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## ❑ FISHERIES AND THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT

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*Following is an excerpt from Fisheries and the World Summit on Sustainable Development, prepared by the U.S. Department of Commerce National Marine Fisheries Service for the July-August 2002 summit in Johannesburg. The excerpt describes steps taken by the U.N. Food and Agriculture Organization (FAO) and FAO members to promote fisheries conservation. The entire article can be viewed at [http://www.nmfs.noaa.gov/sfa/international/Reportcard\\_final.pdf](http://www.nmfs.noaa.gov/sfa/international/Reportcard_final.pdf).*

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### **The FAO Code of Conduct for Responsible Fisheries**

The concept for the Code of Conduct was discussed at the Rio Summit in 1992 and subsequently developed as a set of principles and international standards of behavior for responsible fishing practices. It was adopted by the Twenty-eighth Session of the FAO Conference on 31 October 1995. The Code of Conduct recognizes all aspects of fisheries, including economic, social, biological, and environmental and the multitude of interests of users of the resource while providing for the effective conservation, management, and development of living aquatic resources.

### **International Plans of Action (IPOAs)**

Four IPOAs have been developed under the framework of the Code of Conduct. The IPOAs have been developed to address pressing issues facing international fisheries management and include the IPOA for Reducing Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds), the IPOA for the Conservation and Management of Sharks (IPOA-Sharks), the IPOA for the Management of Fishing Capacity (IPOA-Capacity), and the IPOA to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). IPOAs are voluntary; however, they are useful in providing an international focus on pressing issues within the fisheries community and providing guidance for individual nations, regional fishery management organizations, and other regimes on tackling these issues within their respective frameworks.

### **The Rome Declaration on the Implementation of the Code of Conduct for Responsible Fisheries**

The Rome Declaration was adopted by the FAO Ministerial Meeting on Fisheries in March 1999. In addition to its call to implement the Code of Conduct, the Declaration highlights a number of key issues in fisheries management including the use of the ecosystem approach to achieve sustainable fisheries and aquaculture, reducing waste and destructive fishing practices, addressing trade and environment issues related to fisheries, implementation of the Fish Stocks Agreement [see below], and the implementation of International Plans of Action (IPOAs). The Declaration also called for FAO to develop a global plan of action to deal effectively with all forms of illegal, unregulated, and unreported fishing which ultimately led to the development of the IPOA-IUU.

### **DEVELOPMENTS UNDER THE AUSPICES OF UNCLOS**

#### **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 (Fish Stocks Agreement)**

As envisioned in Agenda 21, the United Nations convened a 3-year negotiating process that culminated in the adoption of the U.N. Fish Stocks Agreement in 1995. The United States participated actively in those negotiations and became one of the first states to ratify. The Agreement, which entered into force in December 2001, is recognized as an important instrument for achieving sustainable fisheries around the globe. As a management regime, it sets out principles for the conservation of straddling and highly migratory fish stocks. It also introduces new principles and concepts to fisheries management including the precautionary approach, vessel monitoring systems (VMS), compatibility of conservation and management measures, transparency of activities within subregional and regional fishery management organizations, compliance of

nonmember states with fishery management organizations measures, high seas boarding and inspection, port state measures, and data collection and sharing standards.

### **Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (Compliance Agreement)**

This 1993 Agreement was one of the first responses to Agenda 21. It reaffirms the provisions of the U.N. Convention on the Law of the Sea that flag states must exercise effective control over their vessels fishing on the high seas. It elaborates this obligation by requiring that all such vessels be licensed to conduct such fishing, that the licenses be conditioned on the vessel abiding by internationally agreed conservation and management measures, and sets up the FAO as an archive and clearing house for information on such fishing vessels, particularly those that have broken applicable rules and been punished for it. The United States contributed significantly to the development of this agreement and became one of the first states to deposit an instrument of acceptance for it.

### **Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem**

The Reykjavik Conference, held in October of 2001 and organized by the FAO, sought to gather and review the best available knowledge on marine ecosystem issues and identify means by which ecosystem considerations can be included in capture fisheries management. The declaration adopted at the conference reflected this imperative and called for the integration of ecosystem considerations in fisheries management, not only from the standpoint of the impact of fisheries on the ecosystem, but the impact of the ecosystem on fisheries. It sought to integrate ecosystem considerations into the workings of regional and international fisheries management organizations, to advance the scientific basis for incorporating ecosystem considerations, to encourage technology transfers that allow for the incorporation of ecosystem considerations, and to develop technical guidelines for introducing ecosystem considerations into fisheries management.

### **Efforts to Combat and Deter Illegal, Unreported, and Unregulated (IUU) Fishing Activities**

It is widely recognized within the international fisheries management arena that IUU fishing can jeopardize and sometimes undermine management and conservation efforts for sustainable fisheries. Raising concerns regarding IUU fishing activities within many regional fishery management organizations (RFMOs) and the recognition of the inability of existing international instruments to effectively address illegal, unreported, and unregulated fishing led to the development of an IPOA to prevent, deter, and eliminate IUU fishing. The IPOA-IUU encourages states and RFMOs to use all available measures in accordance with international law to combat IUU fishing, including port state measures, coastal state measures, market-related measures, national legislation, sanctions, economic incentives, education, monitoring, control, and surveillance (MCS) systems, and internationally agreed market-related measures. In addition, the recently established Monitoring, Control, and Surveillance Network (MCS Network), is a significant contribution to global efforts to combat IUU fishing as nations voluntarily join their resources to increase their effectiveness in enforcing conservation measures designed to protect world fisheries and ecosystems.

### **Monitoring, Control, and Surveillance (MCS) Network**

A network of national organizations and institutions joined together to create the International MCS Network to coordinate efforts to prevent, deter and eliminate IUU fishing. The objectives of the International MCS Network are to improve the efficiency and effectiveness of fisheries-related MCS activities through enhanced cooperation, coordination, information collection and exchange among national organizations/institutions responsible for fisheries-related MCS. It is intended to give agencies support in meeting national fisheries responsibilities as well as international and regional commitments in relation to the U.N. Convention on the Law of the Sea, the Code of Conduct, the Fish Stocks Agreement, and the IPOA to combat IUU fishing.

*Following is an excerpt from Key Outcomes of the Summit, prepared by the United Nations following the summit:*

## OCEANS AND FISHERIES

Encourage the application by 2010 of the ecosystem approach for the sustainable development of the oceans.

On an urgent basis and where possible by 2015, maintain or restore depleted fish stocks to levels that can produce the maximum sustainable yield.

Put into effect the FAO international plans of action by the agreed dates:

- for the management of fishing capacity by 2005; and
- to prevent, deter and eliminate illegal, unreported and unregulated fishing by 2004.

Develop and facilitate the use of diverse approaches and tools, including the ecosystem approach, the elimination of destructive fishing practices, the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012 .

Establish by 2004 a regular process under the United Nations for global reporting and assessment of the state of the marine environment.

Eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to over-capacity. □