

Report of the

**FIRST MEETING OF REGIONAL FISHERY BODY SECRETARIATS
NETWORK**

Rome, 12–13 March 2007



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PREPARATION OF THIS DOCUMENT

This is the final version of the report as approved by the First Meeting of Regional Fishery Body Secretariats Network held in Rome on 12 and 13 March 2007.

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ABSTRACT

The First Meeting of Regional Fishery Body Secretariats Network (RSN-1) was held at FAO headquarters, Rome, on 12 and 13 March 2007. The meeting reviewed the decision of the twenty-seventh session of the Committee on Fisheries (COFI) of relevance to regional fishery bodies (RFBs). The meeting discussed the role of RFBs, external factors affecting fisheries management, approaches to incorporate ecosystem consideration into fisheries management by RFBs, the status of the Fisheries Resources Monitoring System (FIRMS) and other related matters.

The Meeting reached a number of conclusions regarding matters meriting the attention of RFBs, governments and FAO.

Distribution:

All FAO Members and Associate Members
Participants at the session
Other interested nations and national and international organizations
FAO Fisheries and Aquaculture Department
Fishery Officers in FAO Regional and Subregional Offices

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OPENING OF THE MEETING

1. The First Meeting of the Regional Fishery Body Secretariats Network (RSN-1) (being the Fifth Meeting of Regional fishery bodies) was held at FAO headquarters, Rome, on 12 and 13 March 2007. Participants (Appendix B) included representatives from 27 Regional Fishery Body Secretariats, office bearers of the United Nations Division for Ocean Affairs and Law of the Sea (UNDOALOS) and the International Tribunal for the Law of the Sea (ITLOS), and the Secretary of the FAO Committee on Fisheries (COFI). Representatives of the FAO Fisheries and Aquaculture Department (FI) were also in attendance.

2. Mr Ichiro Nomura (Assistant Director-General, FAO Fisheries and Aquaculture Department) opened the meeting. Referring to the naming of the Regional Fishery Body Secretariats Network, he noted that the FAO Fisheries and Aquaculture Department had also undergone a name change. He explained that FAO's mission continues to include supporting and assisting Member States, as well as regional fishery bodies (RFBs). He thanked the Secretariats of all RFBs for the high level of cooperation they continue to offer to FAO. With illegal, unreported and unregulated (IUU) fishing constituting one of the greatest threats to sustainable and responsible fisheries, Mr Nomura noted the growing responsibility that RFBs have assumed in terms of effective fisheries governance to counteract the problem. With both this growing responsibility and the expectations attached to effective RFB performance, he highlighted the urgent need to further strengthen and improve regional and global fisheries governance. In fact, he indicated that this was a key issue discussed at the twenty-seventh session of COFI (COFI-27). In this context, Mr Nomura stressed that FAO will pay particular attention to discussions during RSN-1 and in following its conclusion will endeavour to collaborate further with RFBs to facilitate implementation of any agreed recommendations. The full text of the Assistant Director-General's statement is in Appendix D.

3. The Chairperson of the Meeting, Mr Denzil Miller, thanked Mr Nomura for his guidance and kind words. He noted that the Network is very aware of its responsibility to address some of the issues highlighted by Mr Nomura, and hoped that RSN-1 would go some way to achieving this end. Professor Miller also expressed appreciation for Mr Nomura's personal interest, and thanked FAO for providing Secretariat support in the intersessional period since the Fourth Meeting of Regional Fishery Bodies in 2005 and the current meeting.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE MEETING

4. Mr Miller reported that during consultations to develop the agenda over the past 18 months, it was agreed that an opportunity for more in-depth discussions of specific themes should be included in the draft agenda. While some participants supported deeper consideration of small-scale and inland fisheries under item 4(b), they also noted the danger of diluting any strategic discussion in this regard if duplication was forthcoming in respect of cross-cutting issues such as IUU fishing and overcapacity when these were also considered in relation to other sectors. Therefore, it was agreed that the Agenda would not be changed at this stage, but rather that time would be allowed for the inland and small-scale fisheries sector to discuss relevant issues under item 4(b) on their own. Opportunity would be then given to the sector to also raise issues of concern under other agenda items whenever necessary or relevant. Consequently, small-scale and inland fisheries discussions are reflected throughout this report.

5. The Meeting adopted the Agenda in Appendix A. A list of documents provided to the Meeting is in Appendix C. Mr Hiromoto Watanabe coordinated meeting arrangements and Ms Judith Swan served as Rapporteur.

6. Since it is an important topic in a number of other fora, the possible inclusion of aquaculture in future RSN agendas was discussed either as a topic in its own right or in the context of other discussions. No decision was taken and the matter will be explored prior to RSN-2. Nevertheless, many participants felt that aquaculture was being dealt with adequately elsewhere, except perhaps in the context of inland or small-scale fisheries.

7. It was agreed to maintain the *status quo* regarding participation of observers in the Meeting so as to preserve the informality of the proceedings and to allow a free exchange of views.

REVIEW OF THE DECISIONS OF THE TWENTY-SEVENTH SESSION OF COFI RELATING TO RFBs

8. The Secretary of COFI, Mr Ndiaga Gueye, reviewed COFI-27 as related to RFBs. He emphasized the relevance to RFBs of all COFI's decisions, given the deep involvement of RFBs in their implementation. In particular, COFI-27 had acknowledged the strong input of regional cooperation in facilitating the implementation of the FAO Code of Conduct for Responsible Fisheries (Code of Conduct) and related instruments. It had also highlighted several specific areas which included: (a) data collection and dissemination for fisheries management in cooperation with the Coordinating Working Party on Fishery Statistics (CWP); (b) fish trade; (c) development of regional aquaculture networks in Africa and Latin America; (d) development of a legally binding instrument on port State measures; (e) implementation of the ecosystem approach to fisheries (EAF); (f) addressing the issue of fisheries bycatch, and (g) developing best practices for regional fisheries management organizations (RFMOs) . In particular, Mr Gueye emphasized the COFI-27 discussions on strengthening RFMOs and encouraged the Meeting to focus on this issue.

9. The Chairperson highlighted the following issues from the COFI-27 Report as being important for RFBs.

- The utility and importance of regional cooperation in facilitating implementation of the Code of Conduct and its related instruments. (COFI Report, Paragraph 13)
- Implementation of the EAF and the matter of fisheries bycatch. (Paragraph 14)
- The 2006 Review Conference of the 1995 UN Fish Stocks Agreement and the recent UN General Assembly (UNGA) 2006 Sustainable Fisheries Resolution recommended that FAO enhance its role in establishing a global capture fishery statistics database. It was noted that the CWP had recommended to COFI-27 that FAO should consolidate the catch data of RFBs into a single database, recognizing the primary role of RFMOs, as well as RFBs, in detailed data collection for fisheries management (see also paragraphs 90-92 of this report below). (Paragraph 20)

- Given the increasing number of organizations engaged in international fisheries matters, COFI-27 had urged FAO to ensure that it continued to assert its leadership as the universally representative fisheries institution. As such ongoing and strong cooperation between the RSN and FAO is globally important. (Paragraph 23)
 - Important progress on the Memorandum of Understanding (MOU) between FAO and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and on the draft International Guidelines for the Ecolabelling of Fish and Fishery Product from Inland Capture Fisheries. (Paragraphs 35, 36)
 - Continued discussion and work on harmonization of catch documentation. (Paragraph 39, RSN agenda item 5(d))
 - Ongoing COFI discussions on aquaculture issues. (Paragraphs 47, 48)
 - A Norwegian proposal for an international conference on small-scale fisheries. (Paragraph 62, RSN agenda item 4(c))
 - The scope of measures to combat IUU fishing, particularly development of a comprehensive suite of port State measures. These are aimed at including all those involved in IUU fishing and associated activities. (Paragraphs 67 and 68)
 - Threats posed by climate change to the EAF, along with development of technical guidelines to include standards for management of deep-sea fisheries on the high seas. (Paragraphs 76, 77, RSN agenda item 6)
 - Strengthening RFMO performances, particularly the outcomes of the 2007 Tuna RFMOs Meeting. (Paragraphs 83-89)
 - The importance of developing RFMO and RFB performance reviews. (Paragraph 86)
 - The request of many COFI Members for FAO to continue supporting RFMOs and RFBs while continuing its work on issues of concern. Such issues include overcapacity, improvement of fleet statistics and how to deal with the issue of countries that continue to undermine the effectiveness of RFMOs, particularly in the context of vessels flying “flags of non-compliance”. (Paragraph 89).
 - Several COFI members had also requested FAO to cooperate with the Indian Ocean Tuna Commission (IOTC) members to develop a solution ensuring the effectiveness and continuity of that organization’s activities. (Paragraph 89)
10. Some participants noted other relevant matters, including:
- COFI-27’s agreement that the Sub-Committees on Aquaculture and on Fish Trade should assume responsibility for monitoring the implementation of Articles 9 and 12 of the Code of Conduct. (Paragraph 21)

- The need to link a proposed global record of fishing vessels to reliable information sources such as RFMO vessel lists. (Paragraph 70)

11. In discussions, the importance of small-scale and inland fisheries (COFI Paragraphs 53-62) was reiterated, and the relationship between COFI and RFBs discussed. With respect to the latter, RSN-1 agreed to continue improving the flow of information both within the RSN and between the respective memberships of the RFBs involved. In this context, it was noted that that one RFB had included its Chairperson on its COFI delegation. Another had suggested that FAO should consider preparing a questionnaire on implementing the Code of Conduct which specifically targeted advisory RFBs as well as those dealing with small-scale and inland fisheries. RSN-1 re-emphasized the value of the Network's on-going communication with FAO and the potential benefits of scheduling its Meetings immediately after COFI.

12. The bulk of the items highlighted in paragraphs 9 and 10 above are addressed in more detail in the relevant sections below.

THE ROLE OF REGIONAL FISHERY BODIES

Outcomes from the 2006 Review Conference of the UN Fish Stocks Agreement

13. The Chairperson noted the global perception that RFBs have a significant role to play in implementing the Code of Conduct. He also drew the Meeting's attention to the outcomes of the 2006 Review Conference for the UN Fish Stocks Agreement (the Review Conference), the UN General Assembly (UNGA) 2006 Sustainable Fisheries Resolution (UNGA/61) and the COFI document on strengthening RFMOs (COFI/27/9 Rev.1). RSN-1 noted that a number of RFMOs and FAO had participated in the Review Conference.

14. The Secretary of the Review Conference, Mr André Tahindro (UNDOALOS), reviewed the Conference's recommendations and focused on measures to be adopted by States and RFMOs in strengthening fisheries governance in a number of areas. The key topics he highlighted included:

- strengthening RFMOs mandates to allow their updating and the implementation of modern approaches to fisheries management;
- encouraging RFMOs to address participatory rights and establish mechanisms to facilitate participation of, and cooperation by, non-RFMO members in sustainable fishing practices;
- recommending that RFMOs ensure that post opt-out behaviour is constrained by rules to prevent opt-out parties from undermining conservation measures;
- recommending that RFMOs urgently undergo performance reviews, with or without the assistance of external partners; and
- requesting that RFMOs adopt, strengthen and implement compliance and enforcement schemes, as well as develop mechanisms to coordinate their Monitoring Control and Surveillance (MCS) with other RFMOs so as to ensure full exchange of information on IUU fishing.

Mr Tahindro's statement is attached in Appendix E.

15. It was noted that a number of Latin American countries had submitted a document to the Review Conference setting out their common position on various issues. This document is available on the UN Web site.

16. In discussion, RSN-1 noted with concern that there is no fisheries management organization in the South China Sea. One RFB reported that it plans to raise possible approaches to addressing this vacuum with its members.

17. Some RFBs reported that they have banned bottom trawling or deep-sea trawling in their areas. However, there was general agreement that there is an associated need to collect relevant data to better understand the potential impact(s) of such fishing practices. As a precautionary measure, RSN-1 noted that there was a common feeling that stringent data and information requirements should be put in place before opening any deepwater trawl fishery in the future.

18. RSN-1 acknowledged that RFB Secretariats have an important role to play in keeping their members informed of opportunities attached to attending such fora as the Review Conference. One RFB drew attention to its efforts to inform its members of the Review Conference. While many of its members are not party to the UN Fish Stocks Agreement, there was a consequential increased interest in the Review Conference's outcomes and proceedings (see also paragraph 14 above).

19. The CWP requested RFB collaboration in establishing a global capture fisheries statistical data base (see also paragraph 9 above). RSN-1 noted that FAO would be contacting RFBs concerning available information that could potentially be shared with FAO.

Small-scale and inland fisheries

20. RSN-1 noted that the issue of small-scale fisheries received significant attention in COFI, and that this trend is likely to continue in future. It was acknowledged that small-scale fisheries increasingly interact with large-scale fisheries, either through small-scale fishers targeting pelagic species or movement of capacity into areas reserved for small-scale fishing activities. The following paragraphs set out the RSN's collective views on key areas of concern for small-scale and inshore fisheries.

21. While it was noted that there is probably a need for a more rigorous definition of the term "small-scale fisheries", RSN-1 felt that flexibility in approaching commonly identified small-scale and inland fisheries problems is likely to be more practical than elaborating underlying definitions. One such approach would be to identify key factors associated with unsustainable fisheries. Another would be to clarify issues for developing countries. In particular, the absence of data to better describe and understand small-scale fisheries was noted as a major issue to be addressed in respect of such fisheries.

22. Mr Nomura acknowledged that COFI has not been very clear in its approach to small-scale fisheries. He requested RSN's advice on how the small-scale and inland fisheries theme should be addressed at future COFI meetings. He also invited the RSN to provide input on agenda items for the biennial meeting of the Advisory Committee on Fisheries Research, to be held prior to the next COFI meeting.

23. RSN-1 agreed that the profile of small-scale and inland fisheries should be raised so as to attract sufficient resources to deal with associated problems. To that end, it was strongly suggested that a document outlining some of the key issues should be developed well in advance of COFI-28 to allow endorsement by the RFBs involved.

24. It was also noted that the RSN can provide a useful contribution on priority actions for small-scale and inland fisheries to be communicated to FAO and other sector stakeholders. RSN-1 recognized that it is therefore crucial that the Network adequately reflects on issues relating to small-scale fisheries.

25. The RSN further recognized that there is a strong need for more effective management of small-scale fisheries and this is as much an issue of resourcing in many countries as it is of commitment to action. Coupled with the need to raise the profile of small-scale fisheries (see paragraph 22 above), RSN-1 acknowledged the standing of small-scale fisheries in global terms, especially in respect of their potential to significantly impact fisheries sustainability at a global level.

26. Following the above, RSN-1 noted that there are clearly common issues attached to the role played by both management-focused RFMOs and advisory RFBs. Thus it was felt that there is considerable overlap in the interests of all RSN members, and that certain issues require more focused attention by a limited sub-set of RSN members – particularly on small-scale fisheries, inland fisheries and aquaculture matters.

27. RSN-1 agreed that interested members should collaborate to provide more consolidated input to FAO on matters relating to small-scale fisheries. In particular it was felt that the RSN as a whole can make a significant contribution to the FAO on small-scale and inland fisheries issues for consideration under future COFI agendas. A similar input could be envisaged for relevant COFI sub-committees. Such input could be in the form of briefing notes or information documents. RSN-1 agreed to reflect on the matter in the forthcoming inter-sessional period prior to COFI-28.

28. RSN-1 felt that it was also in a position to provide guidance and advice on the terms of reference and scope of work should an extra-budgetary FAO programme for small-scale fisheries be developed (as discussed in the Report of COFI 27, Paragraph 61). In particular, the RSN could serve as a forum promoting exchange of information on important activities within the inland fisheries sector (e.g. key meetings, emerging issues).

29. RSN-1 also agreed that a Norwegian proposal for a global meeting on small-scale fisheries welcomed by COFI 27 (Paragraph 62) would offer a unique opportunity to provide an input from RSN members. As such, the RSN small-scale fisheries community could, through the Network, act as an active partner in setting such a meetings agenda and in disseminating information to likely participants should a meeting be convened. It was suggested that a one-day meeting of RSN small-scale and inland fisheries members prior to the above meeting offers a useful opportunity for interested members to discuss and coordinate their meeting respective inputs.

30. RSN-1 noted that the Southeast Asian Fisheries Development Center (SEAFDEC) had offered to coordinate interactions within the RSN on matters of interest to small-scale fisheries. It agreed that such coordination should be linked to clearly identified activities, such

as meetings. Interactions would primarily utilize e-mail, internet-based or teleconference exchanges, possibly as part of a dedicated RSN Web site (see paragraph 99 below).

RFB performance enhancement

31. The Chairperson referred to discussions in COFI on RFB performance enhancement, and the background provided in COFI/27/9 Rev.1, particularly paragraphs 40-51. He reported that Mr Michael Lodge, Chair of the Chatham House High Level Panel established to identify best practices of RFMOs, was unable to address the Meeting, and called attention to the Chatham House Briefing Paper that provided a summary of recommended best practices for RFMOs. Substantial input had been provided to the project by the Panel's membership, and the RSN Chair's attendance at its last meeting assisted in underlining some practical issues experienced by RFMO Secretariats.

32. The Chairperson outlined two issues which the RSN might wish to reflect upon in this regard. These comprised of anticipating how RFB members may react to the global call for such performance reviews and how RFB members could be kept informed of developments globally. He emphasized that it would be up to individual RFB members to decide such matters, and they may or may not agree on the need for a common global standard to underpin any future review process. In this regard, RSN-1 noted that it would be up to each RFB Secretariat to decide whether to transmit information to their members on the outcomes of RFMO performance appraisals attributable to the UN Review Conference, the UNGA, COFI, the High Level Panel and other relevant fora.

33. Cooperation among the Tuna Bodies since 1999 was noted, and RSN-1 was advised that the outcomes of the January 2007 Joint Meeting of Tuna RFMOs in Kobe, Japan, have been placed on the Tuna Bodies joint Web site.¹ It considered a proposal to establish a similar RSN Web site, with the understanding that this would be linked to the Tuna Bodies Web site. As such a decision would need to be taken on how to such a site could be set up (see paragraph 99 for further discussion).

34. Mr Kjartan Hoydal, Secretary of the North East Atlantic Fisheries Commission (NEAFC), reported on the recent performance review undertaken by that Commission. He indicated that the review was initiated after NEAFC had considered amendments to its Convention. The NEAFC Secretariat had been charged with the review's establishment and implementation. A mixed review was agreed, and three external members were appointed respectively by FAO, UNDOALOS and Canada. Mr Hoydal went on to describe the process as swift and economical.

35. Mr Driss Meski, Executive Secretary of the International Commission for the Conservation of Atlantic Tunas (ICCAT), outlined the review process within that body. The review was deferred pending the outcome of the Joint Meeting of Tuna RFMOs. Criteria and methodology still need to be agreed by ICCAT members before the review is actually undertaken.

36. The Chairperson commented that the performance review process is grounded by the independence of the relevant organization, to which an element of transparency is attached. In this sense, sharing information among RSN members could assist in the clearing of obstacles and providing guidance as other RFBs establish performance enhancement

¹ <http://www.tuna-org.org/>.

processes. He also noted that the process is not directed towards an assessment of Secretariats, rather it is aimed at assisting and improving institutional efficiency.

37. RSN-1 noted some flexibility is paramount in adopting criteria for the performance review process, particularly where many members of an RFMO may not be party to the UN Fish Stocks Agreement. Based on recent and anticipated experiences, it also noted the value of an element of external input into any evaluation as a means of promoting transparency and legitimacy in the process.

38. RSN-1 noted the concern of Mr Alain Bonzon, Executive Secretary of the General Fisheries Commission of the Mediterranean (GFCM), that its mandate also covered tuna, and in that capacity it could improve the harmonization of actions and measures if it played a role in the tuna RFMO process.

39. The potential for increasing technical cooperation within the RSN was discussed. Some RSN-1 participants reported positive experiences in such technical exchanges. All RSN members were encouraged to exchange information in this regard, and to convey such information to their members.

40. The Chairperson requested participants to advise the RSN if they should decide to embark on a performance review, so that the RSN may then inform other members of the Network.

41. The question of a meeting of non-tuna bodies was addressed (COFI Paragraph 85). In this regard, RSN-1 acknowledged the need for direction and a name other than “non-tuna bodies”. It recognized that clear objectives for such a meeting should be identified. The possibility for meetings of RFBs dealing with small-scale and inland fisheries, aquaculture and other topics was also raised. In the absence of a specific process or firm direction of how to proceed from RFB members, the RSN was unable to comment further on the matter.

EXTERNAL FACTORS AFFECTING FISHERIES MANAGEMENT

General

42. The Chairperson outlined the potential of RSN activities to facilitate regional cooperation through enhancement of knowledge and expertise in dealing with potential impact(s) of external factors on fisheries management. In particular, he emphasized the need to build RFB Secretariat capacity to deal with everyday fisheries management issues and recognized that there might be other areas where RFB Secretariats could be strengthened in order to execute their functions better. One such activity being addressed focuses on sharing transshipment information through a cooperative tuna RFMO observer programme.

43. RSN-1 further noted that there are other external factors that impact on fisheries activities over which managers have little, if any, control. These include governance and overcapacity concerns in small-scale and inland fisheries, effects of climate change and impacts from land-based pollution. Furthermore, with aquaculture assuming a more prominent role in the use of marine protein as a feed source, competing demands by the aquaculture and capture fisheries sectors continue to grow. RSN-1 noted that indicators have been, and are being developed to address such interactions. In that regard, there is an

increasing requirement to take account of relevant international instruments such as the Convention on Migratory Species (CMS) and the Convention on Biological Diversity (CBD).

44. Discussions also addressed other relevant factors such as disaster preparedness by small-scale fisheries communities and the need to improve inter-agency cooperation with other international organizations dealing with fisheries issues such as CITES and WTO. With respect to the latter, Mr Nomura encouraged participation in the workings of such agencies, noting that it would enable RFB members to avoid duplication of work. In that context, the Chairperson noted that decisions should be as informed as possible and be made on the best possible information provided by RFBs and associated agencies. The RSN again noted that it could do much to facilitate the dissemination of such information.

IUU fishing

45. In introducing this item, the Chairperson referred to documents COFI/27/7, RSN/1/Inf.7, RSN/1/Inf.12 and RSN/1/Inf.16. RSN-1 agreed that a primary aim of its deliberations would be to develop a collective view on how to improve the dissemination of information about IUU fishing activities and if this could be done.

46. RSN-1 noted that there is a general lack of information about fishing in general, and IUU fishing in particular, in the EEZs of number of developing States. Consequently, the IUU issue is essentially compounded by the number of vessels fishing in such areas as well as by deployment of excess fishing capacity into a limited MCS environment. This rendered both overcapacity and limited MCS capability as factors contributing to IUU fishing.

47. Concern was therefore expressed that a key issue to be addressed in combating IUU fishing is a lack of vital information; this is compounded by the need for effective information systems especially in developing countries. A general lack of human and financial capacity to deal with unregistered vessels and minimal surveillance capacity are also causes for concern. Additionally, it was noted that IUU fishers are often also engaged in other criminal activities unrelated to fishing.

48. Some RSN-1 participants noted that IUU fishing by RFMO members, especially in the waters of neighbouring countries that are also members, served to undermine the work of such organizations. In the South West Indian Ocean, IUU fishing is often attributed to foreign vessels since they are more visible, given the large number of small vessels in the region.

49. For some RFBs, unemployment and the need to sustain livelihoods are IUU-associated issues that constitute the basis for some countries' open access policies. In effect, such policies contribute to generally high levels of IUU fishing in small-scale and inland fisheries. Approaches to dealing with this particular concern include negotiation of some form of rights-based fishery access as well co-management structures that take into account all stakeholder involvement.

50. In relation to improving information on vessels likely to be involved in regulated as opposed to IUU fishing, RSN-1 noted ongoing work sanctioned by COFI (Paragraph 70) to develop a comprehensive global record of fishing vessels.

51. RSN-1 also noted that the priorities of various RFMOs in combating IUU fishing included developing integrated MCS packages, centralized Vessel Monitoring System (VMS), regional observer programmes, operational high-seas boarding and inspection regimes, inspector exchanges, and formally constituted compliance committees.

52. Mr Alhaji Jallow, Executive Secretary of the Fishery Committee for the Eastern Central Atlantic (CECAF), reported on a range of actions and measures that the organization had taken to address IUU fishing. These include; (a) installation of VMS in at least four CECAF countries in the CECAF region; (b) encouragement of sub-regional MCS as a deterrent in the North West Africa sub-region; (c) a Maritime Organization initiative for West Central Africa (MOWCA) on developing a coast guard network to facilitate MCS information exchange and safety of fishers at sea; (d) an Africa Centre for Strategic Studies (ACSS) of the US Ministry of Defence initiative to address maritime security and safety generally; and (e) conclusion by the Spanish Government of bilateral agreements with at least six countries to exchange information on vessel licensing and the landings at Las Palmas as means of improving monitoring of fishing in the waters of the countries concerned.

53. The Chairperson drew RSN-1's attention to the recent Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) measure aimed at phasing in procedures to target national persons rather than vessel flags as a way to enhance accountability for IUU related activities. In this regard, RSN-1 noted COFI's encouragement to include all those involved in IUU fishing (e.g. beneficial owners) in the scope of measures to combat the problem. (COFI Paragraph 67)

54. The meeting noted the increasing, and apparently, dramatic success of blacklisting procedures used by RFMOs as a means of combating IUU fishing activities by both harvesting and reefer vessels. The practice of vessel listings, both black and white, is also becoming more common among RFMOs. It was acknowledged that the effectiveness of blacklisting depends strongly on effective port State measures (see paragraph 56 below). To this end, the Chairperson offered to inform the Network of CCAMLR's procedures.

55. Several participants described the reactions of vessels that have been blacklisted and consequently denied port access or which have been dealt with in other ways. These have included aggressive legal action, threats and direct communication with the relevant RFMO or FAO. To address these, RSN-1 noted the positive value of keeping good records and ensuring that accepted procedures are judiciously followed.

56. Ms Michele Kuruc, Senior Fishery Industry Officer, FAO, outlined recent developments within FAO in relation to port State measures. She counselled participants to ensure that decision-makers were aware of the criminal component element associated with IUU activities and pointed out the value of port State measures in countering such activities. In that context, Ms Kuruc drew attention to the 2005 FAO Model Scheme on Port State Measures to Combat IUU Fishing and the on-going series of FAO capacity development regional workshops on port State measures.

Overcapacity

57. RSN-1 emphasized that overcapacity constitutes an ongoing and difficult issue that should be kept on the Network's agenda. It noted that the timeline for implementation of the

IPOA-Capacity, 2005, as called for in the WSSD-POI and the Review Conference, has passed with little action.

58. The CWP indicated that a collaborative effort should be made to define or establish a general agreement that identifies fleet capacity and develops a means to correct the persistent lack of application of an effective solution to address the over-capacity issue.

59. Ms Rebecca Metzner, Fishery Analyst (Fishing Capacity), FAO, provided an overview of FAO initiatives since the adoption of the IPOA on Management of Fishing Capacity. She noted that the ongoing work directly related to overcapacity has followed two avenues – (a) the assessment, including measurement, of fishing capacity, as well as overcapacity, and (b) attempting to address overcapacity through appropriately applied policies and management measures. Ms Metzner also drew the RSN-1's attention to relevant FAO publications. Her presentation is in Appendix F.

60. RSN-1 discussed various difficulties associated with efforts to deal with overcapacity. These included a lack of essential data, unreliable statistics, and a lack of political will, as well as evaluation of resources, to address the problem.

61. RSN-1 noted somewhat variable success in dealing with overcapacity through development of alternative livelihoods. The Meeting was encouraged to share information in this regard, possibly through the creation of networks. Other approaches noted included development of technical guidelines for co-management based on group-user rights, strengthening of local community organizations and transboundary collaborative arrangements. Some participants indicated their view that applying a precautionary approach to overcapacity (i.e. limiting fishing capacity wherever this is possible and avoiding wanton deployment of excessive capacity) is also useful.

62. There was general agreement that overcapacity is a basic issue for small-scale and inland fisheries. Therefore it needs to be made a strategic priority at a national level due to a strong connection with livelihood considerations, social factors and other related considerations.

63. RSN-1 again emphasized the special situation inherent in managing capacity in some small-scale fisheries. This is largely attributable to difficulties associated with effectively measuring capacity in such fisheries.

64. A number of participants felt that effort should be focused on identifying indicators to determine fisheries status and trends combined with the introduction of rights-based fisheries systems.

Harmonization of catch documentation

65. The Chairperson recalled that this item had been addressed by RFB-IV in 2005. He also referred to the COFI report (Paragraph 39), which highlighted the need to harmonize catch documentation, especially in relation to strengthening compliance with conservation and management measures adopted by RFMOs and to suppress trade in IUU-caught product. Document RSN/I/2007/Inf.4, the Decisions and Recommendations of the Tenth Session of the Sub-Committee on Fish Trade, was also noted.

66. A major issue addressed at the 2005 Meeting related to considerations attached to standardizing information on fish products and fish species moving through the global trade cycle. In this regard, the Chairperson reminded participants of the distinction between a certificate (trade-related) and a document (MCS-related). In the CCAMLR case, the Catch Documentation Scheme (CDS) comprises elements of both certification and documentation.

67. In discussion, it was noted that various catch documentation systems have evolved in different RFMOs, and attempts to comprehensively standardize one uniform system for all RFMOs may not be feasible. However, some of the different issues and approaches presented are summarized below.

- ICCAT is strengthening its statistical system, which is based on documentation for three species: bigeye tuna, swordfish and bluefin tuna. Efforts are being made to harmonize the system with other tuna RFMOs as requested by COFI in 2005. Statistical documents are required for any transaction of the targeted tuna species, but document complexity remains an issue for some ICCAT Contracting Parties.
- The CCAMLR CDS is a sophisticated scheme aimed at high value species. It strives for a high level of consistency in the information being accrued in terms of linking catch level and catch location through landing, or transshipment, information with measures in force to govern catches. It tracks documented fish through the trade cycle following landing, or transshipment, by targeting both exports and imports. A recent modification provides for universal application of electronic documentation which facilitates tracking of fish in near- to real-time. Some CCAMLR Members do not accept CDS documented fish unless it is electronically certified. Notable outcomes have been two high profile Lacey Act convictions in the United States for IUU fishing involvement. The CCAMLR CDS has also been used to detect fraudulent activity attached to the “laundering” of fish and CCAMLR CDS accredited fish usually fetch a higher price in most markets. However, it should be acknowledged that the CDS may not necessarily be applicable to the circumstances faced by other RFMOs.
- NEAFC is introducing a port control system for the first time. This sets in place requirements that all frozen fish caught under NEAFC measures in the NEAFC Area be landed in Contracting Party ports. The onus is on the flag State to verify that the fish is legally caught. Precise information on frozen fish is required and this is maintained in a NEAFC database.
- Northwest Atlantic Fisheries Organization (NAFO) does not have a comprehensive catch certification scheme, but catches are documented at landing to ascertain whether they were taken in the NAFO area.
- Western and Central Pacific Fisheries Commission (WCPFC) Members are currently reviewing potential catch and statistical document schemes, and in that context are addressing the implications of complex catch documentation schemes for small island developing States.
- Inter-American Tropical Tuna Commission (IATTC) uses a statistical system very similar to that of ICCAT for frozen bigeye tuna. It continues to

operationalize relevant outcomes from the Joint Meeting of Tuna RFMOs, including trade document harmonization and improvement, as well as appropriate development of catch documentation and tagging of fish passing through the trade cycle.

68. RSN-1 also noted outcomes from the Joint Meeting of Tuna RFMOs, which included a meeting on catch documentation and a technical working group session on trade-tracking documents.

69. RSN-1 noted that there have been many positive results where the schemes outlined above have played an important role in efforts to combat IUU fishing. For example: (a) fish carrying documents attract a higher price; (b) fraudulent and criminal activity can be detected; and (c) the location of fishery operations or concentrated trade can be identified. Furthermore, if the purpose of the scheme is to provide a tool to assist in limiting tuna overfishing then it can be set up to block imports of fish from vessels not included on an authorized vessel list.

70. RSN-1 noted that some schemes can be comparatively expensive to administer, and may become quite complicated very quickly. However, the value of positive and direct linkages between documentation and other MCS activities was emphasized as a means of enhancing cost-benefits attached to the various catch documentation currently being implemented.

71. In discussion, it was suggested that the issue of catch documentation standardization has much in common with the increasing information requirements mandated by the retail sector for food products. In this case, a wide range of information is managed in relation to any food item in respect of its origin, legality and health safety. The information is not necessarily harmonized but is based on similar key principles. As such, documentation schemes play a major role in ensuring sustainability as part of a global trend in increased accountability required from the retail food industry. Therefore a broad range of commonalities and complementarities characterize the information required to demonstrate responsible food retail practices globally in regards to sustainability implications of the food items under consideration

72. RSN-1 agreed that it is essential to have clear objectives in place when setting up catch documentation schemes. Such objectives should not only determine how such schemes should be set up, they should be driven by the specific needs of the RFB concerned. It may be possible to harmonize information/data gathering and formats in some common areas (e.g. catch level or catch location, data time etc.), but this may not be possible in others (e.g. import information if needed). In respect of trade information, RSN-1 urged full harmonization of tariff codes since this would be key to ensuring that a both a common species approach and nomenclature can be applied universally. While acknowledging that complete harmonization may not possible, or in some cases practical, RSN-1 acknowledged that every effort should be made to ensure that schemes are complementary and avoid unnecessary duplication or information redundancy. In this regard, it was agreed that the Network should continue to ensure that there is a common understanding of all documentation schemes in place and that information about further developments is updated as these occur. RSN-1 will keep the matter on its agenda, especially regarding the work proposed by COFI (Paragraph 39).

Ramsar Convention Resolution IX.4

73. The Chairperson drew the meeting's attention to Document RSN/I/2007/Inf.15, Resolution IX.4 on the Ramsar Convention. RSN-1 noted the Resolution, and welcomed the information from Mr Nomura that the Code of Conduct formed the basis of fisheries actions and measures being addressed under the Ramsar Convention.

APPROACHES TO INCORPORATE ECOSYSTEM CONSIDERATIONS INTO FISHERIES MANAGEMENT BY REGIONAL FISHERY BODIES

74. Mr Kevern Cochrane, Senior Fishery Resources Officer, FAO, presented an update on information requirements attached to ecosystem considerations for fisheries management by RFBs. He reviewed the current rationale and definitions being used to underlie an ecosystem approach to fisheries (EAF) management. He also called attention to the value of a step-by-step approach in developing and broadening current management systems. For example, interactions between, and impacts on, fisheries and ecosystems had been highlighted by the conclusion of the Joint Meeting of Tuna RFMOs in respect of steps to be taken to minimize incidental bycatch. Mr Cochrane also provided examples of the Benguela Current Commission's experiences, and encouraged fisheries managers to take into account integrated coastal zone and oceans management in the application of an EAF.

75. Mr Warren Papworth, Executive Secretary, Agreement on the Conservation of Albatrosses and Petrels (ACAP), presented background information on that organization's involvement in relation to incidental bycatch of seabirds during fishing. He outlined the high level of cooperation between ACAP and CCAMLR along with the consequential dramatic reduction in seabird bycatch achieved by the latter in its area of responsibility. Mr Papworth explained the need for a combination of measures to reduce bycatch, and demonstrated how data on seabird incidental catch mitigation and seabird population levels should be managed to provide fisheries managers with accurate, up-to-date information. RSN-1 noted the essential role that observers play on board fishing vessels in terms of monitoring seabird bycatch and educating crew members as to the unsustainable nature of high levels of incident of seabird by-catch. It was recognized that observers also play a key role in monitoring other aspects of fishing practices at sea.

76. In response to queries, Mr Papworth indicated that although ACAP was developed under CMS, there were no formal ties to the CMS Secretariat. He reiterated that fisheries bycatch was the most significant threat to conservation of albatrosses and petrels on the high seas. While CCAMLR has addressed the threat effectively, the absence of data from tuna fisheries, particularly in the southern hemisphere, means that information on incidental seabird by-catch from areas covered by the tuna RFMOs is rather limited. RSN-1 noted that this is an issue which may require further work. RSN-1 also noted that ACAP's membership does not yet include any Asian States and that greater involvement of fishers in its working groups is required.

77. RSN-1 noted the merit of informed interaction between RFBs and other organizations, such as ACAP, with interests in ensuring effective EAF. It recognized that there is a growing need to encourage full, and informed, information exchanges and dialogue between all RSN members and such organizations.

78. At a more general level, RSN-1 considered the following documents: RSN/I/2007/8, Implementation of the Ecosystem Approach to Fisheries, including deep-sea fisheries, biodiversity conservation, marine debris and lost and abandoned gear (COFI/2007/8); RSN/I/2007/11, Report on Follow-up of Actions on Sea-Turtles; and RSN/I/2007/Inf.17, Follow the Leader: Learning from Experience and Best Practice in Regional Fisheries Management Organizations.

79. Two major issues were noted from discussions in COFI-27. The first was the need by developing countries for greater support to build capacity so as to improve their ability to implement an EAF (Paragraph 74). The second related to the need to address threats posed by climate change in the greater context of managing environmental uncertainty and its potential effects on ecosystem function in respect of fisheries (Paragraph 76). RSN-1 acknowledged that the various, and often calamitous, predictions attached to the potential effects of climate change served to make the job of fisheries managers more complex and much harder. It accepted that the issue is being, and needs to be, addressed by a number of institutions worldwide.

80. Some RFBs reported their experiences with the EAF, including processes and measures implemented as well as progress achieved. They also indicated their experience in establishing subcommittees and working groups on the EAF. RSN-1 noted that the FAO Technical Guidelines on the EAF provide a useful tool to facilitate consideration of the Approach in general.

81. RSN-1 recognized that different approaches to the EAF will be taken in different types of fisheries, including small-scale and industrial fisheries as well as marine and inland fisheries. For inland fisheries, the EAF needs to be implemented within the broader framework of water resource and land use which considerably expands attached policy and governance considerations. The latter was seen as a particularly important consideration since only about half of the transboundary inland water systems have any form of governance at all.

82. Positive developments in co-operatively developing and adopting EAF objectives by Nordic countries under ICES were described. A set of guidelines has been published to that end.²

83. Interestingly, RSN-1 noted that concerns have been raised about expressly elaborating EAF principles in RFB Conventions or Agreements, largely as consequence of perceptions that it is difficult to define what is actually meant by an "EAF". However, in practice this has not appeared to be a problem and many recent agreements now include general reference to an EAF, while CCAMLR was one of the first RFMOs to elaborate the Approach as far back as 1980.

84. A number of RFBs described their EAF type measures to protect sharks, seabirds, turtles and dolphins, to close fishing around seamounts, or in certain areas, and to monitor lost and abandoned fishing gear. WCPFC is reviewing an ecosystem risk assessment process as the first step in a broader process to examine the EAF in the region. CCAMLR has a programme that monitors selected indicator species in certain areas so as to assess ecosystem health. It is also developing a bioregionalization to underpin decision-making on protected

² ICES Report No. 273, *Guidance on the Application of the Ecosystem Approach to Management of Human Activities in the European Marine Environment*. 2005. <http://www.ices.dk/products/cooperative.asp>

areas and is cooperating with other RFBs in adjacent areas on such issues as incidental seabird by-catch.

85. RSN-1 noted while there had been some limited progress (e.g. by CCAMLR), the issue of incorporating ecosystem considerations into RFB decision-making remains under development and is essentially work in progress.

86. It also noted that elements of the 1995 UN Fish Stocks Agreement that have been taken into account in developing new RFB Conventions have provided underlying principles facilitating development of management measures relating to associated, including non-target, and dependent species.

87. RSN-1 agreed that education and information exchange are key elements for an effective EAF. Instances where information campaigns are especially important for educating non-scientists about RFB EAF objectives relate to brokering stakeholder interest in areas where fisheries are highly populist and teaching skippers about the ecological importance of higher-order predators such as seabirds in oceanic fisheries.

88. Recognizing some participants' concerns, RSN-1 noted that considerable resources may often be required for RFBs to fully engage in the EAF, since a wide range of expertise (including scientific, legal and socio-economic) was necessary to fully address all EAF requirements. Nevertheless, it agreed that gradual expansion of more traditional fisheries management approaches to account for ecosystem considerations offered a useful point of departure on which iterative development of an EAF could be based. In fact, such development has been successfully implemented by a number of RFBs and national fisheries management organizations.

STATEMENT BY THE INTERNATIONAL TRIBUNAL ON THE LAW OF THE SEA: DISPUTE RESOLUTION

89. A statement was made by Mr. Doo-young Kim, Deputy Registrar of ITLOS on the Competence of the Tribunal under Part XV on the Convention. This is attached in Appendix G. Mr Doo-young Kim's participation was agreed to be without prejudice to the *status quo* as regards the RSN policy on observers.

STATUS OF FIRMS

Coordinating Working Party on Fisheries Statistics

90. The CWP Chair, Ms Johanna Fischer, reported on the outcomes of its Twenty-second Session in 2007. Institutionally, she flagged the possibility of establishing a mechanism to deal with aquaculture data and statistics issues. She also noted that Statistical Areas 57 and 71 are under revision and that standardization and harmonization of VMS data is being reviewed. Harmonization between FAO and RFBs of catch statistical data is also being developed. She emphasized that the CWP has addressed new data requirements in the context of the EAF and she reminded the Meeting of an absence of a responsible data gathering forum in the South China Sea, where there is no RFB in place.

91. RSN-1 noted that COFI's support for developing a consolidated catch database (COFI Paragraph 20) will in all probability necessitate a call for RFBs to supply more detailed data.

Since the data collected by RFBs varies widely, the Network can assist in developing such a database through facilitating an exchange of views about what data is to be provided. It was agreed that participants should look at data demands and needs RSN-wide. The Network's future agenda should reflect this.

92. Some participants, referred to the problem of limited communication between RFBs, particularly in coming to terms with the need for data harmonization. Improved training for some RFB staff appeared essential in some cases, with such training also including RFB Members. To that end, RSN-1 agreed that training, education and extension services should form an agenda item for its next meeting. This core activity could include promoting exchanges between Secretariats, outreach, education and technical assistance. Overall, participants were conscious of the need to avoid duplication between the CWP and RSN work in this regard. Nevertheless, RSN-1 was mindful of the fact that it is RFBs that constitute the "front line" in respect of receiving and processing data demands.

Developments with respect to FIRMS

93. As FIRMS Chair, Ms Fischer noted that FIRMS commenced its work as an information assessment system. This has since expanded towards information management as a whole. To this end, the FAO, through FIRMS, has pooled relevant information from partner RFB Web sites and presented this in a consolidated format.

94. The FIRMS initiative was well received by the RSN. Organizations were invited to link their Web sites to the FIRMS portal in order to promote FIRMS' work.

95. The Chairperson also congratulated FAO on the FIRMS initiative and encouraged RFBs to become FIRMS members.

96. Mr Gertjan DeGraaf, Senior Project Management Officer, FAO, presented the FishCode-STF Project for implementing FAO's Strategy for improving information on the status and trends of capture fisheries (Strategy-STF). He described the objective and mode of operation, including a regional approach in collaboration with RFBs. Mr. DeGraaf informed the Meeting of inventories, regional workshops and outcomes and field activities. RSN-1 noted these activities.

ADVICE AND FUTURE WORK

97. RSN-1 agreed not to include aquaculture as an agenda item for RSN-2. However, it concurred that a watching brief should be kept as a number of other fora are addressing this particular issue. Nevertheless, RSN-1 agreed that newly emerging aquaculture networks in Central and Eastern Europe, Latin America and Africa would be encouraged to engage with the RSN.

98. Noting the growing need for real-time information in the fish, and fish product, trade chain, RSN-1 agreed to keep catch documentation as an agenda item. In this respect, it looked forward to the expert consultation on the harmonization of catch documentation. (COFI Paragraph 39)

99. RSN-1 discussed the question of the role that an RSN Web site could play in facilitating and coordinating information exchange. This could assist the Network to avoid

duplication of its activities, promote the RSN's visibility or activities and provide information on meetings schedules. However, it would require resources to ensure current and properly vetted, as well as validated, information. The precedent offered by the Tuna Organization Web site was noted. It was agreed to circulate a concept note for further consideration, with an option for FAO to host the site.

100. RSN-1 expressed support for a second meeting in 2009. It was generally agreed to organize the agenda on the basis of a theme session and parallel sessions. One theme identified was the option of focusing on small-scale and inland fisheries in their own right.

101. RSN-2 will be held immediately following COFI-28, with an informal meeting of participants being scheduled for noon on the first day of COFI.

102. By acclaim, RSN-1 endorsed the continued term of the current Chairperson and both Vice-Chairpersons for a further two years until RSN-2.

Agenda

1. Opening of the meeting
2. Adoption of the agenda and meeting arrangements
3. Review of the decisions of the twenty-seventh session of COFI relating to regional fishery bodies
4. Role of regional fishery bodies
 - (a) UNFSA 2006 outcomes
 - (b) Small-scale and inland fisheries
 - (c) RFB performance
5. External factors affecting fisheries management
 - (a) General
 - (b) IUU fishing
 - (c) Overcapacity
 - (d) Catch document harmonization
 - (e) Ramsar Convention Resolution IX.4
6. Approaches to incorporate ecosystems considerations into fisheries management by regional fishery bodies
7. Status of FIRMS
8. Advice and future work
9. Election of the Chairperson and Vice-Chairpersons
10. Date and place of the Second Meeting
11. Any other matters
12. Adoption of the report
13. Closure of the meeting

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List of documents

RSN/I/2007/1 Rev.1	Agenda and timetable
RSN/I/2007/1/ Rev.1 add.	Agenda and timetable with relevant documents
RSN/I/2007/2	Report of the twenty-seventh session of the FAO Committee on Fisheries, Rome, Italy, 5-9 March 2007 (COFI/2007)
RSN/I/2007/3	Progress in the implementation of the Code of Conduct for Responsible Fisheries and related International Plans of Action (COFI/2007/2)
RSN/I/2007/4	Decisions and recommendations of the tenth session of the Sub-Committee on Fish Trade (COFI/2007/4)
RSN/I/2007/5	Decisions and recommendations of the Third Session of the Sub-Committee on Aquaculture (COFI/2007/5)
RSN/I/2007/6	Social issues in small-scale fisheries (COFI/2007/6)
RSN/I/2007/7	Combating IUU fishing through monitoring, control and surveillance, port States measures and other means (COFI/2007/7)
RSN/I/2007/8	Implementing the ecosystem approach to fisheries, including deep-sea fisheries, biodiversity conservation, marine debris and lost and abandoned gear (COFI/2007/8)
RSN/I/2007/9	Strengthening RFMOs and their performances including the outcome of the 2007 Tuna RFMOs Meeting (COFI/2007/9)
RSN/I/2007/10	Implementation of the Fisheries Resources Monitoring System (FIRMS) Partnership Agreement: status and prospects
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RSN/I/2007/Inf.4	Annotations on agenda items
RSN/I/2007/Inf.5	Report of the fourth Meeting of Regional fishery bodies, Rome, Italy, 14-15 March 2005 (FIPL/R778)

- RSN/I/2007/Inf.6 Report of the Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (A/CONF.210/2006/15)
- RSN/I/2007/Inf.7 The UNFA Review Conference 2006: Preparatory meeting 20-24 March 2006, Conference 22-26 May 2006, UN HQ New York (Note prepared by the NEAFC Secretariat)
- RSN/I/2007/Inf.8 Report of the tenth session of the Sub-Committee on Fish Trade, Santiago de Compostela, Spain, 30 May – 2 June 2006 (COFI/2007/Inf.8)
- RSN/I/2007/Inf.9 Report of the third session of the Sub-Committee on Aquaculture, New Delhi, India, 4-8 September 2006 (COFI/2007/Inf.9)
- RSN/I/2007/Inf.10 Report of the Joint Meeting of Tuna RFMOs, Kobe, Japan, 22-26 January 2007
- RSN/I/2007/Inf.11 Report on follow-up on actions on sea-turtles (COFI/2007/Inf.11)
- RSN/I/2007/Inf.12 Report on the Development of a Comprehensive Record of Fishing Vessels (COFI/2007/inf.12)
- RSN/I/2007/Inf.13 Report of the Expert Consultation on the Development of International Guidelines for the Ecolabelling of Fish and Fishery Products from Inland Capture Fisheries, Rome, Italy, 23-26 May 2006 (COFI/2007/Inf.13)
- RSN/I/2007/Inf.14 Report of the fourth session of FIRMS Steering Committee Meeting
- RSN/I/2007/Inf.15 Resolution IX.4: The Ramsar Convention and conservation, production and sustainable use of fisheries resources
- RSN/I/2007/Inf.16 Independent High-Level Panel to Develop a Model for Improved Governance by Regional Fisheries Management Organizations: Summary of Recommended Best Practices for Regional Fisheries Management Organizations in Relation to the Conservation and Management of Fish Stocks and related documents
- RSN/I/2007/Inf.17 Follow the Leader: Learning from experience and best practice in regional fisheries management organizations (A. Willock and M. Lack) (WWF International and TRAFFIC International)
- RSN/I/2007/Inf.18 The FishCode-STF Project
- RSN/I/2007/Inf.19 European Parliament Report on the Implementation of the EU Action Plan Against Illegal, Unreported and Unregulated Fishing
- RSN/I/2007/Inf.20 Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments (A/61/L.38)

- RSN/I/2007/Inf.21 Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing and related documents
- RSN/I/2007/Inf.22 Approach to Incorporate Ecosystems Considerations into Fisheries Management by Regional fishery bodies
- RSN/I/2007/Inf.23 Statement by Mr Doo-young Kim, Deputy Registry of the International Tribunal for the Law of the Sea to the First Meeting of the Regional fishery bodies Secretariats Network and related documents

**Opening statement by Mr Ichiro Nomura,
Assistant Director-General, FAO Fisheries and Aquaculture Department**

Mr Chairperson,

Distinguished Representatives of Regional fishery bodies Secretariats, Colleagues, Ladies and Gentlemen,

Once again, I greatly appreciate the opportunity to be with you today at the opening of this First Meeting of the Regional fishery bodies Secretariats Network and to extend to you all a warm welcome to Rome and to FAO on behalf of the Director-General.

I cannot but note the significant change in the name of this meeting, which contributes to clarify its nature and scope and differentiate it from other meetings between Regional fishery bodies themselves, such as the recent meeting that was held in Kobe.

As you know, we have undergone ourselves a similar change. The name of the Fisheries Department changed to "Fisheries and Aquaculture Department" as of 1 January 2007. Although this reflects the intention of the Organization to put more priority on responsible aquaculture, the contribution of which to world fisheries and aquaculture production and utilization continues to grow¹ (Figure 1), emphasis will continue to be put on responsible fisheries in general and the conservation and management of aquatic living resources and ecosystems. The structure of the Department was also adjusted in order to enhance fulfilment of that mission, which continues, among others, to include support and assistance to member States and to their Regional fishery bodies, some of which, additionally, have been established in the framework of FAO itself (Figure 2).

This relationship between the Organization and the Regional fishery bodies works in both directions. In this respect, I wish to take this opportunity to thank once more the Secretariats of all Regional fishery bodies for the high level of cooperation they lend to FAO, a contribution of which is highly valued and of significant importance to FAO in the implementation of its activities².

While the contribution that capture fisheries and aquaculture make to global food security, both directly, as a source of food, income and employment and indirectly, as a source of meal and oil for animal feed, is still significant, it is important to stress that more than 75 percent of world fish stocks for which assessment information is available are reported as already fully exploited or over exploited (or depleted and recovering from depletion)³. The situation seems more critical for some highly migratory, straddling and other fishery resources that are exploited solely or partially on the high seas, where the role of Regional fishery bodies is particularly important. Illegal, Unreported and unregulated (IUU) Fishing still constitutes one of the greatest threats to sustainable and responsible fisheries.

¹ Capture fisheries and aquaculture supplied the world with about 106 million tones of food fish in 2004, providing an apparent per capita supply of 16.6 kg (live weight equivalent), which is the highest on record. Of this total, aquaculture accounted for 43 percent. (SOFIA 2006) .

² For example, 19 RFBs responded to the Code Questionnaire 2006, which were reflected to the COFI/2007/2. Those responded are APFIC, GFCM, ICCAT, NAFO, NASCO, NEAFC, SEAFO, WECAFC, CPPS, IATTC, IPHC, NPAFC, SPC, WCPFC, CCAMLR, CCSBT, OLDEPESCA, COPESCAL and EIFAC.

³ It is estimated that in 2005, as in previous years, around one-quarter of the stock groups monitored by FAO were underexploited or moderately exploited (3 percent and 20 percent, respectively) and could perhaps produce more. About half of the stocks (52 percent) were fully exploited and therefore producing catches that were at or close to their maximum sustainable limits, with no room for further expansion. The other one-quarter were either overexploited, depleted or recovering from depletion (17 percent, 7 percent and 1 percent, respectively) and thus were yielding less than their maximum potential owing to excess fishing pressure exerted in the past, with no possibilities in the short or medium term of further expansion and with an increased risk of further declines and need for rebuilding. (SOFIA 2006).

The role, obligations and status of Regional fishery bodies in fisheries governance is growing steadily. It is reflected, *inter alia*, in the establishment of a number of new Regional fishery bodies in recent years, or the adoption of innovative policy, legal and institutional reforms, measures and cooperative action to strengthen those already in place. Regional fishery bodies established in recent years include the South East Atlantic Fisheries Organization (SEAFO) (2003), Western and Central Pacific Fisheries Commission (WCPFC) (2004), and the South West Indian Ocean Fisheries Commission (SWIOFC) (2004). The South Indian Ocean Fisheries Agreement (SIOFA) was signed in July 2006. Processes are underway to establish the South Pacific Regional Fisheries Management Organization (SPRFMO) and a Regional Fisheries Management Organization in the North Western Pacific Ocean to regulate bottom trawl fishing. Significantly, Regional fishery bodies were recognized as the primary mechanism for international cooperation in conserving and managing straddling fish stocks and highly migratory fish stocks during the Review Conference on the UN Fish Stock Agreement, which was held in May 2006. During the Review Conference, the need for performance reviews based on transparent criteria was also underscored. A couple of Regional fishery bodies such as the North East Atlantic Fisheries Commission (NEAFC), the Northwest Atlantic Fisheries Organization (NAFO) and the International Commission for the Conservation of Atlantic Tuna (ICCAT) have conducted or are in the process of conducting performance reviews. The Joint Meeting of Tuna RFMOs held in Kobe, Japan, from 22 to 26 January 2007, has also given an example of innovative and cooperative actions among Regional fishery bodies with similar competences.

Since the responsibility of Regional fishery bodies is increasing as well as the expectations vested in them, their further strengthening and the improvement of regional and global fisheries governance is urgently required. This was the main issue that was considered under Agenda item 11 of the twenty-seventh session of COFI, which just concluded last week. During COFI, numerous delegates stressed again the importance of Regional fishery bodies. The need for performance review and further accountability was also reaffirmed, while the way of review needs an appropriate balance between the common criteria and the specificities of each organization. Some members proposed to organize a joint meeting among non-tuna Regional Fisheries Management Organizations similar to the one held in Kobe among the tuna related organizations. Consideration of small-scale fisheries in the regional context was also proposed.

I wish to reiterate that cooperation and coordination among Regional fishery bodies is one of the most effective ways to strengthen regional fisheries governance. It is the main objective of this meeting. The fact that this session, as the previous ones, is being held after the conclusion of COFI, allows you to build upon the relevant conclusions and recommendations made by the Committee and to draw usefully on the discussions that have taken place. This, however, never prejudices the consideration of specific matters on your agenda which are directly related to the work of your bodies.

As usual, FAO will pay particular attention to the discussions throughout your meeting and, following its conclusion, will endeavour to collaborate further with you in order to facilitate the implementation of the recommendations that you might agree. Needless to say, staff of the Fisheries and Aquaculture Department will remain fully available during the meeting.

In conclusion, I wish you the greatest success in your deliberations during this First Meeting of Regional fishery bodies Secretariats Network.

(Figure 1)

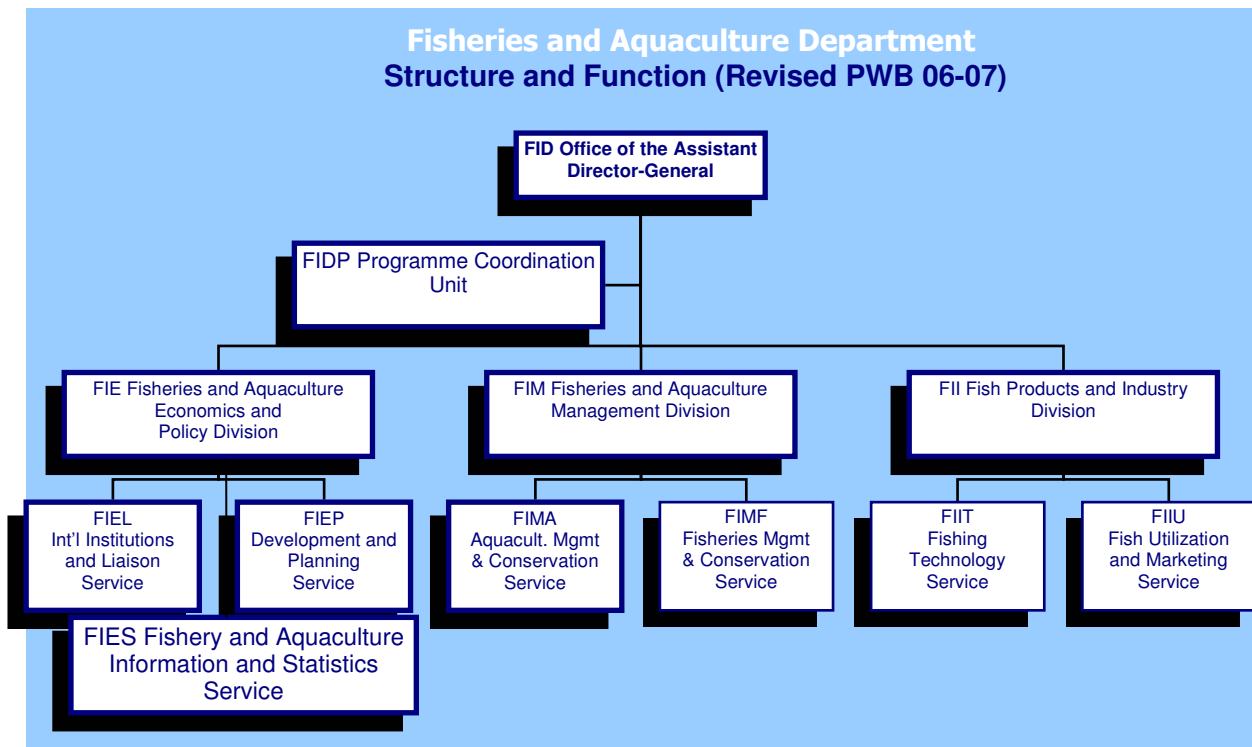
World fisheries and aquaculture production and utilization

	2000	2001	2002	2003	2004	2005 ¹
<i>(Million tonnes)</i>						
PRODUCTION						
INLAND						
Capture	8.8	8.9	8.8	9.0	9.2	9.6
Aquaculture	21.2	22.5	23.9	25.4	27.2	28.9
Total inland	30.0	31.4	32.7	34.4	36.4	38.5
MARINE						
Capture	86.8	84.2	84.5	81.5	85.8	84.2
Aquaculture	14.3	15.4	16.5	17.3	18.3	18.9
Total marine	101.1	99.6	101.0	98.8	104.1	103.1
TOTAL CAPTURE	95.6	93.1	93.3	90.5	95.0	93.8
TOTAL AQUACULTURE	35.5	37.9	40.4	42.7	45.5	47.8
TOTAL WORLD FISHERIES	131.1	131.0	133.7	133.2	140.5	141.6
UTILIZATION						
Human consumption	96.9	99.7	100.2	102.7	105.6	107.2
Non-food uses	34.2	31.3	33.5	30.5	34.8	34.4
Population (<i>billions</i>)	6.1	6.1	6.2	6.3	6.4	6.5
Per capita food fish supply (<i>kg</i>)	16.0	16.2	16.1	16.3	16.6	16.6

Note: Excluding aquatic plants.

¹ Preliminary estimate.

(Figure 2)



**Statement by Mr André Tahindro, Senior Law of the Sea/Ocean Affairs Officer
DOALOS/OLA/UN**

Role of regional fishery bodies

Mr Chairperson,

Thank you very much for giving me the floor. It is a real pleasure for my delegation to see you chairing this first meeting of regional fishery bodies-Secretariats Network. Your well-known competence and vast experience in managing CCAMLR is a guarantee for the success of our meeting.

In my capacity as the Secretary of the Review Conference on the United Nations Fish Stocks Agreement which was held from 22 to 26 May 2006, I am taking this opportunity to inform those who did not attend the Review Conference on some recommendations that may be of interest to regional fishery bodies.

Following a review by the Review Conference of the state of implementation of the Agreement, the Conference recommended a number of measures that need to be adopted by States and RFMO/As to strengthen fisheries governance in a number of areas.

With particular reference to cooperation through RFMO/As, as the primary vehicle for subregional and regional cooperation among States, the Conference recommended that the mandate of RFMOs be strengthened to allow them to implement modern approaches to fisheries management as reflected in the Agreement and other international instruments (reliance on the best scientific evidence available; application of the precautionary approach and an ecosystem approach). Cooperation among existing and developing RFMOs should also be strengthened.

RFMOs should also address participatory rights, using, inter alia, transparent criteria for allocating fishing opportunities, taking due account, inter alia, the status of the stocks and the interests of all those with a real interest in the fishery. They should further establish mechanisms to promote the participation of non-members fishing in their respective areas of competence by requesting those non-members to either join the RFMO concerned or agree to apply its conservation and management measures, accordance with Article 17 of the Agreement. In this respect, RFMOs should provide them with incentives to join RFMOs (sharing technology and expertise; assistance). Non-members shall enjoy benefits from participation in the fishery commensurate with their commitments to comply with conservation and management measures.

In addition, RFMOs should ensure that post opt-out behaviour is constrained by rules that prevent opt-out parties from undermining conservation. They should also identify clear processes for dispute resolution and alternative measures to be implemented in the interim. RFMOs should equally improve the transparency of their organizations, both in terms of decision-making process that should incorporate the precautionary approach and the best scientific information available, and by providing reasonable participation for IGOs and NGOs through their rules and procedures.

Furthermore, the Review Conference recommended that RFMOs undergo performance reviews on an urgent basis with or without the assistance of external partners. These reviews should use transparent criteria based on the Agreement, other relevant instruments, including best practices of RFMOs. Such reviews should also include some element of independent evaluation, with their results being made publicly available.

With regard to monitoring, control, surveillance, compliance and enforcement, the Review Conference realized that a number of RFMOs need further work to adopt a comprehensive MCS scheme, in view of the fact that in the absence of such schemes, RFMOs cannot fully provide an appropriate framework for compliance with their conservation and management measures.

Accordingly, RFMOs are requested to adopt, strengthen and implement compliance and enforcement schemes, and develop mechanisms to coordinate their MCS with other RFMOs, to ensure the fullest exchange of MCS information relating to IUU fishing.

However, the Review Conference recognized that the development within RFMOs of alternative mechanisms for compliance and enforcement in accordance with Article 21, paragraph 15, of the Agreement, including other elements of a comprehensive MCS regime that effectively ensure compliance with the conservation and management measures adopted by RFMOs, could facilitate accession by States to the Agreement by some States.

Thank you very much for your attention.

**Statement by Ms Rebecca Metzner, Fishery Analyst
on overcapacity**

Thank you, Mr Chairperson.

I would like to provide a few comments to try to bring together some of the issues that were raised when the Network was discussing the topic of overcapacity.

Specifically, I would like to call your attention to a few highlights of work done in the years since the IPOA–Capacity.

In 2000 the FAO Technical Consultation on the Measurement of Fishing Capacity defined fishing capacity as:

the amount of fish (or fishing effort) that can be produced over a period of time (e.g. a year or a fishing season) by a vessel or a fleet if fully utilized and for a given resource condition

and this is the definition, for example, used in the draft RPOA–Capacity on Lake Victoria and its Basin mentioned yesterday by the Lake Victoria Fisheries Organization (LVFO).

This definition, in conjunction with the IPOA–Capacity, gave rise to the opportunities to focus ideas on both assessing and addressing overcapacity, and since then, work directly related to overcapacity has proceeded along two tracks:

- first, regarding the assessment, and even measurement, of fishing capacity and overcapacity; and
- second, along the policy and fisheries management lines of how to address the problem of overcapacity.

In this regard, I would like to call attention to three publications on these topics. We have:

- FAO Technical Papers 433/1 and 433/2, which are about Measuring and Assessing Capacity in Fisheries and, in particular, the basic concepts, management options and measurement methods, both quantitative and qualitative.

We also have:

- FAO Fisheries Report No. 691, the Report of the Expert Consultation on Catalysing the Transition Away from Overcapacity in Marine Capture Fisheries.

Last, but certainly not the least, we have:

- the FAO Technical Guidelines for Responsible Fisheries No. 4, Supplement 3 entitled Managing fishing capacity which is in its final stage of editing prior to publication.

On a related note, because mention was made of the difficulty in raising political will to address this difficult topic, I will also mention a paper that is still in draft state which is a part of the Fisheries Sector Strategy Paper that FAO is developing.

This paper is a review of fisheries management in Sierra Leone that identifies – or, more literally, estimates – the potential and currently unrealized value of fisheries under optimal management conditions. I think the numbers will most certainly catch the eyes of the politicians – because they are on the order of over half to three quarters of a billion US dollars.

The reason for calling attention to these documents is that they:

- describe the underlying cause of overcapacity (and, hence, overfishing), *namely the lack of user rights*;
- provide information on both the quantitative and qualitative ways of assessing overcapacity;
- describe the process of both reducing or transitioning away from overcapacity and the critical role of livelihood diversification, if not outright change to alternative livelihoods; and
- get to the matter of wealth generation in fisheries – which is, after all, what people who go fishing want to do on a sustainable basis.

To close, I wish to thank the Network for this opportunity.

**Statement by Mr Doo-young Kim,
Deputy Registrar of the International Tribunal for the Law of the Sea**

Mr Chairperson,

Distinguished Delegates of the Regional fishery bodies,

Ladies and Gentlemen,

It is a great honour for me to address the First Meeting of the Regional fishery bodies. I am most grateful to the Fisheries Department of the FAO for kindly arranging for me to participate in this session.

The topic I wish to discuss this morning is the role of the International Tribunal for the Law of the Sea in the settlement of disputes under the 1982 United Nations Convention on the Law of the Sea. I will first focus on the competence of the Tribunal under Part XV of the Convention and then discuss the Tribunal's advisory function under its Rules. I feel that discussion on these subjects would be highly relevant when it comes to reviewing dispute-settlement mechanisms in existing fisheries agreements or drawing up such mechanisms in future fisheries agreements under the auspices of the Regional fishery bodies.

The competence of the Tribunal under Part XV of the Convention

Disputes relating to the Convention

The United Nations Convention on the Law of the Sea has established a comprehensive system for the settlement of disputes. Enshrined in Part XV of the Convention as an integral part of it, this system consists of both voluntary and compulsory procedures. Under Part XV, when parties to a dispute relating to the Convention fail to resolve their dispute through voluntary procedures under section 1, they are obliged to resort to compulsory procedures entailing binding decisions provided for in section 2. The compulsory procedures apply to the majority of the provisions of the Convention, including those concerning fisheries. Under the Convention, provisions regulating fisheries in the exclusive economic zone are mainly found in articles 61 to 69, while high seas fisheries are governed by articles 116 to 120.

As a general rule, parties to a dispute relating to the Convention may at any time agree to submit it to a judicial body, including the Tribunal or one of its chambers, or to arbitration by concluding a special agreement. In the absence of such an agreement, the compulsory mechanism under section 2 of Part XV comes into play. The procedures under this mechanism, however, are subject to the limitations contained in article 297 and the optional declarations made under article 298 in section 3 of Part XV. It may be noted that, in respect of disputes concerning fisheries, article 297, paragraph 3, provides that the coastal State is not obliged to accept the submission to compulsory procedures under section 2 of Part XV of any dispute relating to its sovereign rights with respect to the living resources in the exclusive economic zone or their exercise.

In accordance with article 287 of the Convention, States Parties are free to select the forum to which they wish to submit their disputes. By means of a written declaration, they may choose one or more of four judicial means: the International Tribunal for the Law of the Sea in Hamburg; the International Court of Justice in the Hague; arbitration under Annex VII; or special arbitration under

Annex VIII. If the parties to a dispute select the same forum, the dispute will be submitted to that forum only, unless the parties agree otherwise. However, in the absence of declarations made by the parties to a dispute or if the parties do not select the same forum, the dispute will be referred to arbitration under Annex VII, unless the parties agree otherwise.

To date, a limited number of States have made declarations under article 287 of the Convention: out of 153 States Parties, 39 have made declarations and, of those 39 States, 22 have chosen the Tribunal. Since in the absence of declarations or if the parties to a dispute have not accepted the same procedure under article 287 States are deemed to have chosen arbitration under Annex VII, in most cases arbitration is likely to be the only compulsory means of settling disputes, unless the parties agree otherwise. As a result, recourse to the Tribunal will become the exception, although it was established under the Convention as a jurisdiction entrusted specifically with the task of dealing with disputes relating to law of the sea matters.

It should be noted that, when States Parties submit their dispute to the Tribunal, the proceedings before the Tribunal are cost-effective and less expensive than arbitration. This is a very practical benefit to the parties to a dispute. What States Parties have to pay, in any event, is their assessed contributions to the Tribunal's budget, and recourse to the Tribunal incurs no costs for States Parties. Unlike arbitration, there are no expenses for remuneration of the judges of the Tribunal and judges *ad hoc*, including their travel; there are no administrative charges; there are no expenses for interpretation. It should also be noted, and this is generally agreed, that the Tribunal has rendered its decisions within remarkably short periods and highly efficiently.

The Tribunal has dealt with thirteen cases so far, ten of which were fisheries related and eleven of which were referred to the Tribunal on account of its special compulsory jurisdiction – the prompt release of vessels and crews under article 292 and the prescription of provisional measures under article 290, paragraph 5, of the Convention. This special compulsory jurisdiction relating to urgent proceedings is independent of any special agreement or declaration made under article 287 of the Convention. With respect to the Tribunal's compulsory jurisdiction under the Convention, it should also be noted that under article 187 the Seabed Disputes Chamber has exclusive and compulsory jurisdiction concerning disputes relating to activities in the Area.

Disputes relating to “any other agreement”

The Tribunal's jurisdiction is not confined to disputes relating to the interpretation or application of the Convention. It extends further to disputes relating to agreements other than the Convention. To this effect, article 288, paragraph 2, of the Convention provides that “[a] court or tribunal referred to in Article 287 shall also have jurisdiction over any dispute concerning the interpretation or application of an international agreement related to the purposes of this Convention, which is submitted to it in accordance with the agreement”.

According to the information communicated to the Registry of the Tribunal, eight international agreements have been concluded so far which contain provisions stipulating that disputes arising out of the interpretation or application of these agreements could be submitted to the Tribunal. Of these eight agreements, six are fisheries related, that is, the “Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas” (“Compliance Agreement”); the “Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks” (“UN Fish Stocks Agreement”); the “Framework Agreement for the Conservation of Living Marine Resources on the High Seas of the South-Eastern Pacific” (“Galapagos Agreement”, not in force); the “Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean” (WCPFC); the “Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean”; and the “Convention on Future Multilateral Cooperation in the North East Atlantic Fisheries” (NEAFC).

In respect of the dispute-settlement procedures set out in those agreements, let me touch briefly upon the dispute-settlement mechanism provided for in Part VIII of the UN Fish Stocks Agreement.

Part VIII of the Fish Stocks Agreement envisages the use of the dispute-settlement mechanism under Part XV of the Convention. First, article 30, paragraph 1, of the Agreement extends *mutatis mutandis* the dispute-settlement procedures contained in Part XV of the Convention to “any dispute between States Parties to this Agreement concerning the interpretation or application of this Agreement, whether or not they are also Parties to the Convention”. The use of the dispute-settlement mechanism under Part XV of the Convention is further extended by article 30, paragraph 2, of the Agreement to disputes arising out of other subregional, regional or global fisheries agreements. Pursuant to this paragraph, Part XV of the Convention applies *mutatis mutandis* to disputes between States Parties to the Agreement “concerning the interpretation or application of a subregional, regional or global fisheries agreement relating to straddling fish stocks or highly migratory fish stocks to which they are parties, including any dispute concerning the conservation and management of such stocks, whether or not they are also Parties to the Convention”.

To facilitate the implementation of the provisions contained in article 30, paragraphs 1 and 2, paragraph 3 of this same article states that a declaration made by a State Party to the Convention under article 287 will also apply to the settlement of disputes under the Agreement, unless that State Party has accepted another procedure for the settlement of disputes arising out of the Agreement pursuant to article 287 of the Convention. As regards parties to the Agreement which are not States Parties to the Convention, paragraph 4 of this article further provides that they may choose by a written declaration one or more of the means set out in article 287 of the Convention and that article 287 shall apply to disputes arising out of the Agreement.

As at the end of February 2007, there were 64 States Parties to the Agreement. Of the States Parties to the Agreement which are also Parties to the Convention, only Canada made a specific declaration pursuant to article 30 of the Agreement in order to select arbitration under Annex VII to the Convention. The United States, which is not a party to the Convention, made a declaration in order to select special arbitration under Annex VIII to the Convention for the settlement of disputes pursuant to Part VIII of the Agreement.

The advisory function of the Tribunal

Turning to the advisory function of the Tribunal, I will deal only with the advisory function of the Tribunal under article 138 of its Rules, excluding the advisory procedures before the Seabed Disputes Chamber under Part XI of the Convention. Pursuant to article 138 of its Rules, the Tribunal may give advisory opinions on the basis of other international agreements, for instance, subregional, regional or global fisheries agreements.

According to article 138, paragraph 1, of its Rules, the Tribunal may give an advisory opinion on a legal question if an international agreement related to the purposes of the Convention specifically provides for the submission of a request for such an opinion. The Tribunal’s advisory function is based on article 21 of the Statute of the Tribunal, which states that the jurisdiction of the Tribunal comprises “all disputes and all applications submitted to it” and “all matters specifically provided for in any other agreement which confers jurisdiction on the Tribunal.”

A request for an advisory opinion before the Tribunal is transmitted to it by the body authorized by or in accordance with the international agreement to make the request to the Tribunal (article 138, paragraph 2, of the Rules). Accordingly, Member States of a regional fishery body could forward the request for an advisory opinion to the Tribunal through its organ authorized to make such request to the Tribunal. Any organ of a regional fishery body - for instance, the assembly, the council or a committee - could be designated to make such request to the Tribunal. Articles 130 to 137 of the

Rules of the Tribunal, which are applicable to the advisory proceedings before the Seabed Disputes Chamber, are also applied to those before the Tribunal.

As stated by the President of the Tribunal before the Informal Meeting of Legal Advisers of Ministries of Foreign Affairs in October 2006 in New York, “[t]he advisory function of the Tribunal is a significant innovation in the international judicial system and may offer an interesting alternative to contentious proceedings, in particular, in view of its non-binding nature. Through an advisory opinion, the requesting body may obtain legal guidance from the Tribunal on a specific question but the requesting body is not bound to accept the conclusions of the Tribunal”.

Hitherto, no fisheries agreement appears to mention the possibility of recourse being made to the advisory procedures of the Tribunal. In light of the guiding nature of the advisory opinion to be rendered by the Tribunal, however, the inclusion in future fisheries agreements to be adopted under the auspices of the Regional fishery bodies of a provision concerning the possibility of requesting an advisory opinion from the Tribunal might be considered. This would certainly assist those bodies in finding solutions to any issues of a legal nature they might have.

Inclusion in fisheries agreements of the dispute-settlement mechanism under Part XV of the Convention

As I mentioned earlier, the UN Convention on the Law of the Sea which entered into force in November 1994 has established a comprehensive system for the settlement of disputes relating to the law of the sea, in that the Tribunal was entrusted, under the Convention, with the task of dealing with such disputes and began its activities in October 1996. In light of these developments, States and international and regional organizations may consider making greater use of the dispute-settlement mechanism provided for in Part XV of the Convention as well as of the functions, both contentious and advisory, of the Tribunal. In this regard, the inclusion in future fisheries agreements of the Part XV procedures and recourse to the Tribunal for dispute settlement might be considered.

When requested, the Registry of the Tribunal can render assistance in drafting dispute-settlement provisions in agreements concerning law of the sea matters including fisheries.

Guide to Proceedings before the Tribunal

Lastly, I wish to draw your attention to the “*Guide to Proceedings before the Tribunal*” which is available here. The Registry of the Tribunal published this guide in the official languages of the Tribunal - English and French - in June last year. The purpose of this publication is to provide advocates, counsel and government legal advisers with practical information explaining the manner in which proceedings, both contentious and advisory, are instituted and conducted before the Tribunal. The *Guide* will also be made available in the other four official languages of the United Nations - Arabic, Chinese, Russian and Spanish - this year.

Mr Chairperson,

Distinguished Delegates of the Regional fishery bodies,

Ladies and Gentlemen,

I should like to conclude by expressing my great appreciation to you for giving me the opportunity to address this meeting. I thank you sincerely for your kind attention.

The First Meeting of Regional Fishery Body Secretariats Network was held at FAO headquarters, Rome, on 12 and 13 March 2007. The Meeting reviewed the decision of the twenty-seventh session of the FAO Committee on Fisheries of relevance to regional fishery bodies (RFBs). The Meeting discussed the role of RFBs, external factors affecting fisheries management, approaches to incorporate ecosystem consideration into fisheries management by RFBs, the status of the Fisheries Resources Monitoring System and other related matters. The Meeting reached a number of conclusions regarding matters meriting the attention of RFBs, governments and FAO.

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