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## COMMITTEE ON FISHERIES

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### PROGRESS IN THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES AND RELATED INSTRUMENTS

#### Executive Summary

One hundred and fourteen FAO Member Countries and the European Union (EU)<sup>1</sup> participated in the 2015 edition of the questionnaire on the implementation of the Code of Conduct for Responsible Fisheries (the Code) and related instruments; representing 58 percent of FAO Members. This shows a 20 and 107 percent increase in respondents compared to the 2013 and 2011 editions, respectively (Tables 1 and 2). Twenty-five Regional Fishery Bodies (RFBs) and 10 Non-governmental Organizations (NGOs) also took part in the questionnaire. A new section concerning the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (VGSSF) was included in the 2015 edition of the questionnaire. A detailed analysis of the responses to the questionnaire is presented below. Statistical tables summarizing Members' responses, referred to in this document, are also made available on the COFI website<sup>2</sup> and at COFI as a session background document COFI/2016/SBD.1 which is to be read in conjunction with this document.

<sup>1</sup> The EU responded on behalf of its Member States, except for questions 18.2, 18.3, 19, 20, 32 and 42.

<sup>2</sup> [www.fao.org/cofi/en](http://www.fao.org/cofi/en)

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## I. ACTIVITIES AND APPLICATIONS OF THE CODE AT NATIONAL LEVEL

### A. General

1. In Article 2, the Code lays out ten objectives. Members were invited to rank the relevance of these objectives (Table 3). Top priorities continued to be assigned to objectives (a)<sup>3</sup> and (b)<sup>4</sup>, as was the case since 2007. As for 2013, though in a different order, the lowest rated objectives included objectives (j)<sup>5</sup>, (d)<sup>6</sup> and (h)<sup>7</sup>.
2. The Code is subdivided into themes, covering eight technical domains of the fisheries and aquaculture sectors. Members were invited to assign priority ratings to these domains (Table 4). Fisheries management and aquaculture development continued to be ranked as top priorities, mirroring results obtained since 2001. As in 2013 and 2011, inland fisheries development and integration of fisheries into coastal and basin area management were given the least priority.
3. Ninety-two percent of the respondents reported that they have a fisheries policy in place, 64 percent and 34 percent of which conform fully and partially to the Code, respectively (Table 5). Of the 36 percent of respondents that had a fisheries policy either partially or not at all in conformity with the Code, 81 percent reported that they were planning to align it with the Code.
4. Fifty-four and 40 percent of the respondents reported having national fisheries legislation in full or partial conformity with the Code, respectively (Table 6). Of the 46 percent that reported either partial or complete inconsistency, 76 percent indicated that plans are in place to align their national legislation with the provisions of the Code. Fifty-one percent of the respondents reported to have enacted fishery-based legislation as currently in force prior to 1996, 27 percent between 1996 and 2005 and 22 percent since 2006 (Table 7).
5. Eighty-eight percent of the Members reported having raised awareness about the Code. To do so, the mechanisms that were most frequently reported as key included meetings, workshops and seminars (77 percent), developing, publishing and distributing guidelines (51 percent), Code-related documents (50 percent) and training and administration of staff (49 percent) (Table 8).

### B. Fisheries management

6. Eighty-two percent of the respondents reported that they have fishery management plans in place (Table 9). Ninety percent of the 702 plans for marine fisheries and 91 percent of the 214 plans for inland fisheries developed are reported to being under implementation. The highest implementation rates are reported for Europe, Northern America, and the South West Pacific.
7. The most common management measures implemented in marine fisheries to promote responsible resource use include prohibiting destructive fishing methods and practices (99 percent), addressing the interests and rights of small-scale fishers (98 percent), and providing for stakeholder participation in determining management decisions (97 percent). Compared to the 2013 reporting, of the 12 measures listed in Table 10, addressing fishing capacity dropped from being the most commonly applied measure (96 percent) to tenth place (81 percent), followed by making use of stock-specific target reference points (TRPs) (72 percent), and measures falling within wider management

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<sup>3</sup> Objective a): Establish principles for responsible fisheries taking into account all their relevant biological, technological, economic, social, environmental and commercial aspects.

<sup>4</sup> Objective b): Establish principles and criteria to implement policies for the conservation of fishery resources and fisheries management and development.

<sup>5</sup> Objective j): Provide standards of conduct for all involved in the fisheries sector.

<sup>6</sup> Objective d): Provide guidance to formulate and implement international agreements and other legal instruments.

<sup>7</sup> Objective h): Promote the trade of fish and fishery products in conformity with relevant international rules.

plans (67 percent). Ensuring that the level of fishing is commensurate with the state of fisheries resources went from being reported as the least applied measure in 2013 (29 percent) to the sixth most applied measure in 2015 (90 percent) (Table 10).

8. In the case of inland fisheries, the most commonly applied measure relates to prohibiting destructive fishing methods and practices (100 percent). Addressing the interests and rights of small-scale fishers, providing for stakeholder participation in determining management decisions, ensuring that the level of fishing is commensurate with the state of fisheries resources, and using precautionary approaches for conservative safety margins in decision making were rated as the second most commonly applied measures (all 95 percent). Measures addressing the selectivity of fishing gear, reported as the least implemented measure in 2013 (36 percent), were reported as one of the most commonly applied by 2015 (92%) (Table 10).

9. Seventy-eight percent of the respondents reported having started implementation of the ecosystem approach to fisheries (EAF). Ninety-nine percent of those reported having established ecological, socio-economic and governance objectives, and 95 percent reported having identified issues to be addressed by management actions (Table 11). Seventy-four percent of Members implementing the EAF have also established monitoring and evaluation mechanisms.

10. As reported since 2007, more than half of the Members have developed target reference points (TRPs) for managing fisheries. Seventy-nine percent reported that TRPs were being approached. Thirty-seven percent of the respondents reported having exceeded their TRPs (Table 12); in previous years, more than half of the respondents reported having done so.

11. Indicators used by Members for managing stocks other than TRPs include: catch and effort indicators (82 percent), validated stakeholder knowledge (58 percent), socio-economic indicators (48 percent) and ecosystem indicators (42 percent) (Table 13). Where TRPs were exceeded, the most commonly reported remedial actions were limiting fishing effort and carrying out more research (all 95 percent), and strengthening monitoring, control and surveillance (MCS) (79 percent) (Table 14).

### **C. Fishing operations**

12. Members were invited to report on measures to control fishing operations within and outside their Exclusive Economic Zone (EEZ). Ninety-three percent and 85 percent of them reported having taken steps to control fisheries operations within their EEZ and beyond, respectively. As has been the case since 2007, the strengthening of MCS was reported to be the most important action taken to ensure that fishing operations within the EEZ comply with license provisions. From 2011 to 2015, Members reported that the three most important measures to control fishing operations were strengthening MCS, penalties and sanctions, and vessel registers (Table 15).

13. Members reported on the most important measures to ensure that fishing operations occurring outside their EEZ were reported and undertaken in a responsible manner. These include: the application of mandatory authorisation schemes (81 percent), mandatory logbooks and reporting systems (39 percent), cooperation with third countries and/or regional fisheries management organizations (RFMOs) (39 percent), enhancement of MCS (36 percent) and ratification of relevant international instruments (30 percent) (Table 16).

14. Sixty-three percent of Members reported that bycatch and discards occur in major fisheries and 58 percent have formal bycatch and discards monitoring schemes in place. Seventy-four percent of those formally monitoring bycatch and discards consider that they contribute to unsustainability (Table 17), of which 92 percent reported having in place management measures to minimize bycatch and discards. Ninety-seven and 67 percent of them include measures for the protection of juveniles and for addressing ghost fishing, respectively. In 2013, only 51 percent of the Members had indicated having in place management measures to minimize bycatch and discards.

15. Seventy-five percent of Members reported to having either partially or fully implemented vessel monitoring systems (VMS). Fifty-two percent of those that have yet to implement VMS, plan to

do so in the future (Table 18). Three Members reported that although they had not implemented VMS, they demand foreign vessels to carry VMS and report to other monitoring centres (e.g. Regional Fisheries Management Organizations).

#### **D. Aquaculture development**

16. Ninety-seven percent of Members reported that aquaculture development occurs in their countries (Table 19). Of these, 50, 42 and 46 percent have largely complete and enabling policies, legal and institutional frameworks, respectively. The majority of the remainder have partially developed policy, legal and institutional frameworks and a few (10 percent or less) have no or largely insufficient frameworks, showing an improvement in comparison with reports from 2013 and 2011. The regions reporting the least developed policy, legal and institutional frameworks for the development of responsible aquaculture are the South West Pacific and Latin America and the Caribbean.

17. The Code encourages Members to promote responsible aquaculture practices. Eighty-five percent of the Members reported that government agencies have adopted codes or instruments in this regard. Private sector actors were reported by Members to also have adopted such codes or instruments at the producer level (69 percent), supplier level (44 percent) and manufacturer level (40 percent). From 2011 to 2015, worldwide adoption of such codes or instruments increased at all levels. This trend was particularly evident in the Latin America and the Caribbean region.

18. Environmental assessments, monitoring aquaculture operations and minimizing the harmful effects of alien species introductions are all encouraged by the Code. More than 80 percent of the Members reported having in place procedures to undertake such activities (Table 21). However, the majority indicated that improvements were needed in all three cases, and compared to 2013 the reported effectiveness of these procedures has dropped, particularly with regard to minimizing the harmful effects of alien species introductions (from 42 to 27 percent) (Table 22). For all procedures, Members identified the strengthening of institutional technical capacity as the major area where improvements are needed (Table 23).

19. Members are encouraged to promote responsible aquaculture practices to support rural communities, producer organizations and fish farmers. Ninety-five percent of Members stated that they had taken measures in this regard (Table 24).

#### **E. Integration of fisheries into coastal area management<sup>8</sup>**

20. Of the Members reporting to have a coastline (89 percent), only 27, 29 and 32 percent have a largely complete and enabling policy, legal and institutional framework for integrated coastal zone management in place, respectively (Table 25). Close to half have partially developed policy, legal and institutional frameworks. The remainder have not developed any or have largely insufficient governance frameworks for integrated coastal zone management.

21. Members were asked to report on conflict areas within fisheries and between the fisheries sector and other sectors operating within the coastal area. The two highest rated conflict areas remained the same since 2010, these being between fishing gear types and between coastal and industrial fisheries (Table 26). Close to 70 percent of the concerned countries reported having resolution mechanisms in place for these two conflicts.

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<sup>8</sup> The questions under this header were responded by individual EU Member States with the exception of those relating to policy framework in table 25.

## F. Post-harvest practices and trade

22. The percentage of Members that reported having in place a largely complete and enabling effective food safety and quality assurance system for fish and fisheries products dropped from 71 percent in 2013 to 51 percent in 2015; whilst that of Members having none or largely insufficient systems increased from nil to 11 percent. Thirty-nine percent reported to have partial food safety and quality assurance systems (Table 27).
23. Post-harvest losses and waste are relevant to almost all respondents (94 percent), 91 percent of which have taken measures to address it, including enacting food-safety regulations (63 percent), establishing regulatory bodies (47 percent) and enhancing monitoring, control and inspections (45 percent) (Table 28).
24. Bycatch is relevant to 89 percent of Members, of which 81 percent reported having implemented measures to improve bycatch utilization. Awareness raising (46 percent) and mandatory landing of bycatch (41 percent) were identified by Members as the most important measures to achieve this (Table 29).
25. Similar to what was reported in 2011 and 2013, most processors were in a position to trace the origin of the fisheries products they purchase (82 percent), while only about one third of consumers could do so (34 percent) (Table 30).
26. Processing and trading in illegally harvested fisheries resources are relevant to 91 percent of Members, of which 93 percent have taken measures to address these matters (Table 31). The most common measures reported include: enhanced fisheries control and inspections (60 percent), enhanced custom and border controls (45 percent) and implementation of national plans of action to prevent, deter and eliminate illegal, unreported and unregulated fishing (NPOA-IUU) (38 percent).

## G. Fisheries research

27. Members reported to have obtained reliable estimates on stock status for a cumulative total of 1,627 stocks<sup>9</sup>. On average, countries responded that stocks for which an estimate had been obtained represented 41 to 50 percent of their key stocks (Table 32).
28. Similar to what was reported in 2013, 71 percent of Members indicated that statistics on catch and fishing effort were collected in a timely, complete and reliable manner. However, only 57 percent of Members reported that sufficient qualified personnel were available to generate data in support of sustainable fisheries management (Table 33). The subject areas for which the need for additional qualified personnel is greatest are fish biology and stock assessment (77 percent) and fisheries statistics and sampling (74 percent) (Table 34).
29. The most prominent data sources used by Members for the development of fishery management plans are historical data (83 percent) followed by in-port/landing site sampling surveys and routine data collection (all 77 percent), FAO and/or RFMO statistics (67 percent), and processing, market and trade statistics (63 percent) (Table 35). This has shown an increase in importance of historical data by Members compared to 2011 and 2013.
30. Ninety-two percent of Members reported that they have data gaps in the management of their fishery resources, particularly data gaps related to stock status (52 percent), ecosystem data (37 percent), IUU fishing and MCS data (36 percent) and catch data (35 percent) (Table 36). Stock status was also the type of data for which there were the most gaps in 2011 and 2013.
31. Fifty-nine percent of Members reported that they routinely monitored the state of the marine environment. This was very similar to 2013 but still far from the 66 and 78 percent reported in 2011 and 2009, respectively. Of the Members reporting to perform such monitoring, the most common

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<sup>9</sup> Stocks reported by Members may be the same and therefore there may be double-counting.

routine monitoring programmes focused on coastal parameters (83 percent), followed by coastal and offshore habitats (80 percent) and finally oceanographic parameters (74 percent) (Table 37).

32. Members were asked to report on research and programmes addressing the impact of climate change on fisheries. Fifty-one percent of Members indicated that formal research was in place to assess/predict the impact of climate change on fisheries, and 70 percent of these implemented formal programmes to mitigate its potential ecological, economic and social impacts, and to build resilience (Table 38).

## H. International Plans of Action (IPOAs) and Agreements

33. The percentage of Members who reported having developed and started implementing an NPOA for fishing capacity dropped further to 27 percent in 2015 (the level was 49 and 64 percent in 2013 and 2011, respectively). The highest reported rates were for the regions of Asia and Northern America. Fifty-two percent of Members declared to have launched a preliminary fishing capacity assessment (it was 38 percent in 2013) of which 21 percent were completed. Seventy-nine percent of the respondents that have launched a preliminary capacity assessment declared to have started implementing management measures to adjust fishing capacity (it was 22 percent in 2013) (Table 39). The use of key fleet and vessel characteristics was the method most commonly employed to measure fishing capacity (83 percent) (Table 40), as was the case through to 2010.

34. With regard to flagging and/or authorizing fishing vessels on the high seas, 61 percent of Members declared to be doing so and 69 percent of these supply a record of such vessels to FAO (Table 41)<sup>10</sup>. Of the Members not currently supplying vessel information to FAO, 80 percent indicated that they intend to do so in the future.

35. The percentage of Members recognizing overcapacity as a problem decreased by 12 percent from the level reported in 2013, to 62 percent. Most of these (91 percent) reported that steps were being taken to prevent the further build-up of overcapacity. Members ranked the measures taken to achieve this objective, the most important of which was putting in place limited entry regimes (74 percent up from 55 percent in 2013), followed by effecting a freeze on current total number of licences/vessels (50 percent), monitoring and research into fishing overcapacity (22 percent) and capacity self-adjustment quota system (also 22 percent) (Table 42). In addition, 78 percent of the Members recognizing fishing overcapacity as being a problem have taken measures to reduce it (Table 43) and almost all have taken measures to prevent fishing overcapacity in major fisheries. The seasonal closures of particular fisheries (62 percent) and technical restrictions on vessels and gear (60 percent) were rated as the most effective and practicable measures taken to prevent fishing overcapacity in major fisheries (Table 44).

36. Fifty-four percent of the reporting Members stated that sharks are caught either as a target or bycatch in their fisheries (Table 45). The importance given by Members to assessments for the NPOA-Sharks has continued to increase, with 80 percent of those reporting that sharks are caught having already conducted an assessment of shark stocks (it was 69 and 60 percent in 2013 and 2011, respectively). Of these, 92 percent concluded that an NPOA-Sharks was needed, 75 percent of which already had an NPOA-Sharks in place and the rest intend to develop one in the future. Of those countries which did not conduct an assessment, 80 percent reported that they were planning to.

37. The importance given to assessing the impact of fisheries on seabirds is also high. Eighty-seven percent of reporting Members declared that longline, trawls and/or gillnet fishing was conducted in waters under their jurisdiction and of these 47 percent have already conducted an assessment of these fisheries to determine the need for a seabird plan. Sixty-four percent concluded that an NPOA-Seabirds was needed and 65 percent (it was 82 percent in 2013) of them already had an NPOA-Seabirds in place, with 75 percent of the remaining Members intending to develop one in the future (Table 46). Fifty-nine percent of those countries which have not yet carried out an assessment

<sup>10</sup> EU Member States responded individually to questions related to this subject.

indicated that they were planning to do so. The mitigation measures being used by countries involved in longline fisheries (66 percent of Members) and trawl and/or gillnet fisheries (61 percent of Members) are reported in Tables 47 and 48, respectively.

38. The percentage of Members identifying IUU fishing as a problem has dropped to 79 percent (it was 90 percent in 2013). Sixty-nine percent of these countries have drafted an NPOA-IUU, of which 84 percent have started implementing it. Eighty-two percent of the countries which had not yet drafted an NPOA-IUU declared their intention to draft one (Table 49). However, almost all Members reported having taken measures to combat IUU fishing, most importantly through the improvement of coastal State controls and MCS (75 percent) and legal frameworks (70 percent) (Table 50).

39. Seventy percent of Members reported that they were aware of the Strategy for Improving Information on Status and Trends of Capture Fisheries (Strategy-STF) and 73 percent of Members are implementing Strategy-STF plans and programmes, of which, 100, 98 and 96 percent reported to include components to improve data collection, data analysis, and data dissemination, respectively (Table 51).

40. Sixty-six percent of Members reported being aware of the Strategy for Improving Information on Status and Trends of Aquaculture (Strategy-STA) and 76 percent declared that related plans and programmes are being implemented, all of which included activities to improve data collection and 96 percent included activities to improve data analysis and data dissemination (Table 52).

41. Fifty-six percent of Members reported to have ratified, accepted or acceded to the 1993 FAO Compliance Agreement and 10 percent of the rest reported that they intended to do so. Sixty percent indicated that they are party to the 1995 UN Fish Stocks Agreement and 22 percent of those who were not a Party reported that they intended to become a Party (Table 53).

42. With regards to the 2009 Agreement on Port State Measures (PSMA), 42 percent of the Members, representing 40 respondents, reported being a Party to the PSMA, and 42 percent of the rest expressed their intention to become a Party (Table 53). These results suggest that there is misunderstanding by some Members on their status in relation to the above-mentioned Agreements, as official information held by FAO does not correspond with the reported information.

## I. Constraints and suggested solutions

43. Eighty-nine percent of responding Members reported that they faced some constraints in implementing the Code (Table 54). The top constraints were related to insufficient budgetary (70 percent) and human (39 percent) resources, inadequate scientific research, statistics and access to information (32 percent) and institutional weaknesses (28 percent). The relative importance of incomplete policy and/or legal frameworks dropped to 23 percent (from 35 percent in 2013) and the lack of awareness and information about the Code to 21 percent (from 27 percent in 2013).

44. The top ranking solutions proposed by Members to counter constraints faced in the implementation of the code were: access to greater financial resources (65 percent), training and awareness raising (41 percent), improvement of research, statistics and access to information (33 percent), improvement of institutional structures and collaboration (30 percent), access to more human resources (29 percent), and alignment of policy and legal frameworks with the Code (22 percent) (Table 55).

45. Table 56 shows the availability of various Code-related technical guidelines in fisheries administrations as reported by Members. The most widely available include those on the Ecosystem Approach to Fisheries (EAF) (68 percent), followed by Aquaculture Development (65 percent), Fisheries Management (63 percent), Conservation and Management of Sharks (61 percent), IPOA-IUU (60 percent) and Best Practices in Ecosystem Modelling for informing an EAF (59 percent).

## J. Small-Scale Fisheries

46. Ninety-two Members and the EU responded to the section on small-scale fisheries (SSF)<sup>11</sup>.
47. Overall, SSF was reported to take place in 95 percent of the countries, with the lowest incidence in the South West Pacific region (75 percent). On average, SSF account for 51 to 60 percent of total production both in terms of volume and value. The regions reporting the highest ratio of SSF catch to total catch by volume are Asia and the Near East (61 to 70 percent), followed by Africa and Latin America and the Caribbean (51 to 60 percent). Correspondingly, Asia reported the highest ratio of SSF catch to total catch by value (61 to 70 percent), followed by the Near East, Africa and Latin America and the Caribbean (51 to 60 percent). The overall average response given by Members on the proportion of people involved in SSF was between 61 and 70 percent. The region showing the highest proportion was Asia (81 to 90 percent), followed by Africa, Europe and Latin America and the Caribbean (Table 57). Sixty-nine percent of the people involved in SSF are directly involved in fishing activities, while twenty-three percent and thirteen percent are involved in post-harvest activities and other related activities, respectively.
48. Information provided by Members on employment in SSF activities by gender and employment status is limited. Nevertheless, it appears that a higher percentage of men than women are engaged in full-time employment in all regions, except for post-harvest activities in which a higher percentage of women are engaged in full-time employment in three regions (Table 58).
49. The Voluntary Guidelines for Small-Scale Fisheries (VGSSF) encourage States to provide small-scale fishing communities and individuals access to affordable and effective means of resolving disputes over tenure rights in accordance with national legislation. SSF are reported as being legally defined by 54 percent of the Members and informally defined, and therefore not legally supported, by 26 percent. Sixty-three percent of the respondents that do have a legal or informal definition of SSF and 28 percent of those that do not have one, reported that they intend to either review it or introduce it through a multi-stakeholder process as foreseen in the VGSSF (Table 59).
50. Eighty-eight percent of those having defined SSF reported collecting sector-specific data. Data collected by Members concerned the volume of production (84 percent), value of production (59 percent), employment (49 percent), trade (40 percent) and consumption (33 percent) (Table 60).
51. Seventy-seven, 74, 73 and 69 percent of Members reported having introduced or developed regulations, policies, laws, plans or strategies specifically targeting or addressing SSF, respectively (Table 61).
52. Members were asked if they had specific initiatives to implement the VGSSF. Forty-seven percent of the Members responded positively whilst 42 percent reported that they intended doing so in the future. Initiatives already in place were most prominently related to activities supporting SSF actors actively participating in sustainable resources management (84 percent), implementing capacity development of fisheries organizations and other stakeholders (72 percent) and promoting social development, employment and decent work (67 percent) (Table 62). The most prominent constraints encountered by Members in implementing such initiatives were a lack of financial resources (77 percent), lack of qualified human resources (56 percent) and insufficient coordination with other related administrations (51 percent) (Table 63). Opportunities arising in conjunction with the implementation of such initiatives included the possibility of involving small-scale fishers in fisheries management (70 percent) and small-scale fishers and fish workers in decision-making processes (67 percent) (Table 64).
53. Mechanisms through which small-scale fishers and fish workers can contribute to decision making processes have been reported to exist by 85 percent of the respondents. The most common ones include mechanisms for involving small-scale fishers in fisheries management (79 percent) and fisher/fish workers' representatives into advisory/consultative bodies to the Ministries/Departments of

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<sup>11</sup> The EU responded on behalf of its Member States in this section.



Fisheries (77 percent). Out of the Members who responded to have these mechanisms in place, 67 percent reported encouraging the active participation of women (Table 65).

## II. ACTIVITIES OF REGIONAL FISHERY BODIES AND NON-GOVERNMENTAL ORGANIZATIONS

### A. Regional fishery bodies

54. Twenty-five RFBs<sup>12</sup> responded to the questionnaire on the implementation of the Code and related instruments.

55. The number of contracting parties of responding RFBs ranges between two and 50, with an average of 15 contracting parties. Slightly over a third of the RFBs have up to six cooperating non-contracting parties/non-member countries and more than half of them have observers, averaging twelve in number.

56. RFBs often have multiple mandates. Reported primary mandates include: fisheries management (80 percent), scientific/research (52 percent), environmental/biodiversity conservation (32 percent), advisory (24 percent), and aquaculture development (16 percent).

57. The convention area of twenty-one RFBs include EEZs, 18 include Areas Beyond National Jurisdiction (ABNJ) and seven inland waters. Most RFBs cover more than one of these areas, including four which cover EEZs, ABNJ and inland waters. Of the 21 whose convention area include EEZs, 15 and six also cover ABNJ and inland waters, respectively.

58. Seventy-six percent of responding RFBs report having adopted binding measures. During the period 2010-2015, seven have adopted more than 30 binding measures, one has adopted between 21 and 30 measures, four between 11 and 20, and five between one and 10, whereas two did not adopt any. Seventy-six percent of responding RFBs report having adopted non-binding measures. During the period 2010-2015, three RFBs have adopted between 11 and 20 non-binding measures, 14 between one and 10 and two none.

59. Members and/or RFBs are expected to establish management plans to ensure the sustainable utilization of living aquatic resources. According to the 24 respondents to the section concerning marine capture fisheries, most management plans included measures related to ensuring that the level of fishing is commensurate with the state of fisheries resources and to addressing the protection of endangered species. To a lesser degree, management plans also contained measures to allow depleted stocks to recover, to prohibit destructive fishing methods and practices and to address selectivity of fishing gear. The least reported measures included addressing fishing capacity and the interests and rights of small-scale fishers.

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<sup>12</sup> Agreement on the Conservation of Albatrosses and Petrels (ACAP), Asia-Pacific Fishery Commission (APFIC), Central Asian and Caucasus Regional Fisheries and Aquaculture Commission (CACFish), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Joint Technical Commission of the Maritime Front (CTMFM), Fishery Committee of the West Central Gulf of Guinea (FCWC), General Fisheries Commission for the Mediterranean (GFCM), Inter-American Tropical Tuna Commission (IATTC), International Commission for the Conservation of Atlantic Tunas (ICCAT), International Council for the Exploration of the Sea (ICES), Indian Ocean Tuna Commission (IOTC), International Pacific Halibut Commission (IPHC), Northwest Atlantic Fisheries Organization (NAFO), North Atlantic Salmon Conservation Organization (NASCO), North-East Atlantic Fisheries Commission (NEAFC), North Pacific Anadromous Fish Commission (NPAFC), Central America Fisheries and Aquaculture Organization (OSPESCA), Regional Commission for Fisheries (RECOFI), Southeast Asian Fisheries Development Center (SEAFDEC), South East Atlantic Fisheries Organisation (SEAFO), Secretariat of the Pacific Community (SPC), South Pacific Regional Fisheries Management Organisation (SPRFMO), Subregional Fisheries Commission (SRFC), and Western Central Atlantic Fishery Commission (WECAFC).

60. According to the 18 respondents to the section concerning inland fisheries, prohibiting destructive fishing methods, addressing the biodiversity of aquatic habitats and ecosystems and addressing the interests and rights of small-scale fishers were the most common elements associated by RFBs with management plans.

61. Sixty-eight percent of respondents reported having taken steps to ensure that only fishing operations in accordance with their adopted fisheries management plans are conducted within their area of competence. Seventy-six RFBs reported that the precautionary approach had been applied to the management of fisheries resources within their area of competence. In the last two years, 96 percent have either taken or strengthened measures to limit bycatch and discards .

62. Historical data, followed by in-port/landing site sampling surveys and routine data collection, FAO and/or other organizations' statistics and on-board sampling from commercial vessels, are the most commonly used sources of information in the fisheries management process by RFBs. Other common sources of data include research vessel surveys, discard and/or bycatch monitoring and MCS.

63. Twenty out of 24 RFBs reported that reliable estimates of the status for a cumulative total of 273 stocks had been obtained within the last three years, one reported having no estimates and three that the estimates were not known. Nine RFBs reported having estimates for over 80 percent of the stocks considered important, six reached between 41 to 80% and two below 40%. Four RFBs either did not know or did not respond<sup>13</sup>.

64. Fifteen RFBs (60 percent of respondents) reported that TRPs were developed for a cumulative total of 109 stocks<sup>14</sup>. Of these, 11 and nine RFBs, reported that one or more TRPs were attained and exceeded, respectively. Catch and effort indicators were by far the most popular alternatives to the use of TRPs (applied by 78 percent of RFBs which did not develop TRPs). Limiting fishing effort was the most common measure put in place when TRPs were exceeded, followed by carrying out research, strengthening MCS and effecting fishing capacity adjustments.

65. Twenty-two percent and 48 percent of responding RFBs reported having established requirements for the implementation of VMS for the entire and for a portion of the fishing fleet, respectively. None have reported having VMS implementation problems. It was also reported by 10 respondents that between 91 and 100 percent of their members are in line with its requirements on VMS implementation. Of the remaining RFBs, three reported compliance ranging between 71 and 90 percent and a further three between 1 to 40 percent.

66. Besides unspecified regional management measures, the most common efforts of RFBs to assist in the implementation of the IPOA-Capacity were related to assessing fishing capacity (38 percent), publishing information material and capacity building (both at 33 percent). Assessing the conservation and management of sharks was the most common activity to assist in the implementation of IPOA-Sharks (58 percent), followed by publishing documents (50 percent). RFBs engaged in supporting the implementation of the IPOA-Seabirds mainly through the assessment of the impact on incidental catch of seabirds in longline fisheries (50 percent) and the publication of documents (42 percent).

67. Several RFBs contributed to the implementation of the IPOA-IUU, mainly through initiatives aimed at strengthening and developing innovative ways to prevent, deter and eliminate IUU fishing (71 percent), at enhancing cooperation in the exchange of information on vessels involved in IUU fishing (63 percent), and at assisting in the implementation of other activities prescribed by the IPOA-IUU (63 percent).

68. On the Strategy-STF, RFBs assisted in the application of research to enhance the availability of scientific evidence to support conservation, management and sustainable use of fishery resources (71 percent) along with the adoption of processes which improve the availability of information on STF (71 percent).

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<sup>13</sup> Estimates may have been developed for the same stocks by different RFBs.

<sup>14</sup> TRPs may have been developed for the same stocks by different RFBs.

69. RFBs to which aquaculture was relevant reported on the steps taken to ensure that their Members have in place procedures of good aquaculture practices. Such procedures include monitoring of aquaculture operations (addressed by 9 RFBs), environmental assessments of aquaculture operations (addressed by 8 RFBs) and minimizing the harmful effects of the introduction of non-native species or genetically altered stocks used for aquaculture (addressed by 7 RFBs). However, they all indicated that these procedures required improvements or were largely ineffective. Areas that were most commonly reported to require improvements included legal frameworks and institutional technical capacity.

## **B. Non-governmental Organizations**

70. Ten NGOs<sup>15</sup> responded to the questionnaire on the implementation of the Code and related instruments.

71. Promoting the protection of living aquatic resources, of their environments and of coastal areas was identified by NGOs as the most important objective of the Code to achieve sustainability in fisheries and aquaculture. They also highly regarded the Code as an instrument to establish principles and criteria to implement policies for the conservation of fishery resources and fisheries management and development. Other Code objectives that were identified as relevant include, providing a reference to improve legal and institutional frameworks for appropriate management measures (as was also the case in 2013) and establishing principles for responsible fisheries. Promoting research on fisheries as well as on associated ecosystems, an important objective in 2013, was identified as the least important in 2015.

72. Of the eight substantive themes developed in the Code and in the relevant FAO Technical Guidelines for Responsible Fisheries, the top three priorities identified by NGOs were fisheries management, fishing operations and trade.

73. The main constraints identified by NGOs for the implementation of the Code related to incomplete policy and/or legal frameworks and institutional weaknesses. These were also reported to be important constraints in 2013. The main suggested solutions included improving institutional and organisational structures, more training and awareness raising and aligning policy and legal frameworks with the Code.

74. The activities NGOs considered to be most effective in making the Code more widely known and understood were very similar to those identified in 2013. These included, the organization and/or hosting of national and international workshops and the promotion of standards based on the Code. The publication of books and other information material and the development of voluntary guidelines were also considered effective.

75. The measures most commonly identified by NGOs within existing marine fishery management plans of countries and/or RFBs include ensuring that the level of fishing is commensurate with the state of fisheries resources, prohibiting destructive fishing methods and practices and addressing the protection of endangered species. Measures that were highlighted as most lacking were those relating to allowing depleted stocks to recover and containing TRPs. With regards to inland fisheries management plans, the most prominent measures included those to ensure that the level of fishing is commensurate with the state of fisheries resources and those to address the protection of endangered species.

76. Over half of the NGOs considered that countries had adequate procedures in place to undertake environmental assessments of aquaculture operations, monitor aquaculture operations and minimize the harmful effects of the introduction of non-native species or genetically altered stocks used for aquaculture. Nevertheless, they deemed that improvements were needed, particularly in

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<sup>15</sup> CIPS, FEAP, GGAP, Greenpeace, ICSF, MSC, NACEE, OPRT, PCT and WFTU.

relation to strengthening institutional technical capacity, improving frequency and/or coverage of assessments and lowering their costs.

77. Most NGOs have engaged in efforts to assist in the implementation of the IPOA-Capacity and IPOA-Sharks mainly through organising and/or hosting meetings and seminars, publishing information material and giving technical assistance to member countries on the development and adoption of standards and guidelines for the management of fishing capacity. Just under half of the NGOs reported to be engaged in assisting implementation of IPOA-Seabirds through methods similar to those described previously. With regards to IPOA-IUU, over half of the NGOs reported to be involved in assisting its implementation, most commonly through cooperation in the exchange of information on vessels involved in IUU fishing. In relation to the implementation of the Strategy-STF, some NGOs reported that they contributed to the application of research to enhance the availability of scientific evidence to support the conservation, management and sustainable