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ASIA-PACIFIC FISHERY COMMISSION

Thirty-seventh Session

Qingdao 13-15 June 2023

The future of the Asia-Pacific Fishery Commission: findings and recommendations of the ad hoc working group on the future of APFIC

1. The Asia-Pacific Fishery Commission (APFIC) was established in 1948 and has a long history of serving its members. The commission has undergone a number of reforms since that time to adapt to the changing international governance of fisheries and reforms in the function and resourcing of the FAO regional fishery bodies. This has increasingly led the commission to a major crisis in its ability to develop and execute a work programme that services its membership. The 36th Session of the Asia-Pacific Fishery Commission (May 2021) recognized the pressing issues of financial unsustainability and FAO's declining willingness and ability to provide regular programme funding for commission activities. It recommended the establishment of an 'ad hoc working group on the future of APFIC' to look into issues and explore possible options to advise the commission on its future.

2. The 36th Session of the Asia-Pacific Fishery Commission (APFIC) recognized the pressing issues of financial unsustainability and FAO's declining willingness and ability to provide regular programme funding for commission activities. The session was appraised of the principal issues and some preliminary ideas of possible means to streamline planning and seek financial resourcing of APFIC-related work and activities. It recommended the establishment of an 'Ad hoc Working Group on the future of APFIC' to look into the issues and possible options to advise the commission on its future.

3. The Asia-Pacific Fishery Commission (APFIC) held its preparatory meeting of the ad hoc Working Group on the future of APFIC 18-19 August 2021 in virtual format. It was attended by 30 representatives of 14 member countries of the Commission and the APFIC Secretariat. The first meeting covered the development of the terms of reference of the ad hoc working group, a work plan and the finalization of a member country questionnaire.

4. The second meeting of the ad hoc Working Group on the future of APFIC was convened on 24-25 February 2022 in virtual format and was attended by 39 representatives of 17 member countries of the Commission and the APFIC Secretariat. The Second meeting of the ad hoc working group reviewed the review of the Background to the situation that limits the effective function of the Asia-Pacific Fishery Commission, the member country responses to the questionnaire and the feedback from secretariats of regional fishery bodies in the APFIC region.

5. The two reports of the meetings of the ad hoc working group are presented in information document APFIC/23/INF-08. This summarizes the discussions, findings and recommendations of these

two meetings and is presented to the 37th Session of the Commission to support its deliberations on the future of APFIC.

FINDINGS OF THE AD HOC WORKING GROUP ON THE FUTURE OF APFIC

6. The ad hoc Working Group welcomed the summary findings of the consultations with the Secretariats of the Regional Fishery Organizations contained in working document. This summary report contained five main findings as follows:

- i. Considering respective mandates and competency, there is now no perceived significant gap in geographical and technical/thematic coverage, between existing regional RFBs and RFMOs, that APFIC is filling.
- ii. There is no clear added-value for APFIC advice for policy decision making on top of the governance structures of the existing RFBs/RFMOs.
- iii. Engagement of existing RFBs/RFMOs with APFIC and its activities, is often made through arrangements with FAO or other mechanisms.
- iv. APFIC has limited opportunity to impact FAO priority setting in the Asian Region.
- v. Providing financial resources to APFIC for a work programme through a country contribution, potentially reduces resources available to other RFBs/RFMOs.

7. The ad hoc Working Group noted that these findings were in general alignment with those of the Member country responses to the country questionnaire with respect to overlaps in function and the role of the FAO programme acting in the place of Commission activities.

8. The ad hoc Working Group summary conclusions are as follows:

- i. Recognizes that there is now sufficient regional organization coverage to replace the work of APFIC within its area
- ii. Considers that the work of the Commission under present circumstances, is an inefficient use of the scarce financial resources of both FAO and Member countries and constitutes minimal value addition, beyond the regular work of FAO for its Members
- iii. Agrees that adequate financial resourcing is critical for the effective functioning of an organization
- iv. Acknowledges that continuation of the Commissions activities and for the Commission to effectively fulfill its function, requires adequate resourcing for its work programme
- v. Notes that suspension of the Commission will enable FAO (and the APFIC Secretariat) to focus support on the FAO programme to its member countries in the region
- vi. Emphasizes that suspension of the Commission activities should not be interpreted as undermining efforts of FAO and the APFIC Member Countries to increase cooperation in the fisheries sector in the region, including those related to relevant FAO programs

9. The ad hoc Working Group acknowledged that the results of the Member country questionnaire indicate that neither voluntary, nor assessed contributions are preferred options. This prevents clear agreement on how future financing of the Commission can be secured.

10. The Secretariat affirmed to the ad hoc Working Group that any decision to suspend the Commission's activities would not affect ongoing or pipeline activities as none were planned or resourced and there is currently no funded work programme of the Commission. This is separate from the regular budget and field project programmes of the FAO Regional Office for Asia and the Pacific.

11. The Secretariat clarified that according to the Agreement, the quorum for an APFIC Session to make a decision on its future is 11 Members, and such a decision is based on simple majority of voting Members in attendance.

12. The ad hoc Working Group by majority, recommended to support the temporary suspension of the Commission, in the light of the questionnaire responses and the limited prospects for identifying financial resources for the activities of the Commission.

13. The ad hoc Working Group prepared a draft resolution for suspension for consideration by the 37th Session and recommended that suspension of the Commission should be for a period 5 years. This is presented in Annex II of this document.

14. The ad hoc Working Group noted that suspension of the commission will enable FAO (and the APFIC Secretariat) to focus support on the FAO programme to its Member Countries in the region. It also emphasized that suspension of commission activities should not be interpreted as undermining efforts of FAO and APFIC Member Countries to increase cooperation in the fisheries sector in the region, including those related to relevant FAO programmes.

15. Noting that there were Member Countries in support of continuation, the ad hoc working group also prepared a draft resolution for continuation of the activities of the commission, should this be the decision of the 37th session. This resolution text incorporates specific reference to the establishment of a financial arrangement to support the work programme of the commission. This is presented in Annex III of this document.

16. The ad hoc Working Group further recommended that Member countries brief and authorize their delegates to the 37th Session of the Commission to make a decision on this matter

17. The ad hoc Working Group concluded that it had fulfilled its terms of reference and that no follow up activity of the ad hoc Working Group was required.

RECOMMENDATIONS OF THE 78th EXECUTIVE COMMITTEE ON THE FUTURE OF APFIC

18. The 78th Executive Committee welcomed the report of the Ad Hoc Working Group on the Future of APFIC, noting that the commission is one of the few regional bodies that provides a common voice in relation to fisheries and aquaculture for most countries in the Asian region.

- i. It reviewed the two resolutions – to suspend or to continue – to be considered by Members during the Thirty-seventh Session of APFIC (Annex II and III of this document)
- ii. It agreed that there is a need for responsibility among Member Nations to provide adequate resourcing if the activities of the commission are to continue.
- iii. Noted that should APFIC continue, that resolution commits to identifying financing aspects.
- iv. Was informed that if the commission decided to suspend activities, that after a period of five years the Director-General of FAO would contact the Member Nations to convene a Special Session of the commission.

19. The 78th Executive Committee requested the Secretariat to

- i. Present the options on the future of the commission to Member Nations in the form of a decision tree or flow chart to assist them in understanding these options and their implications (Annex I of this document)
- ii. Provide information to Member Nations on the cost implications for continuation of activities, to assist in their decisions on the future of the commission (APFIC/23/Inf-09)
- iii. Requested that the procedure for convening the Special Session is described in an appendix to the report of the Thirty-seventh Session (APFIC/23/Inf-10)
- iv. Urged Member Nations to ensure that delegates to the Thirty-seventh Session of the commission are adequately informed and authorized to make decisions on the future of the commission.

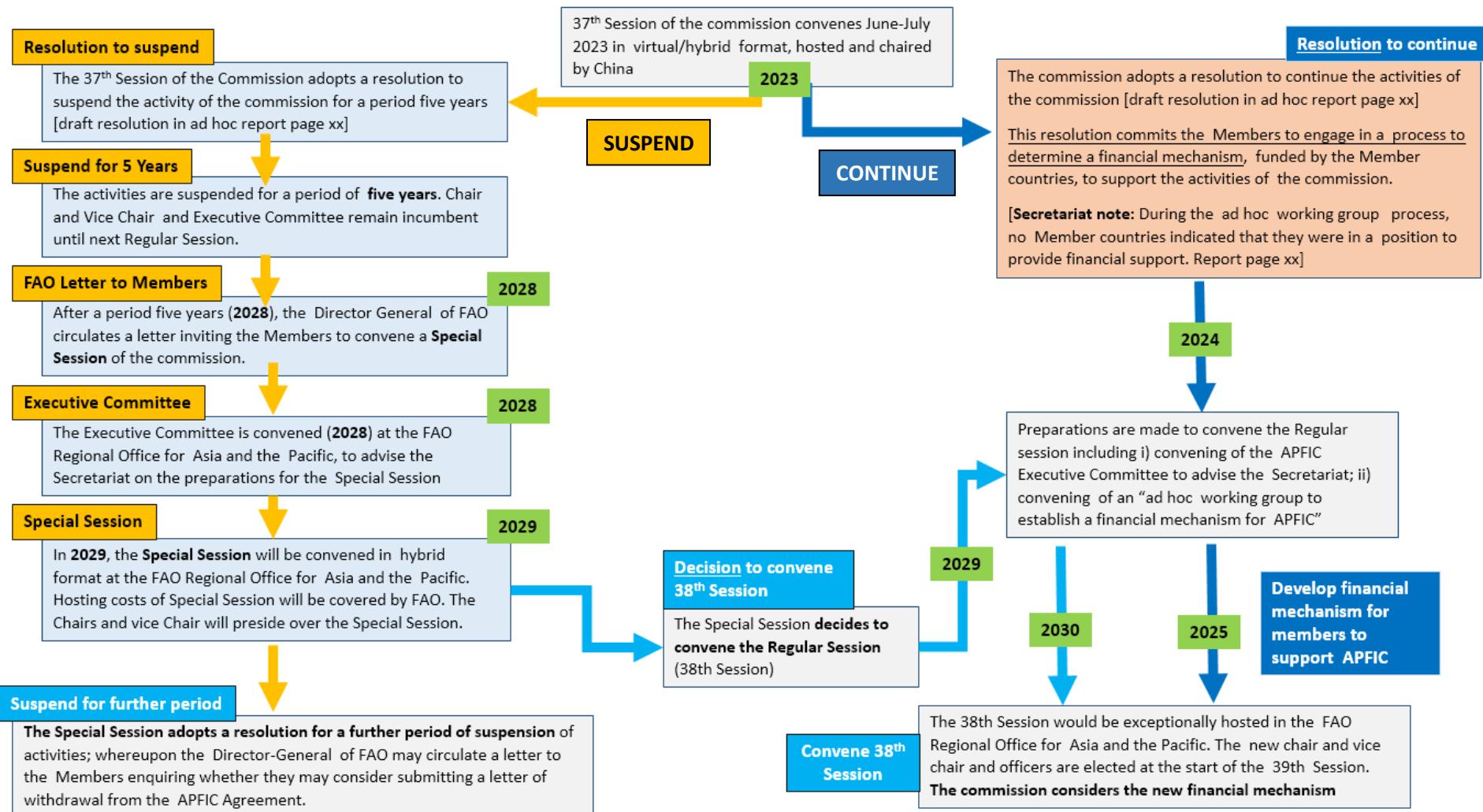
SUGGESTED ACTION BY THE COMMISSION

20. The Commission is invited to review the recommendations of the 78th Executive Committee and endorse the report of the ad hoc Working Group on the future of APFIC

21. The Commission is invited to consider the two draft resolutions presented to the Commission and to move to a decision on the future of APFIC.

22. The Commission may advise the Secretariat on follow up actions that may be required following its decision.

Annex 1: Decision tree of the options on the future of the commission



Annex II: Draft resolution for suspension of the activities of the commission

CONSIDERING that the Asia-Pacific Fishery Commission (APFIC) was originally established as the Indo-Pacific Fisheries Council (IPFC) under Article XIV of the FAO Constitution, through a Resolution approved by the FAO Conference, at its fourth Session in 1948, with the purpose of “promoting the full and proper utilization of living aquatic resources by the development and management of fishing and culture operations and by the development of related processing and marketing activities in conformity with the objectives of its Members”;

NOTING that the Agreement of APFIC came into force on 9 November 1948, upon acceptance by sixteen Member Nations of the Organization, and that at present 21 Member Nations have deposited instruments of acceptance of the Agreement, thus becoming Members of the Commission;

RECALLING the recommendation of the 36th Session of the Commission that the future of APFIC should be assessed by its Members;

BEING AWARE OF the lack of an autonomous budget or other dedicated resources to conduct activities under a work programme to be directed by the Commission and to inform its deliberations;

RECOGNIZING that the Commission has assiduously pursued and fulfilled the objectives for which it was established in 1948;

EXPRESSES ITS APPRECIATION for the work accomplished over the years by the Commission, its Members and FAO;

ACKNOWLEDGING that the APFIC focus area of activity as agreed by the Commission, overlaps the area of competence of two Regional Fishery Management Organizations (IOTC and WCPFC), two inter-governmental Regional Fishery Bodies competent in fisheries in Southeast and South Asia (SEAFDEC, BOBP-IGO), one intergovernmental network competent in Aquaculture in Asia (NACA) and intergovernmental organizations related to fishery trade in Asia (INFOFISH), as well as a wide range of fora, programmes, specialized meetings and networks dealing exclusively with fisheries and aquaculture in the Asia and Pacific region;

DECIDES that the Asia-Pacific Fishery Commission shall suspend all its activities and operations for a period of 5 years, following which the Members may convene a new Special Session to again consider the future of APFIC;

HIGHLIGHTING that suspending should not be construed as a reduction in the commitment by FAO and the APFIC Members with respect to responsible fisheries and aquaculture and achieving the Sustainable Development Goal targets in relation to these sub-sectors.

Annex III: Draft resolution for continuation of the activities of the commission

CONSIDERING that the Asia-Pacific Fishery Commission (APFIC) was originally established as the Indo-Pacific Fisheries Council (IPFC) under Article XIV of the FAO Constitution, through a Resolution approved by the FAO Conference, at its fourth Session in 1948, with the purpose of “promoting the full and proper utilization of living aquatic resources by the development and management of fishing and culture operations and by the development of related processing and marketing activities in conformity with the objectives of its Members”;

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RECALLING the recommendation of the 36th Session of the Commission that the future of APFIC should be assessed by its Members;

BEING AWARE OF the lack of an autonomous budget or other dedicated resources to conduct activities under a work programme to be directed by the Commission and to inform its deliberations;

RECOGNIZING that the Commission has assiduously pursued and fulfilled the objectives for which it was established in 1948;

EXPRESSES ITS APPRECIATION for the work accomplished over the years by the Commission, its Members and FAO;

ACKNOWLEDGING that for the Commission to effectively fulfill its function, adequate resourcing for its work programme is required

DECIDES that the Asia-Pacific Fishery Commission shall establish a [trustfund supported by voluntary/system of assessed contributions] administered by the Director-General in conformity with the Financial Regulations of the Organization in support of its activities and operations; and that the necessary amendments to the Agreement and rules of procedure will be undertaken to effect this.

AGREES that the financial arrangement will be established within a period of not more than 5 years.