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LESSER ANTILLES FISHERIES COMMITTEE

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**PROGRESS IN THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR
RESPONSIBLE FISHERIES IN THE WECAFC REGION**

SUMMARY

This document summarizes the activities undertaken by FAO to facilitate the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries. It also reviews the progress made by WECAFC Members in the implementation of the Code. The final section contains suggested actions by the Commission.

INTRODUCTION

1. At its Tenth Session, WECAFC recommended that the Commission should report on the progress made by members in implementing the 1995 FAO Code of Conduct for Responsible Fisheries (the Code). The information provided in this report has been furnished by FAO member countries and has been compiled and analysed on the basis of the self-evaluation questionnaires distributed by the FAO Fisheries Department in 2006. This information and figures in the report were obtained from: a) the report on the implementation of the Code submitted by FAO to the Twenty-seventh Meeting of the Committee on Fisheries (COFI)¹ in accordance with Article 4 of the Code; b) the statistical analysis of the responses by FAO Members², to the 2006 Questionnaire on the Code of Conduct for Responsible Fisheries". Article 4 of the Code states, *inter alia*, that FAO will report to the FAO Committee on Fisheries (COFI) concerning the implementation of the Code.
2. According to the report presented to the Twenty-seventh COFI, 79 FAO Members (37 percent of the FAO Membership) responded to the questionnaire in comparison to 45 Members in 2005 (27 percent of Members). These figures show an increase in reporting which may reflect the concern expressed at the low level of reporting by both COFI and WECAFC. Ten WECAFC members (six in 2005) responded to the 2006 questionnaires; see Tables 1 and 2.

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

¹ The document entitled, "Progress in the Implementation of the Code of Conduct for Responsible Fisheries and Related International Plans of Action" (COFI/2007/2) has been used as a source of information for the preparation of this report.

² 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 document is available at this Session for consultation.

microfinance, collection of demographic data on coastal fishing communities for use in community-based fisheries management and coastal 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

4. Article 2 of the Code contains ten specific objectives, and FAO Members were asked to rank their relevance with respect to specific national contexts. Nine WECAFC members stated that all ten objectives were relevant to extremely relevant while one member attributed highest priority to all ten.
5. The Code is subdivided into themes, touching on eight technical domains of fisheries and aquaculture sectors. Members were asked to attribute priority ratings to these on the national scale. Fisheries management, fisheries operations, aquaculture development, integration of fisheries into coastal area management, and fisheries research rank as top priority themes, while inland fisheries development and trade issues rank as priority; no theme was ranked as low priority.
6. All respondents reported to have national policies and legislation in place that either totally or partially conformed to the Code. More importantly, they reported to be either in conformity with the Code or were working towards conformity in both policy and legal domains.
7. In providing awareness about the Code, the most frequently reported mechanisms were meetings, workshops, seminars and the improvement of legal frameworks. The use of media, such as the internet, television, radio increased. However, grassroots level awareness-raising and civil society work remains low.

Fisheries management

8. Three Members reported having no fisheries management plans in place. One country reported having management plans for 47 fisheries (100% implemented); one country with management plans for 10 fisheries (100% implemented); one country with management plan for nine fisheries (100% implemented); two countries reported management plans for 4 fisheries (100% implemented); and two countries reported management plans in place with no indication of numbers or implementation.
9. Members were asked to provide feedback on which management tools³ were applied to fisheries management plans. Three countries reported the use of all the tools while two countries did not use any of the tools (no management plans). Some tools not being used in the other five respondents include: measures to allow depleted stocks to recover, addressing fishing capacity, the prohibition of destructive fishing methods, addressing biodiversity including the protection of essential fish habitats.
10. Four Members have developed stock specific target reference points for use in fisheries management; five Members reported that they have none. In three cases, stock-specific target reference points were being approached, indicating that the fisheries managed by stock specific reference points were nearing full exploitation.
11. Eight of the ten respondents applied the precautionary approach to fisheries management, and when asked to list specific precautionary mechanisms, mentioned the use of access regulations, followed by other classic fisheries management mechanisms, such as total allowance catches and quota controls, effort controls, closed seasons, closed areas, gear regulations, and protecting ecologically important zones. One respondent reported the closure of the shark, shrimp and dorado (dolphin-fish) fisheries.

³ Article 7 of the Code.

Fishing operations

12. Members were asked to report on mechanisms to control fishing operations⁴ within and outside waters of national jurisdiction. In both areas, the improvement of MCS arrangements and mandatory licensing regimes were reported as the main mechanisms through which control over fishing operations were achieved. Cooperation between countries through RFBs as a mechanism to ensure better control over fishing operations was reported by four respondents.
13. Respondents reported the use of gear restrictions and tighter controls to limit bycatch and discards. Mechanisms to limit bycatch and discards include Bycatch Reduction Devices (BRDs), Turtle Exclusion Devices (TEDs), circle hooks and bait restrictions to reduce sea turtle catches and blue-dyed bait to reduce seabird bycatch. Mention was made of other mechanisms such as setting minimum catch sizes, seasonal closures, prohibiting the use of some fishing gear, minimum mesh sizes for nets, and quotas for non-target species.
14. Eight of the ten respondents reported to have implemented vessel monitoring systems (VMS) to some degree with two countries planning to do so in the future, with emphasis on large vessels. According to reporting by FAO Members, the high VMS adoption rates reached in 2005 may have now reached a plateau.

Aquaculture development

15. All ten respondents have different levels of legal framework in place regulating the development of responsible aquaculture. Over 87% of FAO members reported having some form of legal instrument regulating the development of aquaculture signifying an increasing trend.
16. In Article 9.3.2, the Code encourages Members to elaborate, adopt and implement codes of best practice and procedures, specifically with respect to introductions and transfers of organisms. Four respondents have developed such instruments at the government and producers level, one of which has been developed for shrimp only and includes involvement of suppliers and manufacturers and other stakeholders remain.
17. The Code encourages countries to regularly conduct environmental assessments of aquaculture operations, to monitor operations, and minimize harmful effects of alien species introductions.⁵ Seven respondents reported to be involved in implementing these mechanisms to varying degrees. However, respondents also identified a number of bottlenecks affecting the implementation of these mechanisms, including *inter alia*; a) the wider application and improvement of assessment scope and techniques in the conduct of environmental assessments of aquaculture operations; b) the strengthening of the legal framework on non-native species; and c) the improvement of technical and financial capacity in the domains of monitoring aquaculture operations and minimizing the harmful effects of alien species introductions. Two respondents reported effective control for minimising the harmful effects of introduction on non-native species or genetically altered stocks used for aquaculture.

Integration of fisheries into coastal area management

18. All respondents indicated that a legal framework for the integrated management of fisheries resources and coastal areas was in place. According to reporting by FAO Members, it appeared that the greatest difficulties facing integration of fisheries into coastal area management remain 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.
19. All the respondents noted that conflicts within the fisheries sector remained the most prominent with conflicts between artisanal and industrial fisheries, clashes arising through gear conflicts in coastal waters and between coastal fisheries and aquaculture earning the highest rank. Conflict resolution mechanisms were in place, to varying degrees, in nine countries. According to reporting by FAO Members, conflict trends within fisheries and between the fisheries sector and other sectors operating within the coastal area have hardly changed over the last four years.

⁴ Article 8 of the Code.

⁵ Alien species: includes non-native and genetically altered stocks.

Post-harvest practices and trade

20. Eight of the ten reporting Members indicated that a relatively effective food safety and quality assurance system for fish and fisheries products was in place in their countries one of which reported that the system needs improvement. It remained unclear to what extent quality assurance systems targeted the entire national fisheries sector.
21. The ten respondents reported having 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, the establishment of procedures and standards, enacting of food-safety regulations, awareness-raising, HACCP implementation and training.
22. Five respondents have not taken steps to reduce bycatch. One respondent discourages the landing and use and focus research on avoiding bycatch. One respondent uses bycatch in their national programme for fighting hunger, while in two the bycatch is landed and used. One respondent reported no consistent policy on bycatch.
23. Eight of the ten respondents reported that processors were in a position to trace the origin of the fisheries products they buy; the consumers were not. The only measure reported was labelling requirements. One respondent reported that the enactment of legislation and the monitoring of fisheries products at points of sale, were measures that were used to ensure that processors, dealers and brokers do not process or trade in illegally harvested fisheries resources.

Fisheries research

24. Six of the responding Members reported to have obtained reliable figures on at least some of the stocks exploited in their countries; represented 57% (131 stocks), 40% (3 stocks), 70% (4 stocks), 60% (six stocks), 3% (3 stocks) and 3% (2 stocks) of the total number of stocks important to their national fisheries. According to reporting by FAO members, the proportion of commercially important stocks for which reliable figures were obtained appeared to have risen since 2005 (44% as opposed to 56% for 2006).
25. All ten respondents reported that statistics on catch and fishing effort were collected in a timely, complete and reliable manner. Eight respondents reported insufficient qualified personnel and lack of funds for generating the data required to support sustainable fisheries management. Additional qualified personnel are required in the following subject areas: resource economists, social scientists, ecological researchers and stock assessment.
26. The most prominent source of information for managers was generated from catch and effort data followed by in-port sampling surveys, and sampling onboard fishing vessels. Three respondents reported the use of data from research vessels. Key data gaps were reported to exist in the domains of: a) stock status data; b) catch and effort data; and c) artisanal fisheries data (biological, socio-economic) in general. While the constraints to the former two (a and b) are generally tied to human and financial resource shortages, the latter two (b and c) also provide for organizational challenges, where it was sometimes difficult to fully cover operations or an entire sector due to their extent and disparate nature.
27. Three respondents reported the routine monitoring of the state of the marine environment and five Members reported the monitoring of bycatch and discards on a regular basis.

International plans of action

28. All ten respondents identified IUU fishing as a problem. Of these, two have national plans of action on IUU, six have initiated the preparation, two plans to start in 2007 and two intend to prepare such a plan.
29. One respondent completed its national assessment of fishing capacity in 2006, while seven respondents have initiated preliminary assessment and two, have plans to commence assessment in 2007. Among the measures taken to reduce fishing capacity are the establishment of ITQs, limited entry, register of fishing vessels and gear restrictions (size and quantity).
30. Nine of the ten respondents catch sharks (one as incidental catch); only two respondents have national plans of action for the conservation and management of sharks. According to reporting by FAO members, one in three of those Members have developed and implemented a plan.
31. All ten respondents have longline fisheries; three agreed that a problem existed with respect to the incidental catch of seabirds and four reported that it is not a problem and that no National Plan for Reducing

the Incidental Catch of Sea Birds was required. Two respondents have implemented such a plan. According to reporting by FAO members, the number of countries having implemented the plan had nearly doubled, rising from 33% to 60%.

32. Seven of the ten respondents reported to be aware of the Strategy for Status and Trends in Fisheries (STF) and only two have elaborated plans and programmes to implement the Strategy-STF. Two respondents reported that STF plans would be initiated in 2007.

Constraints and suggested solutions

33. General trends in constraints and solutions to the Code's implementation remained unaltered from the 2005 report. The constraints included institutional, human resource and financial weaknesses. The solutions included the need for capacity building and strengthening of institutions.
34. In general terms, developing members called for more technical and financial assistance from FAO and other international organisations to assist in implementing fisheries management in accordance with the Code's guidelines. It was suggested that members include the Code's principles as routine elements in all projects and programmes addressing fisheries. This should enhance consistency in approaches and guarantee the Code's implementation.
35. At regional level there was an apparent decline in development and effective implementation of fisheries management plans. If this is not reversed, the already poor state of many resources and ecosystems would deteriorate further. While governments needed to give higher priority to fisheries management it was important to implement monitoring and management strategies that were feasible with the available human capacity and financial resources.

FISHCODE PROGRAMME

36. 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.
37. 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 to achieve strategic Code aims. 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.
38. 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 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.
39. 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.⁶

MONITORING AND REPORTING ON THE CODE

40. The Twenty-seventh Session of COFI, March 2007, agreed that the COFI Sub-Committees on Aquaculture and Fish trade facilitate the monitoring of the implementation of Articles of the Code addressing aquaculture development and fish trade.

⁶ Further information on the Programme is available at: <http://www.fao.org/fi/projects/fishcode>.

SUGGESTED ACTION BY THE COMMISSION

41. The Commission is invited to review the progress achieved in implementing the Code of Conduct, and the IPOAs and to provide comments and guidance to enhance the implementation of these instruments.

TABLE 1. FAO Members responding to the Questionnaire on the Code of Conduct in 2000, 2002, 2004 and 2006

Region	Country	Responded in 2000	Responded in 2002	Responded in 2004	Responded in 2006
Africa	Algeria				Yes
	Angola	Yes	Yes		Yes
	Benin	Yes	Yes		Yes
	Botswana		Yes		
	Burkina Faso	Yes	Yes		Yes
	Burundi	Yes	Yes		
	Cameroon	Yes	Yes	Yes	Yes
	Central African Republic				Yes
	Cape Verde	Yes	Yes	Yes	Yes
	Chad	Yes	Yes	Yes	Yes
	Comoros		Yes		
	Congo, DRC	Yes	Yes		Yes
	Congo, Republic of	Yes	Yes	Yes	Yes
	Côte d'Ivoire	Yes	Yes		
	Eritrea	Yes	Yes		
	Ethiopia	Yes	Yes		
	Gabon	Yes			
	The Gambia	Yes			
	Ghana	Yes	Yes	Yes	
	Guinea	Yes	Yes		Yes
	Guinea-Bissau	Yes	Yes		Yes
	Kenya	Yes	Yes		Yes
	Madagascar	Yes	Yes		Yes
	Malawi	Yes	Yes		
	Mali	Yes			Yes
	Mauritania	Yes			Yes
	Mauritius	Yes	Yes	Yes	Yes
	Morocco	Yes	Yes	Yes	Yes
	Mozambique			Yes	
	Namibia	Yes	Yes		
	Niger	Yes	Yes		
	Nigeria			Yes	
	Rwanda	Yes			Yes
Senegal	Yes	Yes	Yes	Yes	
Seychelles	Yes	Yes		Yes	
Sierra Leone	Yes	Yes			
South Africa	Yes	Yes			
Swaziland	Yes			Yes	
Tanzania			Yes		
Togo			Yes	Yes	
Tunisia	Yes	Yes	Yes	Yes	
Uganda	Yes	Yes		Yes	
Zambia			Yes		
Zimbabwe	Yes	Yes		Yes	
Asia	Bangladesh	Yes	Yes		
	Bhutan		Yes		
	Cambodia	Yes	Yes	Yes	
	China	Yes			Yes
	India	Yes	Yes	Yes	
	Indonesia	Yes	Yes	Yes	
	Japan	Yes			Yes

	Korea, DPR	Yes	Yes	Yes	Yes
	Laos	Yes			
	Malaysia	Yes	Yes	Yes	Yes
	Myanmar	Yes	Yes		
	Nepal		Yes	Yes	Yes
	Pakistan		Yes	Yes	Yes
	Philippines	Yes	Yes		Yes
	Sri Lanka	Yes	Yes		
	Thailand	Yes	Yes	Yes	
	Vietnam	Yes			
Europe	Albania		Yes		
	Armenia				Yes
	Austria	Yes		Yes	
	Belgium				Yes
	Cyprus	Yes	Yes	Yes	
	Czech Republic	Yes	Yes		
	Denmark	Yes	Yes		
	European Union	Yes	Yes	Yes	Yes
	Estonia		Yes		
	Finland	Yes	Yes		
	France			Yes	
	Georgia			Yes	
	Germany	Yes	Yes		Yes
	Greece	Yes	Yes		
	Hungary		Yes		
	Iceland	Yes			
	Italy				Yes
	Lithuania		Yes		Yes
	The Netherlands	Yes			
	Norway	Yes	Yes	Yes	Yes
	Poland		Yes		
	Portugal	Yes			
	Romania	Yes			Yes
	Solvenia				Yes
	Spain		Yes		Yes
	Sweden		Yes		
	Switzerland			Yes	
	Turkey		Yes	Yes	
Latin America and the Caribbean	Argentina	Yes	Yes	Yes	Yes
	Barbados	Yes	Yes		
	Bahamas		Yes		
	Belize				Yes
	Bolivia	Yes			Yes
	Brazil	Yes	Yes		Yes
	Chile		Yes		Yes
	Colombia		Yes	Yes	
	Costa Rica	Yes		Yes	
	Cuba	Yes			
	Dominica	Yes	Yes		
	Dominican Republic		Yes	Yes	Yes
	Ecuador	Yes		Yes	Yes
	El Salvador		Yes	Yes	Yes
	Grenada	Yes			
	Guatemala	Yes		Yes	Yes
	Guyana		Yes		
	Haiti	Yes	Yes		
	Honduras	Yes	Yes		
	Jamaica	Yes			
	Mexico		Yes	Yes	Yes
	Nicaragua	Yes	Yes	Yes	Yes
	Panama	Yes	Yes		
	Paraguay	Yes			

	Peru	Yes	Yes	Yes	Yes
	Saint Lucia	Yes	Yes	Yes	Yes
	Suriname	Yes			Yes
	Trinidad and Tobago	Yes	Yes		
	Uruguay	Yes	Yes	Yes	Yes
	Venezuela		Yes		Yes
Near East	Bahrain	Yes			
	Egypt	Yes	Yes	Yes	Yes
	Iraq	Yes			
	Iran, Islamic Republic of	Yes	Yes	Yes	
	Jordan		Yes		Yes
	Kuwait	Yes			
	Lebanon	Yes	Yes		
	Oman			Yes	Yes
	Qatar			Yes	
	Sudan	Yes	Yes		Yes
	Syria		Yes		
	United Arab Emirates	Yes			
	Yemen	Yes		Yes	
North America	Canada	Yes	Yes		Yes
	United States of America	Yes	Yes	Yes	Yes
Southwest Pacific	Australia	Yes	Yes		Yes
	Cook Islands		Yes	Yes	Yes
	Fiji	Yes	Yes		
	Marshall Islands	Yes	Yes		
	Micronesia, FSM			Yes	
	Nauru		Yes	Yes	
	New Zealand	Yes	Yes		Yes
	Palau			Yes	
	Papua New Guinea		Yes		
	Samoa		Yes	Yes	Yes
	Solomon Islands		Yes		
	Tonga	Yes	Yes		
	Vanuatu		Yes		

Note: Only FAO Members that responded at least once to the CCRF Questionnaire are listed

TABLE 2
Comparative response rates by FAO regions

FAO Region	Number of responding States* (2006)	Percentage response by FAO region (2006)	Percentage response by FAO Region (2004)
Africa	26	54.2	20.8
Asia	7	30.4	34.8
Europe	10	19.6	18.2
Latin America & the Caribbean	17	51.5	36.4
Near East	4	19.0	23.8
North America	2	100.0	50.0
Southwest Pacific	4	25.0	31.2
Total count and percentages	70	36.5	26.6

* including the EU