishery bodies (RFBs) and non-government organizations (NGOs). The information is collated and analyzed on the basis of self-assessment questionnaires submitted to FAO. A statistical summary of Members responses is available to be read in conjunction with this paper.

2. Seventy FAO Members[1] (37 percent of the FAO Members)[2] responded to the questionnaire in comparison to 49 Members for the 2005 report (27 percent of Members).[3] The healthy increase in the submission of questionnaires for this report may reflect the concern expressed at the 2005 COFI session about the low level of reporting. Nineteen RFBs[4] (56 percent of the bodies to which questionnaires were sent) responded to the questionnaire for the current report in comparison to 17 RFBs for the 2005 report. In addition, responses were received from nine NGOs (17 questionnaires were despatched) in comparison to four NGOs for the 2005 report.[5]

ACTION BY FAO TO PROMOTE IMPLEMENTATION

3. FAO supports the implementation of the Code through most, if not all, the regular and field programme activities of its Fisheries Department. Since the 2005 report, the Fisheries Department has undertaken a number of activities intended specifically to promote this implementation. These activities included holding of a number of meetings addressing, inter alia, the ecosystem approach to fisheries, the international plans of actions (IPOAs) and the Strategy for Improving Information on Status and Trends of Capture Fisheries (Strategy-STF), port State measures, reduction of bycatch in shrimp fisheries, bycatch utilization, credit and microfinance,

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[1] The letter and questionaire requesting input from Members was despatched on 2 May 2006 with a submission date of 31 July 2006. This closure date was eventually extended until 11 August 2006. By this date 70 Members had submitted completed questionaires. After 11 August 2006 an additional 11 responses were received (in receipt order from Serbia, The Netherlands, Sweden, Myanmar, Syria, Liberia, Denmark, Australia, Nigeria, India and Kuwait). These responses are not reflected in the analysis. One Member, Bhutan, responded by letter that the questionnaire was not relevant. In the analysis this communication was not counted as a response.

[2] In this report, reference to "Members" refers to the FAO Members who responded to the questionaire and whose responses were taken into account in compiling the report.

[3] For a statistical analysis of responses see Regional Statistical Analysis of Responses by FAO Members to the 2006 Questionnaire on the Code of Conduct for Responsible Fisheries. This paper is being made available at the session.

[4] Asia-Pacific Fishery Commission (APFIC), Commission for the Conservation of Antarctic Marine Living Resource (CCAMLR), Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Fishery Committee for the Eastern Central Atlantic (CECAF), Commission for Inland Fisheries of Latin America (COPESCAL), General Fisheries Commission for the Mediterranean (GFCM), European Inland Fisheries Advisory Commission (EIFAC), Inter-American Tropical Tuna Commission (IATTC), International Commission for the Conservation of Atlantic Tunas (ICCAT), International Pacific Halibut Commission (IPHC), Latin American Organization for Fisheries Development (OLDEPESCA), Northwest Atlantic Fisheries Organization (NAFO), North Atlantic Salmon Conservation Organization (NASCO), North Pacific Anadromous Fish Commission (NPAFC), Northeast Atlantic Fisheries Commission (NEAFC), Secretariat of the Pacific Community (SPC), South East Atlantic Fisheries Organization (SEAFO), Western Central Atlantic Fishery Commission (WECAFC) and Western Central Pacific Fisheries Commission (WCPFC).

[5] Responses were received from Birdlife International, Global Aquaculture Alliance (GAA), Greenpeace International, International Coalition of Fisheries Associations (ICFA), International Collective in Support of Fishworkers (ICSF), Organization for Promotion of Responsible Tuna Fisheries (OPRT), World Forum of Fisher People (WFFP), Coalition for Fair Fisheries Agreement (CFFA) and International Fishmeal and Fish Oil Organization (IFFO).

collection of demographic data on coastal fishing communities for use in community based fisheries management and costal zone management. FAO also prepared and disseminated a simple language version of the technical guidelines relating to aquaculture development and the ecosystem approach to fisheries. A new technical guideline was published focussing on increasing the contribution of small-scale fisheries to poverty alleviation. Work on several other technical guidelines was commenced. It included work on guidelines for the implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) in inland fisheries; the implementation of the International Plan of Action for the Management of Fishing Capacity (IPOA-capacity); the development of technical guidelines on reducing sea turtles mortality in fishing operations; the use of marine protected areas as a fisheries management tool; the application of international quality and safety standards for fish exports; the use and control of alien species; stocking, habitat rehabilitation and genetic resource management; fish trade and fishing vessel registration.

ACTION BY FAO MEMBERS TO PROMOTE IMPLEMENTATION

General

4. Article 2 contains ten Objectives and Members were requested to rank their relevance with respect to specific national contexts. Top priorities were attributed to objectives a) and b), while the lowest relevance was attributed to objectives d) and h).[6] This reflected 2005 trends. The 2001 top priority, objective f),[7] slipped from third to fifth place, indicating a continued trend away from food security and quality concerns as a top-priority objective.

5. The Code is subdivided into themes, touching on eight technical fisheries and aquaculture domains. Members were asked to attribute priority ratings to these domains on a national scale. Fisheries management and aquaculture development continued to rank as top priority themes, reflecting results obtained in 2001, 2003 and 2005. Post-harvest practices and trade issues ranked as the two bottom priorities, marking an increase in the attention paid to the integration of fisheries into coastal and basin area management, over 2005 data.

6. More than 95 percent of Members reported that they have national policies and legislation in place that either totally or partially conformed to the Code. More importantly though, almost 9 Members out of 10 reported to be either in conformity with the Code, or to be working towards conformity in both the policy and legal domains.

7. In providing awareness about the Code, the most frequently used mechanisms were meetings, workshops, seminars and the improvement of legal frameworks. The use of media, such as the Internet, lagging behind other media forms in 2005, doubled in overall importance for this report. Grassroots level awareness raising and civil society work continued to score low, yet higher than in earlier years.

Fisheries management

8. Overall, one in four Members reported not to have fisheries management plans in place. This represented a continued downward trend, already detected in 2005 over earlier data, when one in five Members reported for this report not to have any plans in place. The reported

[6] Objective a): Establish principles for responsible fisheries considering all their relevant biological, technical, economic, social environmental and commercial aspects. Objective b): Establish principles and criteria to implement policies for the conservation of fishery resources and fisheries management and development. Objective d): Provide guidance to formulate and implement international agreements and other legal instruments. Objective h): Promote trade in fish and fishery products in conformity with relevant international rules.

[7] Objective f): Promote the contribution of fisheries to food security and food quality, giving priority to the nutritional needs of local communities.

percentage of plans implemented for inland fisheries dropped by over 20 points to 72 percent (in comparison to information presented in the 2005 report), while the implementation of marine fisheries management plans remained roughly the same at 84 percent. These results conveyed a seemingly consistent result indicating lesser emphasis on fisheries management planning world-wide.

9. Members were asked to provide feedback on the management tools applied in fisheries management plans. The most commonly used tools in inland and marine fisheries management remained prohibition of destructive fishing methods, involving stakeholders in the fisheries management planning process and addressing the selectivity of fishing gears. The least used tools remained those related to capacity issues and the economic conditions in the sector, and stock specific target reference points, reflecting earlier trends. However, there was a noticeable increase in percentage points for stock specific target reference point usage in marine fisheries management planning, rising from 44 percent in 2005 to 68 percent in this report, for those Members having fisheries management plans in place.

10. Just over half of Members have developed stock specific target reference points for managing fisheries. In most cases, stock specific target reference points were either being approached or exceeded, signifying a continued increase in managed fisheries being either nearing full exploitation (72 percent) or being overexploited (53 percent). Other reported indicators used for managing fish stocks pertained to catch and effort data and catch and stock assessment data. In situations where stock specific target reference points were exceeded, the most commonly reported remedial action was the regulation of fishing effort (54 percent). Other reported measures included recovery programmes (attributed greater importance than in 2005), gear restrictions and strengthening of monitoring, control and surveillance (MCS).

11. Almost all Members reported that they applied the precautionary approach in fisheries management. The main reported mechanisms continued to be the classic fisheries management tools such as managing fisheries through access regulation (57 percent), gear regulations, closed seasons, total allowable catches and quota controls, etc. However, actual precautionary mechanisms, such as the setting of quotas at a proportion of what research would permit as the maximum sustainable yield, remained few. This confirmed earlier trends suggesting that the implementation of the precautionary approach was poorly understood and little applied in fisheries management world-wide.

Fishing operations

12. Members were requested to report on mechanisms to control fishing operations within and outside waters of national jurisdiction. In both areas, the improvement of MCS and mandatory licensing regimes were reported to be the primary mechanisms through which control over fishing operations was achieved. Cooperation between countries and through RFBs more than doubled in importance over 2005 for controlling fisheries operations outside national jurisdiction.

13. Over half the Members reported to make use of gear restrictions and tighter controls to limit bycatch and discards. All other mechanisms scored low (≤25 percent) and included the setting of minimum catch sizes, seasonal closures and quotas for non-target species, exactly mirroring earlier trends. Policies on regulating bycatch and discards continued to vary widely, with some countries banning discarding completely, while others prohibited landing of non-authorized species, thus forcing operators to discard bycatch.

14. Some 72 percent of Members reported to have implemented vessel monitoring systems to some extent, with most other Members planning to do so in the future. Reflecting the 2005 report, this would indicate that vessel monitoring systems (VMS) implementation may have reached a plateau and that high VMS adoption rates, detected between 2001 and 2005, were now levelling off.

Aquaculture development

15. Overall, 87 percent of Members reported to have some form of legal framework in place regulating the development of responsible aquaculture, signifying a continued rising trend. This situation reflected a further world-wide increase (>28 percent) in legal frameworks directly aimed at regulating aquaculture development, over the past 2 years.

16. Article 9.3.2 of the Code encourages countries to elaborate, adopt and implement codes of best practice and procedures, specifically with respect to introductions and transfers of organisms. Slightly more than one in three Members stated to have developed such instruments at the government and producer levels, marking a moderate increase in producer-level involvement over 2005. Involvement of suppliers and manufacturers remained low in this domain, reflecting earlier trends.

17. Three in four Members reported to be involved in implementing environmental assessments of aquaculture operations, monitoring operations, and taking steps to minimize the harmful effects of alien species introductions,[8] reflecting 2003 and 2005 results. However, Members identified a number of needs to improve the implementation of these mechanisms, including, inter alia, the enhancement of assessment, scope and techniques in the conduct of environmental assessments of aquaculture operations, the improvement of technical capacity in all domains and the strengthening of legal frameworks for non-native species.

18. Consistent with the 2005 report, some 80 percent of Members indicated to have taken action to encourage the promotion of responsible aquaculture practices in support of rural communities, producer organizations and fish farmers. The most common ways of achieving such promotion was through legal framework improvements, the organization of awareness campaigns and the implementation of extension programmes. Other reported measures included the promotion of small-scale farming, environmental impact assessment, authorization schemes and the development of sector management plans.

Integration of fisheries into coastal area management

19. Fifty-five percent of Members indicated that a legal framework for the integrated management of fisheries resources and coastal areas was in place,[9] mirroring exactly the 2005 results. The greatest difficulties facing the integration of fisheries into coastal area management remained those of an institutional nature, where poor collaborative linkages and communication between government agencies complicated common approaches and the translation of stated integrated management policies into applied management solutions.

20. Conflict trends within fisheries and between the fisheries sector and other sectors operating within the coastal area have changed little over the last 6 years. Conflicts within the fisheries sector remained the most prominent, with conflicts between coastal and industrial fisheries gaining the highest rank, followed by clashes arising through gear conflicts in coastal waters. The potential conflict areas posing least challenge were between the fisheries sector and port development and coastal aquaculture. Conflict resolution mechanisms were in place in about six or seven out of ten Members for serious conflicts, though these mechanisms could be informal and might not have legal backing. This situation reflected the 2005 results.

[8] Alien species include non-native and genetically altered stocks.

[9] Assuming a blank response means “no” or “nil”.

Post-harvest practices and trade

21. Close to 80 percent of Members reported that an effective food safety and quality assurance system for fish and fisheries products was in place in their countries, suggesting an easing of earlier rising trends in this domain. For some Members, it remained unclear how far quality assurance systems were applicable to the entire national fisheries sector, as opposed to applying the standards only to the seafood export sector.

22. Eighty-four percent of Members reported to have taken steps to reduce post-harvest losses in processing, distribution and marketing. The main measures taken referred to the improvement of handling and conservation methods, the enacting of food-safety regulations and the establishment of procedures and standards. Other prominent measures include awareness raising and Hazard Analysis and Critical Control Points (HACCP) implementation and training, reflecting earlier reported trends. However, an addition and newly emerging trend was that Members were giving greater attention to by-product utilization and diversification of product use as a measure to reduce losses.

23. About 53 percent of Members have taken steps to promote the improved use of bycatch in processing, distribution and marketing, a contraction over the 2005 report. Core measures taken for achieving this objective remained vague, with awareness raising and training and research and development projects topping the list. Some 68 percent of Members indicated that they had implemented mechanisms to eliminate the processing of, and trading in, illegally harvested resources. The most prominent mechanisms used to achieve this goal were enhanced control and inspection regimes and the introduction of mandatory reporting schemes.

24. While a majority of producers were in a position to trace the origin of the fisheries products they purchased (85 percent), more than half of the consumers were not able to do so (42 percent), showing little change over the past two years.

Fisheries research

25. Sixty percent of Members reported that they obtained reliable data on at least some of the stocks exploited in their countries.[10] This situation indicated a moderate rising trend, as noted in earlier reports. The proportion of commercially important stocks for which reliable figures were obtained appeared to have risen since 2005 (44 percent as opposed to 56 percent for this report).

26. Almost three in four Members reported that statistics on catch and fishing effort were collected in a timely, complete and reliable manner. At the same time, 74 percent of Members indicated that sufficient qualified personnel were available to generate data in support of sustainable fisheries management.[11]

27. The ranking of data sources for the development of fishery management plans continued unchanged in this reporting period. The most prominent source of information for managers was from catch and effort data, followed by in-port sampling surveys and research vessel surveys. Less prominent sources included the deployment of on-board observers and trade statistics. Key

[10] Assuming a blank response means “no” or “nil”.

[11] On the latter issue, the situation for the Africa, Latin America and the Caribbean and Near East has deteriorated, singling out challenges faced by these regions, in qualified human and financial resource terms

data gaps were reported to exist in the domains of stock status data, data integrity and catch and effort data.[12]

28. While seven in ten Members reported to routinely monitor the state of the marine environment, only half of Members reported to monitor bycatch and discards on a regular basis. This situation reflected earlier trends and the latter remained a serious information gap. Many prominent commercial fisheries had high bycatch and discard rates, routinely exceeding 100 percent of target catches. Bycatch and discard data were therefore of paramount importance to properly gauge the fisheries impacts on stocks and ecosystems.

International plans of action

29. Over eight in ten Members continued to identify illegal, unreported and unregulated (IUU) fishing as a problem. Of these Members, three in four declared having taken steps to develop a National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (NPOA-IUU), indicating substantial progress over the 2005 report, when less than half of Members had initiated the development of such a plan. Just under two thirds of such initiatives have already resulted in a finished document, reflecting earlier trends.

30. Implementation of the IPOA-capacity remained weak, with some seven in ten Members having launched the preliminary assessment, but with less than one in ten having finished it, falling substantially short of 2005 results. Preferred means of measuring capacity were the assessment of technical fleet capacity and the assessment of catch and effort data, both utilized by over four in ten countries conducting the assessment.

31. Information relating to the implementation of the International Plan of Action for the Conservation and Management of Sharks (IPOA-sharks) showed that over one in two Members have conducted an assessment to determine whether a plan was needed, marking a near doubling over the 2005 report. One in three of those Members had developed and implemented a plan, reflecting earlier trends. This would suggest that progress called for in the 2005 COFI session had been headed by Members.

32. Some 42 percent of Members have assessed longline fisheries and incidental seabird bycatch problems. About half of those Members having conducted the assessment concluded that a National Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-seabirds) was needed, marking a slight increase over 2005 report. The number of countries having implemented the plan had nearly doubled, rising from 33 percent to 60 percent in this report.

33. Almost three in four countries reported to be aware of the Strategy-STF, reflecting 2005 trends. However, only two in five Members were aware of the need to elaborate Strategy-STF plans and programmes, indicating that little progress had been achieved on this issue over the past two years.

Constraints and suggested solutions

34. General trends in constraints and solutions to the Code's implementation remained unaltered, being ranked globally, and by region, in tables 40 and 40b of the statistical appendix. These constraints and solutions included, on the one hand, institutional, human resource and financial weaknesses, and on the other hand, the need for more training, more means and improved and stronger institutions.

[12] There appeared to have been an apparent shift in the way in which Members looked at data was apparent, identifying "data integrity" as a cross-cutting key issue affecting all data and taking precedent over the lack of a particular data type.

35. In general terms, developing Members called for more technical and financial assistance from FAO and other international organizations to assist implement fisheries management in line with the Code's guidelines. It was suggested that these Members should include the Code's principles as routine elements in all project and programmes addressing fisheries. This should enhance consistency in approaches, and guarantee the Code's implementation.

36. At the global level, a decline in the number of Members developing and implementing fisheries management plans seemed apparent. This combined with the fact that where fisheries management plans were in place and target reference points for management were utilized, the proportions of fully-exploited or over-exploited stocks continued to rise, exerting additional pressure on fish stocks. This was cause for concern and begged the question as to whether fisheries management and the paradigm shifts that had been called for in the more recent past (e.g. the implementation of the ecosystem approach to fisheries and the precautionary approach, etc.) were being applied successfully, and producing the expected results.

37. Issues pertaining to bycatch monitoring, regulation and application were not being paid full attention on a global scale. It would seem that there continued to be widely fluctuating policies and legal mechanisms dealing with bycatch. More systematical bio-economic modelling work was needed on bycatch issues so that managers could base bycatch regulations on research findings and propose options to minimize environmental damage and maximize economic returns for fishers.

38. Since the 2005 report, good progress has been achieved in the domain of IPOA implementation for reducing the accidental bycatch of seabirds, combating IUU fishing and shark conservation. While these results were encouraging, the implementation of the IPOA-capacity has lagged worldwide. Combined with the results documenting continuously declining fish stocks, this represented further cause for concern.

RESPONSES FROM REGIONAL FISHERY BODIES AND NON-GOVERNMENT ORGANIZATIONS

Regional fishery bodies (RFBs)

39. Twelve RFBs[13] (mostly RFMOs) indicated that existing fisheries management plans and/or measures, including those adopted by their respective organizations, contained key management tools (e.g. measures to ensure the level of fishing was commensurate with the state of fisheries resources, measures to allow depleted stocks to recover, stock specific reference points, fishing gear selectivity and the prohibition of destructive fishing methods and practices). The majority of RFBs indicated that they addressed fishing capacity issues including the economic conditions under which the fishing industry operates. Moreover, most RFBs reported that they also addressed the biodiversity of aquatic habitats and ecosystems and almost all RFBs responded that they provided for the protection of endangered species. In addition, many RFBs indicated that they took the interests of small-scale fisheries in account and provided for stakeholder participation in determining management decisions. Two RFBs[14] advised that they had fisheries management plans and/or measures for inland fisheries.

40. Eleven RFBs[15] indicated that they had taken steps to establish stock specific target reference points. The number of stocks for which they had developed reference points and ways

[13] CCAMLR, CCSBT, GFCM, IATTC, ICCAT, IPHC, NAFO, NASCO, NEAFC, OLDEPESCA, SEAFO (in the process) and WCPFC.

[14] NASCO and OLDEPESCA.

[15] CCAMLR, CCSBT, GFCM, IATTC, ICCAT, IPHC, NAFO, NASCO, NEAFC, SEAFO (in the process) and WCPFC.

of setting such reference points varied from a specific species in a particular area to all stocks in the convention area. Eight RFBs stated that the reference points they had set were being approached or exceeded. To remedy the situation a variety of measures had been adopted including a vigorous campaign to counter the underlying cause of IUU fishing, the adoption of management measures such as closed seasons and catch limits, rebuilding programmes for overfished stocks, strengthened MCS programmes, and ongoing scientific appraisal.

41. Nine RFBs[16] reported that the precautionary approach had been applied in fisheries management. The ways in which it has been implemented included setting precautionary catch limits, the adoption of precautionary conservation and management measures, decision rules, capacity controls and bycatch restrictions, and the development of frameworks, plans of action and/or models.

42. Ten RFBs[17] indicated that they had taken measures to ensure that only fishing operations consistent with management measures were conducted within their areas of competence. Steps taken included registration and/or listing of authorized vessels, schemes for non-Contracting Parties, measures against IUU fishing such as the listing of IUU fishing vessels, regulation of transhipment, trade-related measures and MCS. In addition, eight RFBs[18] reported that VMS had been adopted by their organizations.

43. Nine RFBs[19] responded that they had adopted measures over the last two years to limit or strengthen existing measures on fisheries bycatch and discards. Those measures included catch limits for bycatch species, improved selectivity of fishing gears and technology, collecting and reporting of data on bycatch and discards and banning certain types of fishing gears. A growing number of RFBs[20] reported that they have adopted resolutions and/or conservation and management measures to reduce the bycatch of seabirds, sea turtles and sharks.

44. Five RFBs[21] responded that they had taken steps to ensure responsible aquaculture by undertaking environmental assessments of aquaculture operations, monitoring aquaculture operations and/or minimizing the harmful effects of the introduction of non-native species or genetically altered stocks used in aquaculture.[22]

45. The majority of RFBs[23] reported that they used catch and effort data from commercial fisheries for the development of fisheries management plans and/or the adoption of management measures. Research vessel surveys and on-board/in-port sampling surveys were also used. Other specific research programmes included scientific observer programmes, tagging programmes, research programmes on biology and ecology of target species.

46. Eight RFBs[24] listed their efforts or intention to assist directly or indirectly in the implementation of the IPOA-capacity. Those efforts included mandatory effort limitation, monitoring of fishing effort and capacity by vessel segmentations, adoption of a regional capacity plan and the establishment of management systems of capacity based on the plans.

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[16] CCAMLR, GFCM, IATTC, IPHC, NAFO, NASCO, NEAFC, SPC and SEAFO.

[17] CCAMLR, CCSBT, GFCM, ICCAT, IPHC, NAFO, NASCO, NEAFC, SEAFO and WCPFC.

[18] CCAMLR, IATTC, ICCAT, IPHC, NAFO, NEAFC, SEAFO and WCPFC.

[19] CCAMLR, GFCM, IATTC, ICCAT, IPHC, NASCO, NEAFC, SEAFO and WCPFC.

[20] IATTC, ICCAT, IPHC, NAFO, SEAFO and WCPFC.

[21] CCSBT, GFCM, ICCAT, NASCO and SPC.

[22] For example, Technical Guidelines have been produced jointly by GFCM and ICCAT on buefin tuna fattening with an emphasis on environmental impact assessments. NASCO has also adopted a resolution to minimize the impacts of salmon aquaculture on wild salmon stocks.

[23] CCAMLR, CCSBT, GFCM, IATTC, ICCAT, IPHC, NAFO, NASCO, NEAFC, OLDEPESCA, SPC and WCPFC.

[24] CCAMLR, GFCM, IATTC, ICCAT, IPHC, SPC, SEAFO and WCPFC.

47. Nine RFBs[25] listed their efforts to assist in the implementation of the IPOA-sharks. Those efforts included a ban on shark finning and transshipment/landing of shark fins, protection of juvenile sharks, enhancement of relevant research, organization of workshops and dissemination of informational materials.

48. Seven RFBs[26] listed their efforts to assist in the implementation of the IPOA-seabirds. Those efforts included conservation and management measures and/or resolutions for reducing bycatch of seabirds, data collection on seabird interaction with fisheries and dissemination of information materials.

49. Twelve RFBs[27] listed their efforts to assist in the implementation of the IPOA-IUU. Those efforts included MCS schemes, obligatory VMS, trade measures, identification and listing of IUU fishing vessels, listing of authorized fishing vessels, prohibition of transshipment at sea and control of transshipment in ports, port State measures including port inspection and prohibition of landing from IUU fishing vessels and harmonization of regulatory measures and exchange of information among contracting Parties and with other RFMOs.

50. Ten RFBs[28] listed their efforts to assist in the implementation of the Strategy-STF. Several RFBs reported on their cooperation with FAO such as the Coordinating Working Party on Fisheries Statistics (CWP), Fisheries Resources Monitoring System (FIRMS) and the FishCode-STF project. Other efforts included the establishment of a mechanism to create a special fund to provide capacity-building in data collection and adoption of a minimum standard for catch statistics.

Non-government organizations (NGOs)

51. The Code's objectives were assessed by nine NGOs[29] in terms of their relevancy for sustainable fisheries and aquaculture. Some differences in the responses were observed, particularly with respect to the objectives for fish trade and research. Responses indicated that fisheries management and fishing operations objectives were top priorities. While some NGOs assessed trade as a less relevant objective, other NGOs ranked it highly as a prioritized theme of the Code.

52. NGOs identified the lack of information and awareness about the Code, the lack of capacity, political will and market incentive to implement the Code and the lack of participation of primary stakeholders as the main constraints in implementing the Code. Greater participation of, and collaboration among, relevant stakeholders, in particular small-scale fishers, was suggested. It was also pointed out that the voluntary nature of the Code was a further constraint and it was proposed that the implementation of the Code be made mandatory through a legally binding international instrument. To further promote the implementation of the Code, it was proposed that measures to be taken to, inter alia, promote responsible fish trade, encourage the development of national frameworks and mechanisms to foster awareness about, and implementation of, the Code, strengthen ecolabelling to generate market incentives, apply fishing capacity control measures and discourage destructive fishing and eliminate non-sustainable aquaculture operations.

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[25] CCAMLR, CCSBT, GFCM, IATTC, ICCAT, IPHC, NAFO, OLDEPESCA and SEAFO.

[26] CCAMLR, CCSBT, IATTC, ICCAT, IPHC, SEAFO and WCPFC.

[27] CCAMLR, CCSBT, GFCM, IATTC, ICCAT, IPHC, NAFO, NASCO, NEAFC, NPAFC, OLDEPESCA and SEAFO

[28] CCAMLR, COPESCAL, GFCM, IATTC, ICCAT, IPHC, NAFO, NASCO, NEAFC and SEAFO.

[29] Birdlife International, Coalition for Fair Fisheries Agreement (CFFA), Global Aquaculture Alliance (GAA), Greenpeace International, International Coalition of Fisheries Associations (ICFA), International Collective in Support of Fishworkers (ICSF), International Fishmeal and Fish Oil Organization (IFFO), Organization for Promotion of Responsible Tuna Fisheries (OPRT) and World Forum of Fisher People (WFFP).

53. NGOs were promoting a range of activities to make the Code more widely known and understood, including efforts to raise public awareness about the Code (e.g., organization of conferences and workshops and dissemination of publications) and collaboration with industry and other relevant organizations. NGOs were also promoting and contributing to the development of NPOAs, guidelines, standards, best practice programmes and a certification and ecolabelling programme.

54. Some NGOs reported that countries and RFBs have established fisheries management plans to ensure the sustainable utilization of living aquatic resources in marine and inland fisheries. However, other NGOs did not refer to such initiatives. Instead, they refer to initiatives such as greater transparency, information sharing and participation mechanisms to promote wider public debate as a means of encouraging the wider implementation of fisheries management plans. The importance of an appropriate legal framework, capacity building and strong political will were stressed as being required to promote better fisheries management.

55. On aquaculture development, most NGOs responded that many countries did not have adequate procedures in place to undertake environmental assessment, monitor aquaculture operations and minimize the harmful effects from the introduction of non-native species or genetically altered stocks used. The specific needs identified for improvement included the introduction of social and environmental impact assessments, the promotion of ecolabelling schemes with environmental audits, the establishment of responsible aquaculture practices including elimination of disease transfer, use of antibiotics and harmful chemicals and genetically modified organisms, the establishment of national aquaculture development plan and the precautionary introduction of non-native species.

56. Five NGOs[30] indicated that they had been making efforts to assist in the implementation of all or some of the IPOAs and one of them indicated it was working to assist in the implementation of the Strategy-STF. These efforts involved sharing information on best practices with regard to the IPOA-capacity, continued advocacy and the establishment of codes of practice for the IPOA-seabirds, monitoring IUU fishing at sea, calling for prohibitions on trade of fish caught by IUU fishing, positive vessel listing schemes and integration of the IPOAs' requirements into the standard for ecolabelling.

FISHCODE PROGRAMME

57. Established at the request of Members to respond to the special requirements of developing countries, the Programme of Global Partnerships for Responsible Fisheries, FishCode, serves as a principal means through which the Fisheries Department seeks to combine regular budget and trust fund resources in support of activities to facilitate implementation of the Code and related international fisheries instruments.

58. FishCode Programme activities include, inter alia, technical assistance, training and human-capacity development, workshops, and specialized survey and study missions. Component projects are closely linked to the Fisheries Department's normative activities and are formulated on the basis of priority needs identified by COFI and its Sub-Committees on Fish Trade and Aquaculture as requiring immediate attention in order for strategic Code aims to be achieved. The projects also take into account recommendations of the Advisory Committee on Fisheries Research, the 2001 FAO Declaration of the Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem, the goals of the 2000 UN Millennium Development Declaration and the key fisheries-related themes and time-bound goals of the 2002 World Summit on Sustainable Development's Plan of Implementation.

59. Building on the successful outcomes of activities initiated in 1998, with trust fund support from Norway, FAO continued to expand FishCode through further global and regional projects

[30] Birdlife International, ICFA, Greenpeace International, MSC and OPRT.

covering a range of areas, including training and awareness for responsible fisheries and aquaculture; support to the implementation of the IPOAs and the Strategy-STF; advisory assistance on fisheries policy, planning and management and improved legal and institutional arrangements; upgrading MCS capabilities; initiatives in the ecosystem approach to fisheries and integrated coastal zone management; responsible fisheries for small island developing States; promotion of responsible fishing operations and safety-at-sea; implementation of responsible post-harvest practices and trade; responsible management and development of aquaculture and inland fisheries; support for fisheries research, and umbrella support to NGOs.

60. Donor funding for the FishCode Programme is provided either through contributions to a common fund, the FishCode Trust, or through direct single donor funding of one or more individual project activities.[31]

STATISTICAL REPORTING IN SUPPORT OF THE 1995 UN FISH STOCKS AGREEMENT

61. The Review Conference on the Agreement for the Implementation of the Provisions of the United Nations 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, held at UN Headquarters, New York, from 22 to 26 May 2006, reviewed current efforts for the conservation and management of straddling fish stocks and highly migratory stocks. It recommended to FAO that its role be enhanced with respect to the establishment of a global capture fishery statistics database to provide information on relevant stocks. This recommendation has major work and budget implications for FAO's Fisheries Department. At its next session from 27 February to 2 March 2007, the CWP, which is an interagency coordinating mechanism for fishery statistics and involving most RFBs, will discuss how to address this issue, including possible review and modification of the existing reporting guidelines for statistics and the development of mechanisms for global data sharing and harmonization among RFBs. The outcome of the CWP's deliberations will be conveyed to the Twenty-seventh session of COFI.

FREQUENCY OF FAO MONITORING AND REPORTING ON THE CODE

62. The Twenty-sixth COFI session deferred a decision on two Secretariat proposals relating to the reporting on the Code, agreeing that a decision would be finalized at the Twenty-seventh COFI session. Noting that some Members experienced difficulty in meeting the reporting requirements on the Code, the Secretariat had proposed that detailed indepth analysis and monitoring should be undertaken every four years, alternating with a more general overview report on implementation every two years.

63. Furthermore, it had been proposed that to facilitate a more specialized focus on the Code articles addressing aquaculture development and post-harvest practices and trade that the Sub-Committees on Aquaculture and Fish Trade take responsibility for monitoring the implementation of Articles 9 and 11, respectively. The frequency of monitoring by these two Sub-Committees would be determined by their Members at their next sessions.

SUGGESTED ACTION BY THE COMMITTEE

64. The Committee is invited to:

[31] There are currently 15 FishCode Trust donor partners, including agencies representing the European Union, Finland, Iceland, Japan, the Nordic Development Fund, Norway, Sweden, the United Kingdom, and the United States of America, as well as several international organisations.

- review the progress achieved in implementing the Code of Conduct, the four IPOAs, the Strategy-STF and the FishCode Programme and to provide comments and guidance to enhance their implementation;
- Decide the frequency of Code reporting which was pending at the Twenty-sixth COFI session.
- Decide whether the Sub-Committees on Aquaculture and Fish Trade should take responsibility for the monitoring of Articles 9 and 11 respectively, the issue of which was pending at the Twenty-sixth COFI session.