



The Global Forum on Oceans, Coasts, and Islands

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PROGRESS ON FISHERIES-RELATED GOALS

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This summary provides an overview of the discussions during the informal dialogue session on progress towards implementation of fisheries related goals from the 2002 World Summit on Sustainable Development. The discussion followed the outline of the draft document provided to conference participants — *Information on Progress Achieved in the Implementation of World Summit on Sustainable Development Targets and Millennium Development Goals on Oceans, Coasts, and Small Island Developing States*¹ — quite closely in framing the dialogue. The draft document was focused particularly on the following goals laid out in the JPOI:

- Implement the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing (IUU) by 2004.
- Implement the FAO International Plan of Action for the Management of Fishing Capacity by 2005.
- Maintain or restore depleted fish stocks to levels that can produce their maximum sustainable yield on an urgent basis and where possible no later than 2015.
- Eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to overcapacity.

The discussion began by noting that while these WSSD goals relate specifically to fisheries issues, there are others goals in the Plan of

Implementation with indirect, but significant, implications for fisheries. These include goals related to biodiversity and protected areas as well as the ecosystem approach. The session also recognized that the fisheries goals incorporate a somewhat odd collection of goals ranging from implementing specific instruments, achieving an optimal state of resources, and eliminating a wrong incentive.

The session recognized that, only three years after the goals have been adopted, the feeling in the international community is that there are big gaps in implementation. The questions, however, are: (i) are we looking at a real lack of progress? (ii) did the POI reflect unrealistic expectations in relation to goals that are very difficult to achieve? The goals are not very specific, and, for example, they do not indicate which degree of implementation of the instruments is required or what proportion of world stocks should be rebuilt by 2015. The goal related to the restoration of stocks to their maximum sustainable yield is viewed as something to strive towards, but not necessarily something that is going to be achievable everywhere, given the reality of what needs to be put in place to get there. It is important to think about what the historical baselines are, the present situation, the country capacities, and the costs of transition to adopt realistic fisheries goals. There is a need for indicators to be able to measure progress toward the goals, but there are already a large number of efforts to define

indicators underway in organizations such as the CBD and UNESCO, as well as under the Millennium Development Goals. It was noted that an effort to bring together some of this work would be particularly helpful.

Implementation Responsibility

While it is important to address fishing issues on the high seas, it must also be noted that 90% of the production originates from within Exclusive Economic Zones (EEZs) and, therefore, an important part of the overfishing problem happens under the direct control and responsibility of national governments. Outside of EEZs, management has to occur through cooperation and Regional Fisheries Management Organizations (RFMOs). Well managed domestic fisheries are extremely important, because poor national fisheries management leads to spillovers and pressures on the high seas, which can undermine international cooperation.

National governments are responsible for good national fisheries and are also responsible for fisheries management through the RFMOs. National governments are also accountable for some of the international targets, such as implementing the hard law and soft law frameworks. The national level is also where the responsibility to cooperate lies. It is important to be aware that, while RFMOs are often talked about as independent entities, they are really just the sum of the will of member states, which again comes down to national action. International Plans of Action (IPOAs) are tools to help organize governments around the issues, and, through these efforts, FAO is responsible for raising awareness and creating a good environment for implementation. Currently, flag states are really the only point of management, and they must be doing much more as the nations responsible for the behavior of their vessels. There is also a role for port states and market states in addressing the fisheries targets, but it must also be noted that fisheries involve the most globally diverse markets and are, therefore, not easily controllable.

Progress Toward Implementation

In regard to whether progress is being made, it is important to note that, while specific goals may not yet have been met, there is a considerable amount of work and progress going on below the surface. It is essential that the international community recognizes, for example, that the actions taken to move toward implementing a national plan of action are ultimately more important than the adoption of the document alone. Many of the goals and targets in these plans are written in terms of delivery of a paper product, so it can be difficult to gauge the real picture of all that is occurring.

There is no question that we still think there is a great deal to do in terms of improving management,

cooperation, and oversight, but it is important to recognize that many of these high-level goals require significant behind-the-scenes action and the alignment of many factors. While there is no question that there are large gaps, there is also the risk of being too pessimistic if looking at too narrow a picture.

As of March 2006, Australia, Canada, Chile, and the United States have submitted their National Plans of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing to FAO.² In addition, the U.S. has submitted its National Plan of Action for the Management of Fishing Capacity.³ Although only four states have logged the IUU plans with FAO, and only one state has logged a capacity plan, there is much action going on to build toward these national plans of action which must also be recognized. At the moment, according to FAO, national plans of action (NPOA-IUU) have been formally developed in Namibia, Seychelles, Tanzania, Federated States of Micronesia, Tonga, Tuvalu, Ghana, and The Gambia, and Oman has recently requested FAO assistance to develop their own.

The issue of subsidies is connected to that of overcapacity and IUU and remains hotly debated. A number of organizations are collaborating on it (e.g. WTO, OECD, UNEP and FAO) and a number of regional meetings have been held on the subject by ASEAN, CARICOM, and CPPS to exchange information on the respective programmes. At present, subsidies have been identified and classified in categories, in terms of their original intent but no general agreement has emerged regarding their classification in relation to their impact on fisheries.⁴ The main agreement perhaps is that fishery management expenses are generally considered as “good subsidies.”

As of March 2006, 149 nations have ratified the Convention on the Law of the Sea and related Agreements. Eleven of these ratifications have occurred since the closing of the World Summit on Sustainable Development.⁵ In addition, of the 57 signatories to the “Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks” (UN Fish Stocks Agreement), 26 nations signed on following the World Summit on Sustainable Development.⁶ While many nations have signed and ratified these and other related international agreements, there is still a large gap and a need for more countries to sign, ratify, and implement these agreements.

The FAO Commission on Genetic Resources for Food and Agriculture has only started to address aquatic genetic resources. By examining the status and trends of biodiversity and genetic resources in fisheries, aquaculture, and the deep sea, and how modern

biotechnology and socio-economic factors influence their use, the Commission will help identify key issues and policy considerations in order to develop a program of work to assist countries and the international community deal with aquatic genetic resources.

There is also some progress in national reform of fisheries management, especially with new market measures, such as ecolabelling, that are being adopted both in developed and developing countries. In addition, there is progress on reform of national legislation. For example, FAO has been working with 85 developing countries on legislative reform. There has also been a lot of momentum on the illegal, unregulated, unreported (IUU) fishing issue, including research as well as independent efforts such as the High Seas Task Force, a ministerially-led task force on IUU fishing on the high seas. There has been a significant change in momentum with respect to political will to address IUU fishing, for example, through the 2005 FAO Ministerial Meeting where the “2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing”⁷ was adopted and the St. John’s “Conference on the Governance of High Seas Fisheries and the UN Fish Agreement – Moving from Words to Action” which was attended by Ministers from 18 countries and the EU, and resulted in a ministerial declaration including commitments to 16 specific actions to improve the governance of high seas fisheries by the ministers in attendance.⁸

RFMO reform continues to be an issue, but there has been some progress. In the recent months there have been two major reform efforts launched—one in the North Atlantic Fisheries Organization (NAFO) and another one in the International Commission for the Conservation of Atlantic Tuna (ICCAT).

There is also work going on related to fishing subsidies. For example, during the recent WTO negotiations there was an agreement to continue working to make progress in the area of fisheries subsidies. There has also been recognition that fisheries subsidies is a very difficult topic to address. For example, you cannot look at subsidies just in terms of total payments, because, in a common property resource, such as fisheries, a lot of the payments are going to management. Recent OECD work shows that two thirds of what is spent in transfers is actually going to management.

When looking at the range of activities underway, such as regional efforts, GEF projects, market-based measures, Marine Stewardship Council (MSC) certification, and High Seas Task Force efforts, it becomes clear that there is a whole set of activities that are focused on accelerating progress on the WSSD goals.

Obstacles Faced

While there has been progress, there are also a variety of obstacles faced in implementing fisheries-related goals and targets. Obstacles faced and policy areas of debate include cooperation and political will, especially for national efforts. There are also technical obstacles, such as lack of scientific information, and, especially, a lack of aggregated information. In particular, there is a lack of knowledge of some of the interrelationships between fishery species and the underlying natural system as well as between these and the human system, including its private sector and governance components.

There is also still weak national management, notwithstanding the improvements noted. As long as weak national management continues, overdependence on the resources, and overcapacity will continue to occur. Relating to efforts to reduce overcapacity, the issue of the cost of transition away from fishing must also be addressed. The cost of transition from irresponsibly managed fisheries to responsibly managed fisheries no doubt means displacing fishermen. There is a real need to discuss alternative livelihoods and management of the transition. There is also a real need for industry buy-in and participation of fishermen in these processes. There is a need to further advance the participatory framework and consider ideas like co-management (for example in Japan where quotas go to a whole community in some cases). Capacity building is also key, both technical and management capacity and also capacity building in order to enable cooperation.

It must also be noted that corruption is a significant problem that needs to be addressed in order to have effective fisheries management. This is particularly relevant to problems of organized corruption to launder illegal catch, but also relates to the issue of flags of convenience and flags of non-compliance.

Several obstacles that the international community can help remove or deal with include:

- Unreliable, incomplete or poor quality data;
- Insufficient capacity development (for management, cooperation, etc);
- Inadequate legislation (such as loopholes, weak laws, and corruption);
- Insufficient political will;
- Lack of transparency;
- Vested interests of different players;
- Lack of international cooperation;
- Lack of effective flag state control, particularly in the high seas but not only there; and
- Continued use of flags of convenience (consideration of ports of convenience as well).

Next Steps

There is much to be done to continue the momentum towards improving fisheries management and reaching the international goals and targets that have been set. These steps include:

- Emphasis on international cooperation for transboundary and high seas stocks;
- More regular and rigorous discussion of progress on implementation (e.g. with indicators);
- Better use of the meetings of the parties (to monitor progress and take action);
- Encouragement of donors to help developing countries (example of ProFish and of the FAO FishCode umbrella programme);
- Consideration of ex-ante impact assessment before development of new fisheries (concern was noted that there was more capacity for assessment in the 1980s than there is today, particularly in the developing world);
- Encouragement for the adoption, ratification and implementation of international agreements; and
- More systematic assistance and capacity building.

There continues to be some disagreement regarding several issues. For example, while many people agree that some form of RFMO reform is necessary, there is no agreement over what precise role they might play or how they might relate to something broader as part of integrated solutions such as the idea of “regional ocean management organizations.” There is agreement that there is a need for oversight and accountability, but there was no agreement on the mechanisms. Another issue where there is still debate is the issue of protection of vulnerable areas against destructive practices. Most agree that protection of vulnerable areas from destructive practices is important, but the mechanisms to do this remain unresolved.

There is no doubt that progress has been mixed, there have been some improvements and some set-backs, but it is important to get the enabling framework in place before progress can be made. It is important to be realistic, but it is also essential to acknowledge that things are happening and progress is being made in some areas.

Fisheries Dialogue Session Participants

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Footnotes:

- 1 Global Forum on Oceans, Coasts, and Islands. 2006. Information on Progress Achieved in the Implementation of World Summit on Sustainable Development Targets and Millennium Development Goals on Oceans, Coasts, and Small Island Developing States. Available: <http://www.globaloceans.org>.
- 2 International Institutions and Liaison Service (FAO-FIPL). 2006. *International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing*. FI Programme Websites. FAO - Rome. Updated Tue Mar 07 12:22:14 CET 2006. Available via FIGIS from http://www.fao.org/figis/servlet/static?xml=ipoa_IUU.xml&dom=org&xp_nav=3.
- 3 Development Planning Service (FAO-FIPP) 2006. *International Plan of Action for the Management of Fishing Capacity*. FI Programme Websites. FAO - Rome. Updated Tue Mar 07 12:22:16 CET 2006. Available via FIGIS from http://www.fao.org/figis/servlet/static?xml=ipoa_capacity.xml&dom=org&xp_nav=3.
- 4 Identifying the impact is the approach followed by FAO following the request of COFI (in March 2005) that FAO give consideration to undertaking studies and assessments to determine the impact of subsidies on fishing capacity, illegal, unreported and unregulated (IUU) fishing and on fisheries management generally.
- 5 United Nations. 2005. *Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements as at 20 September 2005*. UN Division on Oceans and Law of the Sea web site. Accessed: January 2006.
- 6 United Nations. 2005. *Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements as at 20 September 2005*. UN Division on Oceans and Law of the Sea web site. Accessed: January 2006.
- 7 FAO. 2005. *2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing*. Available: <ftp://ftp.fao.org/fi/DOCUMENT/ministerial/2005/iuu/declaration.pdf>
- 8 Department of Fisheries and Oceans, Canada. 2005. *Conference on the Governance of High Seas Fisheries and the United Nations Fish Agreement – Moving from Words to Action* Web site. Accessed January 2006. Available: http://www.dfo-mpo.gc.ca/fgc-cgp/index_e.htm