

A stylized, colorful illustration of a fishing boat on the water. The boat is orange and green. Below the boat, several stylized human figures in various colors (blue, orange, green) are shown, representing fishermen. The background is a mix of blue and green, suggesting water and sky.

THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES FRAMEWORK, IMPLEMENTATION AND SUSTAINABILITY

CONXEMAR World Congress on Cephalopods
Vigo, Spain
1st October 2012



Matthew Camilleri, Ph.D.
Fishery Liaison Officer
FAO, Fisheries and Aquaculture Department



OVERVIEW OF PRESENTATION

INTERNATIONAL LEGAL FRAMEWORK CONCERNING FISHERIES

THE CONTEXT OF THE CODE OF CONDUCT

THE GOALS OF THE CODE

STRUCTURE OF THE CODE

IMPLEMENTATION OF THE CODE

STATUS OF WORLD FISHERIES

RESPONSIBLE FISHERIES MANAGEMENT AND
SUSTAINABILITY
CONCLUDING REMARKS

INTERNATIONAL LEGAL FRAMEWORK CONCERNING FISHERIES

BINDING INSTRUMENTS

1. UN Convention on the Law of the Sea, 1982 (UNCLOS)



2. UN Agreement for the Implementation of the Provisions of UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995 (UN Fish Stocks Agreement)



3. FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993 (Compliance Agreement)



4. FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing, 2009 (Port State Measures Agreement)



5. Convention on Biological Diversity, 1992 (CBD)



6. Convention on International Trade in Endangered Species, 1973 (CITES)





NON-BINDING INSTRUMENTS

1. FAO Code of Conduct for Responsible Fisheries (Code of Conduct, 1995)

Technical guidelines in support of the implementation of the Code (27 publications)



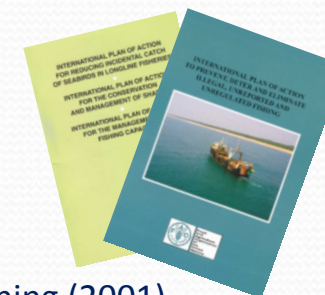
1.1 FAO International Plans of Action (IPOAs)

IPOA for reducing the Incidental catch of seabirds in longline fisheries (1999)

IPOA on the management of fishing capacity (1999)

IPOA for the conservation and management of sharks (1999)

IPOA to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing (2001)



1.2 FAO Strategies on Information

The Strategy for Improving Information on Status and Trends of Capture Fisheries (STF, 2003)

The Strategy and Outline Plan for Improving Information on Status and Trends of Aquaculture (2008)

1.3 FAO International Guidelines

International Guidelines on Bycatch Management and Reduction of Discards (2011)

International Guidelines for the Management of Deep-Sea Fisheries on the High Seas (2009)

1.4 Other FAO Guidelines

Guidelines for the ecolabelling of fish and fishery products from marine capture fisheries (rev 1, 2009)

Guidelines for the ecolabelling of fish and fishery products from inland capture fisheries (2011)

Technical Guidelines on Aquaculture Certification (2011)

Guidelines to reduce sea turtle mortality in fishing operations (2009)



NON- BINDING INSTRUMENTS (2)

2. UN General Assembly resolutions on sustainable fisheries, including deep sea fisheries and impacts of climate change (eg. Res.59/25, 61/105, 64/72, 66/68)



3. Johannesburg Plan of Implementation (adopted at the World Summit on Sustainable Development, 2002) – recommendations to achieve sustainable fisheries, including the implementation of the Code of Conduct.



4. Declarations (not actual instruments but adopted by governments during assembly in

International fora). Some examples include:

Declaration adopted by the UN Conference on Environment and Development – Rio Declaration (1992)

The Cancun Declaration adopted by the International Conference on Responsible Fishing (1992)

The Rome Declaration on the implementation of the Code of Conduct adopted by the FAO Ministerial Meeting on Fisheries (1999)

The Reykjavik Declaration adopted by the International Conference on Responsible Fisheries in the Marine Ecosystem (2001)

The Rome Declaration on IUU Fishing adopted by the FAO Ministerial Meeting on Fisheries (2005)

Declaration adopted by the UN Conference on Sustainable Development – Rio+20 Declaration (2012)

THE CONTEXT OF THE CODE OF CONDUCT

The Code of Conduct was drawn up by FAO, following a call from the International Conference on Responsible Fishing (1992), to strengthen the international legal framework for more effective conservation, management and sustainable exploitation and production of living aquatic resources.

The Code is directed towards all stakeholders of the fishing and aquaculture industries: States, fishing entities, international organizations (including NGOs IGOs and RFBs), entities involved in the management, conservation, trade and utilization of fisheries resources.

The Code of Conduct is intended to help countries and groups of countries to develop or improve their fisheries and aquaculture, whilst ensuring the long-term sustainable use of fisheries resources and habitat conservation, and guaranteeing food security and alleviating poverty in fishing communities.

The Code is voluntary and is to be interpreted and applied in conformity with international law, the provisions of which form an integral part of the Code.

FAO monitors the application and implementation of the Code and promotes it, in collaboration with States and international organizations.

THE GOALS OF THE CODE

The Code aims to:

set out principles and international standards of behaviour for responsible practices, with due respect for the ecosystem and biodiversity, and recognises the nutritional, economic, social, environmental and cultural importance of fisheries, and the interests of all those concerned with the fishery sector.

provide a reference framework for national and international efforts, including the formulation of policies and other legal and institutional frameworks and instruments, to ensure sustainable exploitation of aquatic living resources in harmony with the environment.

promote: the contribution of fisheries to food security and food quality; responsible trade of fish and fishery products; research on fisheries, ecosystems and environmental factors; the protection of living aquatic resources and their environments; cooperation in conservation of fisheries resources and fisheries management and development.

(Article 2 lists the objectives of the Code)

Some key words featuring in the general principles of the Code

conservation of aquatic ecosystems

working and living conditions

consultation and effective participation

rehabilitation of fishery resources

research and data collection

protection of critical fisheries
habitats

fishing capacity and effort control

selective and environmentally safe fishing
gear and practices

cooperation to prevent disputes

monitoring and control of fishing
activities

precautionary approach

aquaculture development

subregional, regional and global
cooperation

integrated coastal area management,
planning and development

maintenance of the quality, diversity
and availability of fishery resources

international trade in fish and fishery
products

harvesting, handling, processing and
distribution of fish and fishery products

rights of fishers and fishworkers

education and training

STRUCTURE OF THE CODE

Taking into account the need to strengthen the capacity of developing countries to implement the Code through the provision of financial and technical assistance, technology transfer, training and scientific cooperation and assistance in developing fisheries (Article 5).....

....and.....

..... on the basis of a set of defined general principles (Article 6), the Code lays out detailed principles and standards for responsible fisheries and guidelines for best practices in six distinct Articles (Articles 7-12).



The Six Core Articles of the Code

Fisheries Management

Principles for the formulation of clear and well-organised fishing policies to manage fisheries sustainably and in cooperation with all stakeholders.

Fishing Operations

Systems for the regulation and effective monitoring, control, surveillance and enforcement of fishing activities and practices.

Aquaculture Development

Approaches for the sustainable development of responsible aquaculture practices.

Integration of Fisheries into Coastal Area Management

Procedures for the integration of fishing activities into multi-user coastal area management plans.

Post-harvest Practices and Trade

Principles for the setting of standards of fish quality, handling, processing, trade and transport.

Fisheries Research

Fundamental requirements for data collection on fishing activities and the sound scientific monitoring of fisheries resources and their environment.

IMPLEMENTATION OF THE CODE

The provisions in the Articles of the Code relate mostly to duties of States but also concern:

- Owners, charterers and managers of fishing vessels
- Regional fisheries management organizations or arrangements
- Competent national authorities and organizations
- Technical and financial international organizations

FAO has produced 27 detailed technical guidelines, so far, to assist fishers, industry and governments in taking the necessary practical steps to implement the various aspects of the Code.

Fisheries Management	7
Aquaculture	7
Fishery Operations	3
Inland Fisheries	2
Fish trade and utilization	2
Information and knowledge	1

Implementation of IPOA-IUU	1
Small scale fisheries	1
Sustainable development	1
Precautionary Approach	1
Coastal area management	1

Monitoring of the implementation

It is customary for FAO to monitor the global progress of implementation of the Code and related instruments through a self-assessment questionnaire every two years.



1. General Constraints and Solutions

In the last survey (2011) the main constraints identified by States which impede the implementation of the Code are:

- insufficient financial and human resources
- lack of awareness and information about the Code
- inadequate scientific research
- statistics and information access

Apart from seeking direct ways to overcome these constraints, improvement of institutional structures and regional and international collaboration have been identified as key factors to improve the implementation of the Code.



2. Progress

General progress has been recorded in:

- aligning national fisheries legislation with the Code
- the implementation of the Ecosystem Approach to Fisheries
- control of fisheries operations and the use of Vessel Monitoring Systems
- developing food safety and quality assurance systems for fish and fisheries products
- mitigation measures for post-harvest losses
- implementation of National Plans of Action for fishing capacity and tackling the problem of overcapacity
- conducting assessments in relation to the IPOA-sharks and IPOA-seabirds
- the implementation of National Plans of Action to combat IUU fishing
- addressing FAO's Strategy-STF and Strategy-STA
- conducting formal research on the impact of climate change on fisheries, and the development of mitigation and resilience programmes



3. Concerns

Major concerning observations include:

- In a majority of cases, stock specific target reference points were either being approached or exceeded, signifying a steady trend in managed fisheries either nearing full exploitation or being overexploited
- By-catches and discards frequently occur in major fisheries and are not always monitored and mitigation measures are often lacking
- Many States lack complete and enabling policy, legal and institutional frameworks for integrated coastal zone management and aquaculture development
- Management measures are often undermined by data gaps



4. Contribution of RFBs and NGOs

The 2011 survey revealed that Regional Fisheries Bodies are:

- implementing stock recovery plans and management measures to ensure sustainable fisheries
- implementing measures related to the protection of endangered species, selectivity of fishing gear and the prohibition of destructive fishing methods and practices
- implementing monitoring, control and surveillance measures including the use of vessel monitoring systems.
- implementing measures to limit bycatch and discards
- assisting in the implementation of the International Plans of Action as well as other activities related to the implementation of the Code

NGOs are engaged in:

- efforts to generate more awareness and cooperation with countries in addressing IUU fishing and working with civil society to increase recognition of access rights to fishery resources
- efforts to assist in the implementation of IPOAs and the Strategy-STF

THE STATE OF WORLD FISHERIES

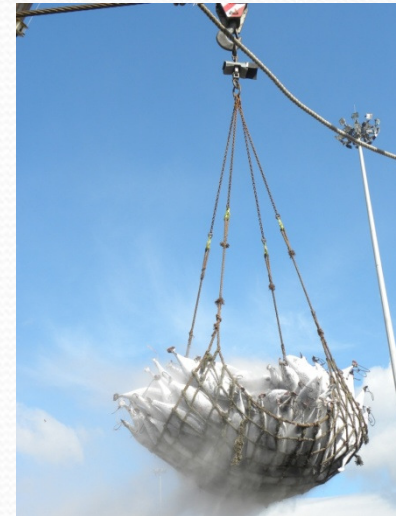
13 percent of the stock groups monitored by FAO in 2009 were estimated to be non-fully exploited and, therefore, able to produce more than their current catches.

57 percent were estimated to be fully exploited and, therefore, their current catches are at or close to their maximum sustainable productions, with no room for further expansion.

30 percent were estimated to be overexploited, and, thus, yielding less than their maximum potential production owing to excess fishing pressure in the past, with a need for rebuilding plans.

Most of the stocks of the top ten species, which account in total for about 30 percent of the world marine capture fisheries production in terms of quantity, are fully exploited and, therefore, have no potential for increased production, while some stocks are overexploited and increases in their production could only be possible with effective rebuilding plans in place.

(Source: FAO, State of World Fisheries and Aquaculture 2012)



RESPONSIBLE FISHERIES MANAGEMENT AND SUSTA

Sound fisheries management guarantees the
“long-term conservation and
sustainable use of fisheries resources....
....maintaining their availability for present
and future generations”

This is achieved through:

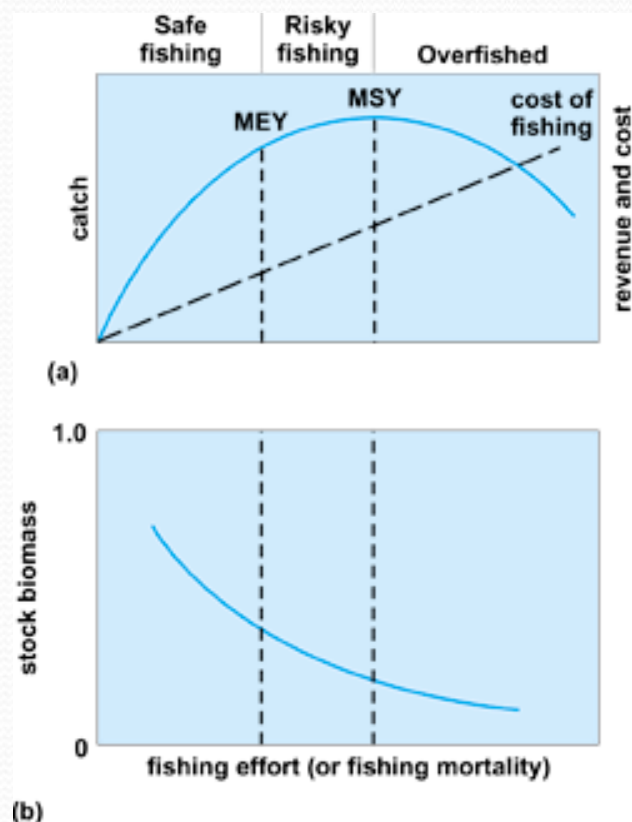
- Actions of States, individually, in consultation with national stakeholders
- Bilateral / multilateral cooperation among States
- Efforts of sub-regional and regional fisheries organizations / arrangements
- Contributions from relevant governmental and non-governmental organizations

Overriding Code principles

Responsible fisheries management takes into consideration four dimensions of sustainability – biological, environmental, social and economic – and must be supported by an appropriate institutional framework.

Management objectives should be long-term and be translated into appropriate and effective actions covering concerned fish stock units and their exploitation as a whole.

Management measures should be based on the best scientific evidence available and aim to maintain or restore stocks at levels capable of producing Maximum Sustainable Yield (MSY)



Overriding Code principles (2)

Scientific research, socio-economic impact studies, the compilation of statistics on catch and fishing effort and other fishery-related parameters, as well as the collection of scientific data on fish stocks and the fishery ecosystem, are essential for the formulation of sound management advice.

The Precautionary Approach must be applied widely to conservation, management and exploitation of living marine resources, whilst taking into account uncertainties in information and setting stock-specific reference points.

Mechanisms must be in place for the authorization, regulation, monitoring, control and surveillance of fishing activities, methods and practices, in compliance with set management measures.

A balance between availability of fisheries resources and fishing capacity and exploitation rate must be ensured.

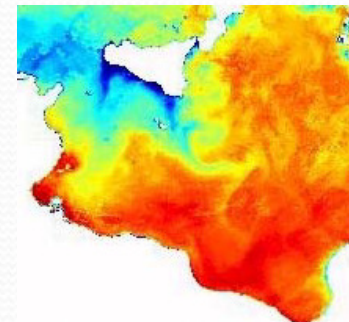
Legal and administrative frameworks, sanction provisions, MCS and enforcement schemes must be in place for the effective implementation of fisheries resource conservation and management.

General Considerations for Fisheries Management

Biodiversity and
ecological considerations



Resource characteristics



Environmental
constraints



Fleet capacity and
technological
considerations



Socio-economic
dimensions



Time-scales



Institutional concepts
and functions

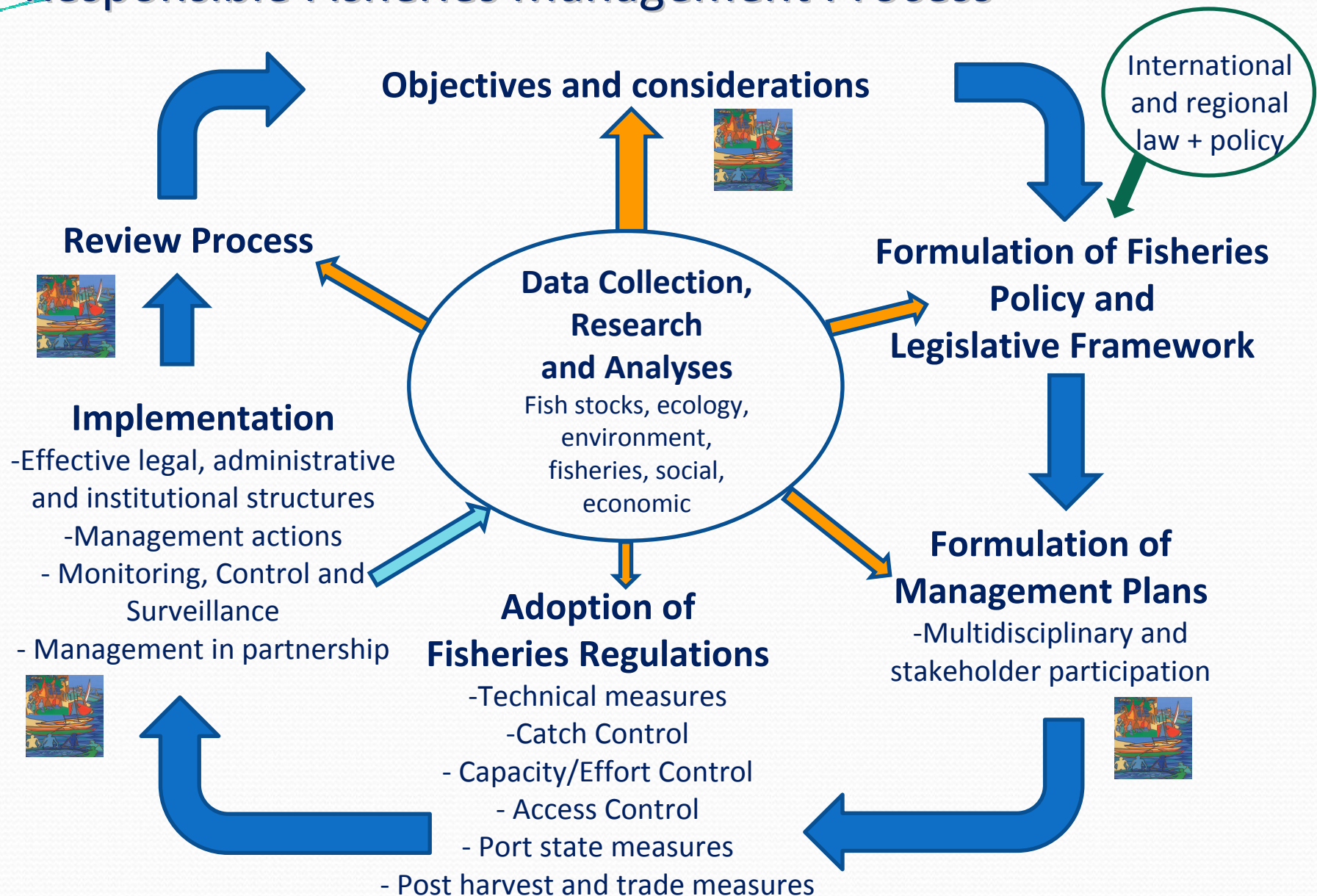


Stakeholder
participation



Precautionary Approach!

Responsible Fisheries Management Process



CONCLUDING REMARKS

After almost twenty years since its adoption, the Code of Conduct for Responsible Fisheries, the most widely translated FAO document, remains the key reference for achieving sustainable fisheries.

Although the Code is a voluntary instrument, its provisions have been taken up in policy and legislative frameworks of several international organizations, Regional Fisheries Management Organizations and States.

The effective implementation of the Code and related instruments by all stakeholders of the fisheries and aquaculture industries, translates into securing adequate supplies of fish and fisheries products for present and future generations, as well as sustained income-earning opportunities.

There is an urgent requirement to step-up actions to combat Illegal, Unreported and Unregulated (IUU) fishing which severely undermines efforts aimed at achieving sustainable fisheries, deprives many countries of a crucial natural resource and remains a persistent threat to sustainable development.

Further assistance needs to be delivered to developing countries to strengthen their national capacity to sustainably develop, manage, regulate and monitor their fisheries and to improve market access for their fishery products.

Thank you for your attention

