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منظمة الأغذية
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联合国
粮食及
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Продовольственная и
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Объединенных
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Organización
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y la
Alimentación

REGIONAL COMMISSION FOR FISHERIES

Second Session of the Working Group on Fisheries Management (formerly Working Group on Fishery Statistics)

Cairo, Egypt, 27-30 October 2008

MAKING THE MOVE: THE TRANSITION OF THE WORKING GROUP ON STATISTICS TO THE WORKING GROUP ON FISHERIES MANAGEMENT, INCLUDING THE ADOPTION OF TERMS OF REFERENCE FOR THE WORKING GROUP ON FISHERIES MANAGEMENT

PURPOSE

1. The purpose of the paper is to provide background information on the transition of the Working Group from the Working Group on Fishery Statistics to the Working Group on Fisheries Management; to discuss the expanded role of the Working Group as mandated by the 2007 session of the Regional Commission for Fisheries (RECOFI), and to invite the Working Group to consider and comment on its revised role and the terms of reference and to recommend them, as appropriate, to the Commission.

BACKGROUND

2. The first session of the RECOFI Working Group on Fishery Statistics (Shiraz, I. R. Iran, 24-26 May 2004) addressed a range of issues including the provision of statistics for 2003, collection practices, international landings and associated problems, collection of population data, identification and planning for future activities, provisions of desegregated data (by species and geographical area), comments on the timing of RECOFI meetings and general perceptions concerning progress at meetings. No date or location for a second meeting of the Working Group on Fishery Statistics was proposed at that session.

3. The report of the first session of the Working Group on Fishery Statistics was presented to RECOFI at its third session (Doha, Qatar, 9-11 May 2005). In reviewing the report the Commission, *inter alia*, stressed the need for continuing technical assistance from FAO for developing criteria for fishery statistics and report preparation for RECOFI Members. In stressing this matter the Commission highlighted the importance it attached to comprehensive and robust statistical systems in the RECOFI region.

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4. At the Commission's fourth session (Jeddah, Kingdom of Saudi Arabia, 7-9 May 2007), a decision was taken to re-name the Working Group on Fishery Statistics. It was decided to change its name to the Working Group on Fisheries Management.¹ The Commission made this modification with a view to expand and strengthen the Working Group's scope, role and functions. Indeed, the narrower scope and functions of the Working Group on Fishery Statistics was identified by the Commission as being one of the problems impacting negatively on RECOFI's work.²

5. In widening the scope of the work of the Working Group on Fisheries Management the Commission enlarged significantly the framework in which fisheries management would be considered and management measures formulated. The Working Group will address, as appropriate, biological, statistical, development, economic and social aspects of management. Its amplified role will strengthen conservation and management in the RECOFI region by enabling the Working Group to focus on, and deal with, all factors necessary for sound fisheries management.

6. The October 2008 session of the Working Group (Cairo, Egypt, 27-30 October 2008), and the first meeting of the Working Group on Fisheries Management, will be a transitional session. Importantly, the meeting will seek to:

- conclude outstanding matters from the first session of the Working Group on Statistics and subsequent Commission meetings in relation to the activities of the Working Group, and to make recommendations, as appropriate, for follow-up work;
- deliberate on improving the utility and diffusion of fisheries statistical data among RECOFI Members;
- consider the broader focus of the Working Group and recommend terms of reference to govern the Group's work;
- identify, establish priorities and recommend a future plan of work for the Working Group;
- recommend the adoption of terms of reference for fisheries management focal points to support the activities of the Working Group, and
- consider matters relating to stock status reporting.

The outcomes of this meeting will be reported to RECOFI at its fifth session (United Arab Emirates, May 2009).

EXPANDED ROLE FOR THE WORKING GROUP

7. Members of the Working Group on Fisheries Management are reminded that RECOFI was established in accordance with Article XIV of the FAO Constitution³ under the Agreement for the Establishment of the Regional Commission for Fisheries (the Agreement)⁴. The Working Group's attention is drawn particularly to Article III of the Agreement concerning the functions of the Commission and Article V of the Agreement relating to the recommendations on management measures. Article VII of the Agreement empowers the Commission to establish committees, working groups and special or standing committees. The Working Group on Fisheries Management was established under this Article.

¹ Paragraph 69. Paragraph 67. FAO. 2008. Report of the Fourth Session of the Regional Commission for Fisheries. FAO Fisheries Report No. 847. FAO. Rome. p.10.

² Paragraph 67. FAO. 2008. Report of the Fourth Session of the Regional Commission for Fisheries. FAO Fisheries Report No. 847. FAO. Rome. p.10.

³ FAO. 1992. Basic texts of the Food and Agriculture Organization of the United Nations. FAO. Rome. 247p.

⁴ See the Agreement at: <http://www.fao.org/legal/treaties/028t-e.htm>

8. RECOFI, within its Convention area, has powers to formulate and recommend management measures for its Members in relation to the conservation and management of living marine resources.⁵ This means that the Commission's powers relating to conservation and management extend beyond fish stocks.

9. One role of the Working Group on Fisheries Management is to recommend management measures to the Commission, in accordance with Article III b) of the Agreement, to be adopted, as appropriate, by the Commission, as provided for in Article V. Management measures may relate to the regulation of fishing methods and fishing gear, prescription of minimum sizes for individuals of specified species, establishment of open and closed fishing seasons and areas, and regulation of the amount of total catch and fishing effort and their allocation among Members, for the purpose of implementing recommendations.

10. The Commission also has wide responsibilities and powers to review the economic and social aspects of the fishing industry and recommend measures for its development, encourage, recommend and coordinate training and extension activities; encourage, recommend, coordinate and undertake research and development activities; assemble, publish and disseminate information regarding living marine resources and fisheries based on these resources and carry out any other activities as may be necessary for RECOFI to achieve its purpose as defined in the Agreement. Importantly, the Commission is required to apply the precautionary approach to conservation and management decisions and take into account the best scientific advice available and the need to promote the development and proper utilization of marine living resources.

11. Focusing on the long-term sustainable management of the region's living marine resources, many of which are shared among RECOFI Members, the Working Group on Fisheries Management provides the logical mechanism to promote and enhance regional fisheries cooperation and significantly, to address and attempt to resolve fisheries problems of common concern. The need for effective and on-going regional cooperation and harmonization⁶ among Members for the management of the region's living marine resources is essential given the close geographic proximity of countries, stock structures and distribution and the possibility of one country undermining regional management efforts if it acts unilaterally or not in concert with other RECOFI Members.

12. The Working Group on Fisheries Management, while continuing to address matters of a statistical nature in support of conservation and management, is also expected to focus on other key issues germane to fisheries management including the ecosystem approach to fisheries, the implementation of the precautionary approach, illegal, unreported and unregulated (IUU) fishing and the role of port States in combating it, the development of the global register for fishing vessels, the effect of pollution on fisheries resources and the elaboration of criteria for flag States performance. In the course of its work the Working Group will identify, prioritize and keep under review fisheries issues and activities that are important for Members and the management of resources in the RECOFI region.

⁵ For clarification, living marine resources are potentially or presently subject to exploitation by Man for food, feed, fertilizer or the production of other products of value or use. Fish, on the other hand, refer to cover fish proper including shellfish and all other groups of marine organisms exploited for human use or consumption. See Caddy, J. F and R. C. Griffiths. 1995. Living marine resources and their sustainable development: Some environmental and institutional perspectives. FAO Fisheries Technical Paper 353. FAO. Rome. 167p.

⁶ It should be noted that in a fisheries context the term "harmonization" does not mean "the same" or "identical" but rather in a similar manner or consistent with.

TERMS OF REFERENCE FOR THE WORKING GROUP

13. Terms of reference to guide the activities of the Working Group on Fisheries Management are required to ensure that it operates smoothly, effectively, consistently, transparently and according to the Agreement. They draw inspiration from the 1995 FAO Code of Conduct for Responsible Fisheries⁷ and initiatives to which RECOFI Members have subscribed, either individually or as countries collectively through their participation in international fora where declarations are adopted.⁸ The terms of reference also reflect the requirements of the Agreement.

14. Draft terms of reference for consideration of the Working Group on Fisheries Management are in Appendix 1. A recommendation on them is required if it is the will of the Working Group to transmit them to 2009 session of the Commission for consideration.

SUGGESTED ACTION BY THE WORKING GROUP

15. The Working Group is invited to consider and comment on the Group's broader role in resource conservation and management in the region and to approve, as appropriate, the draft terms of reference for the Working Group on Fisheries Management.

⁷ The Code of Conduct, a voluntary instrument, provides the international standards for the responsible and sustainable management and utilization of fisheries and aquaculture. Related instruments concluded within its framework include the 1993 FAO Compliance Agreement, the 1999 FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries, 1999 FAO International Plan of Action for the Conservation and Management of Sharks, the 1999 International Plan of Action for the Management of Fishing Capacity, 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the 2003 FAO Strategy for Improving Information on Status and Trends of Capture Fisheries. The Code and its related instruments are supported by technical guidelines that are intended to assist countries and stakeholders to implement the instruments.

⁸ Members are invited to recall that *The Rome Consensus on World Fisheries* adopted by the FAO Ministerial Conference on Fisheries (FAO Headquarters, Rome, Italy, 14-15 March 1995), *inter alia*, called on governments and international organizations to complete the Code of Conduct and to consider ratifying the 1993 FAO Compliance Agreement. Ministers or senior officials from Bahrain, Iraq, the Islamic Republic of Iran, Kuwait, Oman, Qatar and Saudi Arabia and the United Arab Emirates were represented at this meeting. Subsequently, the Code of Conduct was adopted unanimously by the FAO Conference on 31 October 1995. In 1999, *The Rome Declaration on the Implementation of the Code of Conduct for Responsible Fisheries* was adopted by the FAO Ministerial Meeting on Fisheries (FAO Headquarters, Rome, Italy, 10-11 March 1999). It called on all users of fisheries resources to apply the Code of Conduct. Ministers or senior officials from Bahrain, Iraq, the Islamic Republic of Iran, Kuwait, Oman, Qatar and Saudi Arabia and the United Arab Emirates were represented at this meeting.

DRAFT TERMS OF REFERENCE FOR THE WORKING GROUP ON FISHERIES MANAGEMENT

The Working Group on Fisheries Management shall, taking into account the 1995 FAO Code of Conduct for Responsible Fisheries and its related documents and other international instruments, as appropriate:

1. Consider and deliberate on biological, statistical, social, economic, policy, legal and institutional aspects of fisheries conservation and management with a view to ensuring the long-term sustainable development of resources in the region, and
2. Make recommendations, as appropriate, to the Regional Commission for Fisheries on technical and scientific matters in relation to decisions concerning fisheries conservation and management.

Specifically, the Working Group on Fisheries Management shall:

- Review the state of resources, including their level of their exploitation and the state of fisheries, making recommendations for appropriate research and development activities in support of better management;
- Review on regular basis national statistical systems and outturns, as appropriate, to enhance and harmonize the compilation and consolidation of fisheries data on a regional basis;
- Assess the need for harmonized conservation and management measures including, as appropriate, to:
 - regulate fishing methods and fishing gear;
 - prescribe minimum sizes for particular species;
 - establish open and closed fishing seasons and areas;
 - implement marine protected areas;
 - manage fleet capacity;
 - regulate the amount of total catch and fishing effort and their allocation among Members; and
 - make recommendations for the implementation of measures to address these issues. Recommendations will be applied in conformity with the precautionary approach to fisheries, taking account of the best scientific evidence available, the need to promote the development and proper utilization of fisheries resources.
- Identify important economic and social trends in fisheries, analyze their impacts and make recommendations for appropriate follow-up action;
- Identify and apply a multidisciplinary suite of regionally concerted indicators for sustainable fisheries development;
- Promote closer regional cooperation and collaboration in fisheries conservation and management, including through coordinated and harmonized policies and programmes relating to fisheries legislation, acceptance and implementation of

international fisheries instruments, adoption of measures, protection, monitoring, control and surveillance (MCS) and vessels monitoring systems (VMS);

- Evaluate adverse environmental impacts on fisheries and their long-term sustainable management and utilization, as appropriate, and make recommendations concerning remedial measures and action;
- Encourage capacity building and the strengthening of extension services in all aspects of sustainable fisheries management and utilization, including making recommendations for appropriate regional programmes;
- Assemble, publish and disseminate information concerning the state of the region's fisheries, and
- Undertake other activities relating to fisheries management considered important and appropriate by the Working Group or as directed by RECOFI.

The Working Group on Fisheries Management may review these terms of reference from time to time and make recommendations for their amendment, as appropriate, to RECOFI.