

## □ CURRENT CHALLENGES IN INTERNATIONAL FISHERIES

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*When the U.N. Food and Agriculture Organization's (FAO) Committee on Fisheries meets in February, it has an important opportunity to improve conservation in the world's battered fisheries, says John Turner, assistant secretary of state. FAO already has an impressive array of agreements with which to work — the time has come to implement them, with special attention to halting illegal, unregulated and unreported fishing, he says. Turner describes new approaches FAO could try, including cooperation with multilateral trade and conservation organizations. FAO members and other donors should donate the money developing countries need to build the capacity for enforcing marine conservation, he adds.*

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### **A CHALLENGE FROM OUR LEADERSHIP**

The 25th meeting of the FAO Committee on Fisheries (COFI) that will take place in February 2003 comes at a critical time in the quest for sustainable fisheries. Meeting in Johannesburg at the World Summit on Sustainable Development in 2002, world leaders acknowledged the vital role of marine fisheries to economic and food security and to biodiversity in general. Leaders established a number of fisheries commitments for the world community, including a call "to maintain or restore stocks to levels that can produce maximum sustainable yield with the aim of achieving these goals for depleted stocks on an urgent basis and where possible not later than 2015."

The mission of FAO in the field of fisheries is to facilitate and secure the long-term sustainable development and utilization of the world's fisheries and aquaculture. Many of the issues on the agenda for the 2003 COFI meeting will contribute directly to the goal of restoring depleted fish stocks and to advancing other commitments.

If we are to fulfill these commitments, we must take concerted actions and set clear priorities. The most recent FAO statistics indicate that over 70 percent of fisheries are either overfished or are fished at their maximum capacity. In coming years, production from

many key fisheries will likely decline. Demand for fisheries products, however, will continue to increase. The prospect of this growing shortfall poses our greatest fisheries challenge today.

### **IMPLEMENTATION OF EXISTING AGREEMENTS**

The past decade saw the development of new agreed standards to guide us on the path toward sustainable fisheries. Top among these initiatives are two global fisheries treaties, the 1995 UN Fish Stocks Agreement and the 1993 FAO Compliance Agreement. Further progress depends on all states ratifying or acceding to these agreements and implementing them fully. COFI will have an opportunity to address issues relating to these treaties, particularly the capacity building provisions of the Fish Stocks Agreement.

FAO has also made great contributions through its adoption of the 1995 Code of Conduct for Responsible Fisheries and its four associated International Plans of Action (IPOAs). The upcoming COFI meeting will give all FAO members an opportunity to demonstrate the progress they have made, individually and collectively, in implementing these agreements.

The two treaties, the Code of Conduct and the four IPOAs provide a comprehensive and compelling blueprint for action. Our chief focus today must be to hold governments accountable for their efforts to implement these agreements. We must find ways to ensure that the provisions that we have worked so hard to negotiate and adopt do not remain mere words on paper.

### **A FOCUS ON IUU FISHING**

To this end, we must ensure that all players abide by the same rules. Fundamental fairness demands further measures to eliminate "illegal, unreported and unregulated" (IUU) fishing. The 2001 FAO International Plan of Action on IUU Fishing, adopted at the previous meeting of COFI, offers a toolkit for use by

all FAO members, both in their general capacities as states as well as in their more particular capacities as flag states, port states, coastal states, and market states and as members of regional fishery management organizations.

Many of these tools are readily available and cost effective. For example, the International Monitoring, Control, and Surveillance Network for Fisheries Related Activities (MCS Network) is a worldwide association of MCS professionals who assist each other in handling both general matters and particular cases. COFI should consider ways to promote further advances in MCS, including through a conference or technical consultation that would provide training opportunities for developing countries, increase dialogue at the regional level, and promote membership in the voluntary MCS Network.

The recent FAO expert meeting on port state controls has produced valuable recommendations for COFI as well. By inspecting vessels and withholding port privileges, port states can help greatly in the fight against IUU fishing. It is time to make port state regimes in fisheries more stringent, perhaps through the development of binding agreements at the regional or global level.

FAO also has the capacity to work with states that continue to offer flags of convenience (and which serve as ports of convenience) to make them more aware of their responsibilities under the IPOAs and to assist them in carrying out those responsibilities. Typically, such states fail to exercise their responsibilities for the control of the vessels that fly their flags, or fail to exercise controls over fish and fish products landed in their ports. These practices encourage unscrupulous fishers to continue IUU fishing.

As the international community uses the toolkit to solve IUU problems, the most useful tool may be a mirror, however. In this mirror, each of us can see that nationals and vessels from all states engage in IUU fishing and that all FAO members can do more to eliminate it. We can also see, conversely, that each of us is a victim of IUU fishing. In short, all FAO members must recognize that the successful control of IUU fishing will require cooperative and coordinated action, rather than rhetoric that blames others for the problems that result from IUU fishing.

## **SOME NEW ISSUES AND APPROACHES**

**CITES-FAO.** For nearly three years, FAO has been working with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to

help develop appropriate listing criteria for commercially traded fish species. FAO and CITES must enhance this cooperation further on issues of mutual concern. COFI will have the opportunity to give initial approval to a draft memorandum of understanding for CITES-FAO cooperation as well as approve a draft work plan for FAO developed at the last meeting of the COFI Subcommittee on Fish Trade.

Enhanced cooperation with FAO will make CITES a more effective regime for stopping illegal trade in certain fisheries products, particularly from fisheries not currently under the purview of a regional fishery management organization. Cooperation with FAO will also allow better scientific analysis to inform CITES decisions on the listing of fish species and provide additional capacity building opportunities for developing countries on science and law-enforcement issues. The recent listing of two sharks species and all seahorses on Appendix II of CITES underscores the importance of FAO involvement in CITES activities to ensure that sustainable fisheries principles are incorporated into the work of CITES. COFI should therefore approve the MOU and work plan and direct FAO to undertake inter-session work with CITES.

**Status and Trends Reporting.** COFI should also move forward on the FAO Draft Strategy for improving information on the status and trends of capture fisheries, which will better guide the conservation and management of fisheries within ecosystems. The Draft Strategy combines a number of initiatives, including increased capacity building for developing countries in science and data collection, broadening and deepening the scope of FAO fisheries statistics to include fish stocks and ecosystems not currently covered, and a push for a global inventory of fish stocks. Effective implementation of the strategy will require substantial coordination within the FAO Fisheries Department, among donor states, and with interested donor organizations.

**Ecosystem Approach.** In the same vein, COFI should maintain the momentum created by the 2001 Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem. The World Summit on Sustainable Development called for application of the "ecosystem approach" to fisheries management by 2010, drawing on the guidance for applying the ecosystem approach contained in the Reykjavik Declaration and decision V/6 taken by the Conference of Parties to the Convention on Biological Diversity. As recognized in the Reykjavik Declaration, the ability of management regimes to

achieve this goal will depend first and foremost on advancing scientific knowledge about marine ecosystems in general and about the interaction of fish stocks with other components of those ecosystems in particular. FAO is developing guidelines to assist in this undertaking.

One aspect of the "ecosystem approach" that demands urgent attention is the problem of "by-catch" in fisheries. Too often, fishers unintentionally catch fish and other marine animals that are not their real targets. We must work with the fishers to make their gear and fishing techniques more selective, particularly to avoid catching species that are endangered or threatened, such as sea turtles and seabirds.

**Responsible Aquaculture.** COFI also has the opportunity to promote the development of responsible aquaculture, building on the ambitious agenda of the first meeting of the FAO COFI Subcommittee on Aquaculture, held in Beijing in April 2002. Through COFI, FAO can make progress in dealing with issues of human and animal health associated with aquaculture and in maximizing the contribution of aquaculture to rural development. To make such progress, there must be improved data collection and reporting on aquaculture products.

In this regard, states in the Inter-American region are developing a formal cooperative mechanism on aquaculture issues, with assistance from both FAO and the Asia Pacific Economic Cooperation forum. This cooperative mechanism could follow the model provided by the Network of Aquaculture Centers in Asia, a treaty-based technical cooperation network in Southeast Asia that has contributed greatly to the sustainable expansion of aquaculture in that region. To further this effort, FAO member states from the Americas could meet on the margins of COFI at the political level.

## **IMPROVING THE TRADING SYSTEM**

Subsidies that contribute to overcapacity and overfishing must end. In the 2001 World Trade Organization (WTO) ministerial meeting in Doha, Qatar, and in other fora, the international community has made the commitment to reduce these harmful subsidies. Most recently, at the World Summit on Sustainable

Development, leaders committed "to eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to over-capacity while completing the efforts undertaken at WTO to clarify and improve its disciplines on fisheries subsidies, taking into account the importance of this sector to developing countries." FAO held an expert consultation on government financial transfers in December.

The time may also be ripe for FAO to consider once again the difficult issue of "ecolabeling" of fisheries products, building on groundwork laid by the FAO Subcommittee on Fish Trade. Ecolabeling schemes have been proliferating, without particular guidance from FAO. Now, however, both importing and exporting states support renewed FAO attention to this matter.

## **CAPACITY BUILDING FOR DEVELOPING COUNTRIES**

FAO members must do more to help developing countries fulfill their commitments. FAO has recently sought to organize the extra-budgetary contributions it receives on implementation of the Code of Conduct for Responsible Fisheries into a comprehensive program known as FishCODE. Several donor countries have now made specific contributions to the FishCODE program, which offers a way to rationalize donor activities in FAO and reduce overlap and gaps in work. Through COFI, FAO should also extend its outreach to donor institutions, in particular the World Bank and Global Environment Facility.

The recent entry into force of the 1995 UN Fish Stocks Agreement has provided a new opportunity to channel assistance to developing countries that are parties to that treaty. The 2002 UNGA Fisheries resolution on the Fish Stocks Agreement calls upon FAO to take an active role in the development of a voluntary trust fund to promote implementation of the agreement by developing states parties. COFI should support this activity and encourage the Secretariat to continue sending a representative to informal meetings of parties where this trust fund is to be discussed. Work in this area will encourage more developing states to ratify the Fish Stocks Agreement and to do their part in the achievement of sustainable fisheries worldwide. □