3. REGIONAL FISHERY BODIES IN THE INDIAN, INDO-PACIFIC OCEAN

3.1 Asia-Pacific Fishery Commission (APFIC)[107]

The APFIC was established as the Indo-Pacific Fisheries Council by an agreement adopted at Baguio, the Philippines, on 26 February 1948 under Article XIV of the FAO Constitution. The agreement entered into force on 9 November 1948 and was amended in 1952, 1955, 1958, 1961, 1977 and 1993. The 1976 amendment changed the title to the Indo-Pacific Fisheries Commission. The 1993 amendments changed the title to the Asia-Pacific Fishery Commission.

Area of competence

The APFIC carries out its functions and responsibilities in the Asia-Pacific Area. In 1999, the functions of the former Indian Ocean Fishery Commission in the Bay of Bengal were merged into the APFIC (approved by FAO Council Resolution 1/116).

Species

Both marine and inland aquatic resources of the Asia-Pacific Area.

Membership

Membership of the APFIC is open to Member Nations and Associate Members of FAO that accept the agreement. Other States that are Members of the UN, any of its Specialized Agencies or the International Atomic Energy Agency may be admitted as members by a two-thirds majority of the Commission's membership. The current members of the APFIC are: Australia, Bangladesh, Cambodia, China, France, India, Indonesia, Japan, Malaysia, Myanmar, Nepal, New Zealand, Pakistan, Philippines, Republic of Korea, Sri Lanka, Thailand, United Kingdom, United States of America and Viet Nam.

Objectives

The main objective of the APFIC is to promote the full and proper utilization of living aquatic resources of the Asia-Pacific area by the development and management of fishing and culture operations and by the development of related processing and marketing activities in conformity with the objectives of its members. The Commission has a broad mandate (Article IV) to formulate and recommend measures in respect of conservation and management of the resources in the Asia-Pacific area. It does not have regulatory powers.

Implementation of post-UNCED fishery instruments

To implement the Fish Stocks Agreement, the APFIC carried out a review on small pelagic resources in the Asia-Pacific region, and transboundary stocks were identified by the APFIC Working Party on Marine Fisheries in May 1997. The APFIC's activities to implement the IPOA-SHARKS include promoting the development of national shark plans and reviewing the progress of implementation in cooperation with the International Union for Conservation of Nature (IUCN). The APFIC supports reviews on the existing legal framework for management in support of the IPOA-IUU. Such reviews have been carried out in Cambodia, Micronesia (Federated States of), Thailand and, more recently, the Lao People's Democratic Republic.

Regarding the facilitation and emergence of regional agreements and arrangements, the APFIC is an FAO Article XIV body with a clear role to support and encourage the emergence of bilateral, trilateral and other arrangements for the effective management of fisheries among its member countries, and

[107] Refer to the APFIC Web site at <www.apfic.org/>.

particularly within its geographical area of competence. Although the APFIC is competent to act on matters of common interest within the national waters of all its member countries, it does have some specific waters that are considered its main area of competence: the South China Sea and the Bay of Bengal. The APFIC has a strategic interest to facilitate the development of regional arrangements for these two geographic areas.

At present, the APFIC supports three major initiatives: (i) the RPOA for responsible fishing, which includes combating IUU fishing; (ii) the development of the Bay of Bengal Large Marine Ecosystem Project (BOBLME); and (iii) the SEAFDEC initiative for the establishment of an ASEAN–SEAFDEC regional management mechanism and the establishment of an ASEAN roadmap for integration of the fisheries sector.

Addressing specific issues

Since 2004, the APFIC has acted as a regional consultative forum serving its member States on issues affecting the sustainable development of fisheries and aquaculture. Regional partner organizations and relevant NGOs are now more involved in the APFIC's technical working activities, and a major consultative forum is held every two years.

The APFIC has a capacity building function in supporting member countries to address global normative expectations for responsible fisheries as laid out in the Code of Conduct for Responsible Fisheries (the Code). Specifically, the APFIC assists by identifying technical assistance capacity building with members.[108, 109]

In the field of aquaculture, while there are no global agreements beyond the Code of Conduct for Responsible Fisheries Article 9 Aquaculture Development, there are a number of initiatives and issues that have been identified by the COFI Sub-Committee on Aquaculture and the APFIC itself. The APFIC is working with member countries to promote these initiatives.

Emerging priorities for the APFIC include:

- assisting members with developing NPOAs;
- training on implementation of improved port States measures (regional workshops with assistance from FAO headquarters);
- fishery legislation development (ongoing assistance with the Lao People's Democratic Republic);
- fisheries "visioning" workshops to develop longer-term strategic vision of fisheries and their management;
- promoting aquaculture certification and improving feeds for marine fish culture.

[108] The APFIC will assist members with planning for implementation of the following: the UNCLOS (particularly Articles 61–64, 116–119 and 123; the Fish Stocks Agreement; Compliance Agreement; the Code and the SEAFDEC Regional Code of Conduct for Responsible Fisheries (Article 7 in particular); the ASEAN Agreement; the SEAFDEC Regional Scientific Advisory Committee on development of an RFMO; the IPOA-CAPACITY, IPOA-SEABIRDS and IPOA-IUU; access agreements and joint venture arrangements between fishing countries; the RPOA to promote responsible fishing practices (including combating IUU fishing); and the FAO Model Scheme on Port State Measures to Combat IUU Fishing.

[109] Promotion of the Strategy for Improving Information on Status and Trends of Capture Fisheries for aquaculture information; development of a coordinated working party for aquaculture statistics; promoting aquaculture certification; promotion of case studies on better management practices in aquaculture; and regional promotion of improved aquaculture feeds for marine fish culture.

The APFIC coordinates its activities with other RFBs in the region and related environmental agencies including the ASEAN, BOBP-IGO, COBSEA, INFOFISH, IOTC, NACA, PEMSEA, SEAFDEC and WCPFC. Regarding the acceptance of new members, there are ongoing discussions being held with Brunei Darussalam and Maldives.

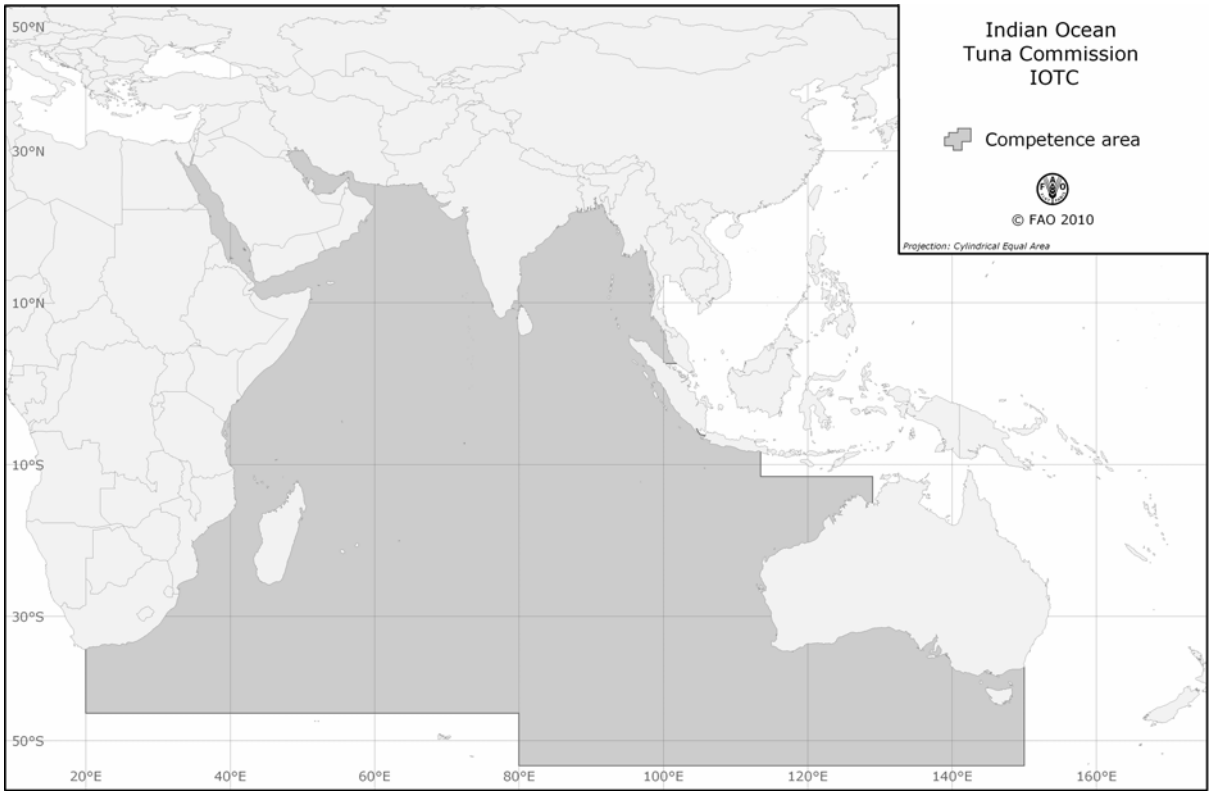
3.2 Indian Ocean Tuna Commission (IOTC)[110]

The IOTC was established by an agreement drawn up in Rome under Article XIV of the FAO Constitution and was adopted by the FAO Council in 1993. The agreement entered into force upon the receipt of the tenth instrument of acceptance by the Director-General of FAO from Republic of Korea on 27 March 1996.

Area of competence

The area of competence of the IOTC (Map 14) is defined as the Indian Ocean and adjacent seas, north of the Antarctic Convergence, in so far as it is necessary to cover such areas for the purpose of conserving and managing stocks that migrate into or out of the Indian Ocean. This area coincides exactly with FAO Statistical Areas 51 and 57.

Map 14
Indian Ocean Tuna Commission (IOTC)



Source: FAO.

Species covered

Tuna and tuna-like species.

[110] Refer to the IOTC Web site at <www.iotc.org/English/index.php>.

Membership

The current members of the IOTC are: Australia, Belize, China, Comoros, Eritrea, European Union, France, Guinea, India, Indonesia, Iran (Islamic Republic of), Japan, Kenya, Madagascar, Malaysia, Mauritius, Oman, Pakistan, Philippines, Republic of Korea, Seychelles, Sierra Leone, Sri Lanka, Sudan, Thailand, United Kingdom, United Republic of Tanzania and Vanuatu. (Cooperating parties: Senegal, South Africa and Uruguay.)

Objectives

The objective of the IOTC is to promote cooperation among its members with a view to ensuring, through appropriate management, the conservation and optimal utilization of stocks covered by the agreement and encouraging sustainable development of fisheries based on such stocks.

The main functions of the IOTC are:

- to keep under review the conditions and trends of the stocks and to gather, analyse and disseminate scientific information, catch and effort statistics and other data relevant to the conservation and management of the stocks and to fisheries based on the stocks covered by the agreement;
- to encourage, recommend and coordinate research and development activities in respect of the stocks and fisheries covered by the agreement, and such other activities as the Commission may decide appropriate, including activities connected with transfer of technology, training and enhancement, having due regard to the need to ensure the equitable participation of members of the Commission in the fisheries and the special interests and needs of members in the region that are developing countries;
- to adopt, on the basis of scientific evidence, conservation and management measures to ensure the conservation of the stocks covered by the agreement and to promote the objective of their optimal utilization throughout the area;
- to keep under review the economic and social aspects of the fisheries based on the stocks covered by the agreement bearing in mind, in particular, the interests of developing coastal States.

Implementation of post-UNCED fishery instruments

The IOTC has planned and ongoing activities: to cooperate with non-contracting parties; to take action against fishing activities by large-scale flag of convenience longline vessels; to establish a list of vessels presumed to have carried out IUU fishing in the IOTC area; to establish a list of vessels that are authorized to fish in the IOTC area; to record of catches in the IOTC area; and to exchange information on the recording of catches by vessels fishing for tunas and swordfish in the IOTC area.

Article III of the Compliance Agreement introduces new obligations on flag States. The IOTC has called for action against flags of convenience, and each flag State must maintain a record of fishing vessels that are entitled to fly its flag on the high seas.

The Fish Stocks Agreement attributes a central role to RFBs, and the IOTC has adopted resolutions in keeping with the principles of Articles II and V thereof. These principles are addressed through those resolutions of the IOTC dealing with: cooperation with non-contracting parties; limitation of fishing effort by non-members; conservation of bigeye and yellowfin tuna in the Indian Ocean; limitation of fishing capacity by contracting parties and cooperating non-contracting parties; criteria to obtain the status of a cooperating non-contracting party; management options for tuna and tuna-like species; conservation of sharks caught in association with fisheries managed by the IOTC; recommendations on sea turtles and seabirds; establishing an IUU fishing vessel list; establishing an authorized vessel list; establishing a VMS programme; limiting fishing capacity; establishing a programme for

transshipment by large-scale fishing vessels; establishing a regional observer programme; and prohibiting the use of large-scale driftnets.

The Code of Conduct for Responsible Fisheries (the Code) calls for collaboration between Members of FAO and RFBs. In addition, within the framework of regional organizations, States should establish effective mechanisms to monitor and control the activities of fishing vessels and ensure the long-term conservation and sustainable use of fishery resources. Article VIII of the Code calls for flag States to maintain records of fishing vessels entitled to fly their flag. These measures have been addressed by IOTC resolutions. Resolution 08/03 deals with reducing the incidental bycatch of seabirds in longline fisheries. Resolutions 06/04 and 08/03 also seek to achieve reductions in levels of seabird bycatch by the deployment of bird scaring lines. Resolution 05/05 concerns the conservation of sharks that are caught in association with fisheries managed by the IOTC, and parties are required to declare their shark catch. The IPOA-CAPACITY is dealt with by a series of IOTC resolutions dealing with number of vessels, catch reduction, and control and inspection schemes among contracting and non-contracting parties. The IPOA-IUU is addressed by resolutions calling for actions against fishing activities by large-scale longline vessels flying flags of convenience; a control and inspection scheme; national observer programmes for tuna fishing; a scheme to promote compliance by non-contracting party vessels with resolutions established by the IOTC; a statistical document programme; measures to prevent the laundering of catches; trade measures; port inspections; management standards for tuna vessels; the authorized vessel list and IUU fishing vessel list; and a VMS programme.

The FAO Strategy for Improving Information on Status and Trends of Capture Fisheries deals with the compilation and dissemination of information on fisheries. A series of IOTC resolutions are in line with this strategy: mandatory statistical requirements; record of vessels; and recording of catches.

The FAO Model Scheme on Port State Measures to Combat IUU Fishing is included through Resolution 05/03, which stresses the importance of prior notification of port entry, restrictions on transshipment of fish, documentation requirements and port inspections, pursuant to the model scheme.

Addressing specific issues

No specific provisions are contained in the IOTC agreement about an explicit implementation of the precautionary approach. A working party on ecosystem and bycatch meets regularly to examine implementation of the EAF including bycatch of other fish, sharks, sea turtles and seabirds. There are no area-based management tools used by the IOTC. Monitoring, control and surveillance is addressed by the record of IUU fishing vessels and the record of authorized vessels. In addition, a VMS is used in all vessels of more than 15 m. In 2009, a regional observer programme was adopted for both industrial and artisanal fisheries. It is executed nationally and coordinated regionally. There is routine sharing of information by the IOTC with other RFMOs.

Fishing capacity has been limited for tropical tunas, swordfish and albacore at the level of registered tonnage of the fleets that were actively fishing in 2006 and 2007. There are provisions for the development of fleets in coastal developing States in accordance with “fleet development plans” that are presented to the Commission, describing the number and type of vessels and a schedule for the implementation of the plan. The IOTC’s scientific committee will review fishing capacity if the proposed “fleet development plans” are implemented.

Since 2002, the IOTC secretariat (with direct support from Japan) has been executing a project to strengthen data collection and processing in the region. The IOTC has provided training in related areas and it has developed specialized software for the management of fisheries. This is supplied free of charge to all interested parties. Regular contacts are maintained with scientists from other RFMOs, including support for their participation at IOTC meetings as invited experts, and IOTC scientists

participate in working groups of other RFMOs. A schedule of meetings is shared among tuna RFMOs to minimize overlap between the organizations. The IOTC is a partner in the CWP and the FIRMS.

In 2009, a panel composed of representatives of six IOTC members, an independent legal expert (who also chaired the proceedings), an independent scientific expert and an observer from an NGO completed a review of the performance of the IOTC member states in fulfilling the mandate of the IOTC. The performance review was conducted based on recommendations at the Kobe meeting, with minor additions. At the last IOTC session, the report was presented to all members, who adopted the recommendations together with a plan for their implementation.

3.3 Network of Aquaculture Centres in Asia and the Pacific (NACA)

The intergovernmental organization of the NACA was established in January 1990 for the purpose of developing sustainable aquaculture in the region.

Area of competence

Aquaculture development (Map 15).

Map 15
Network of Aquaculture Centres in Asia and the Pacific (NACA)

Source: FAO.

Species covered

All species – vertebrates and invertebrates and seaweeds (except salmon).

Membership

The membership comprises 17 governments, which are those of: Australia; Bangladesh; Cambodia; China; China, Hong Kong SAR; Democratic People's Republic of Korea; India; Indonesia; Iran (Islamic Republic of); Malaysia; Myanmar; Nepal; Pakistan; Philippines; Sri Lanka; Thailand; and Viet Nam; and one associate member, which is the SPC.

Objectives

From Article 3 of its agreement, the objectives of the NACA are "to assist the Members in their efforts to expand aquaculture development mainly for the purpose of:

(a) increasing production;
(b) improving rural income and employment;
(c) diversifying farm production; and
(d) increasing foreign exchange earnings and savings."

In order to achieve these objectives, the NACA acts to:

"(a) consolidate the establishment of an expanded network of aquaculture centres to share the responsibility of research, training and information exchange essential to aquaculture development in the region;
(b) strengthen institutional and personal links among national and regional centres through the exchange of technical personnel, technical know-how and information;
(c) promote regional self-reliance in aquaculture development through Technical Cooperation among Developing Countries (TCDC); and
(d) promote the role of women in aquaculture development."

Implementation of post-UNCED fishery instruments

While most of the post-UNCED fishery instruments are not directly relevant to a regional aquaculture network, the Code of Conduct for Responsible Fisheries does contain provisions relating to aquaculture. The NACA has worked in collaboration with FAO, the United Nations Environment Programme, the World Bank and the World Wide Fund for Nature (WWF) regarding better management practices and certification procedures.

Addressing specific issues

The precautionary approach is implemented through best management practices in various aquaculture systems and species – shrimp, catfish farming, coastal cage aquaculture, market access and trade. An EAF is applied to reservoirs and management of inland waterbodies. New entrants may be accommodated as associate members. The present priority area is to enhance competitiveness of small aquaculture farmers.

3.4 Regional Commission for Fisheries (RECOFI)[111]

The RECOFI was established by the FAO Council in 1999 as an international agreement under the aegis of FAO (Article XIV of the FAO Constitution).

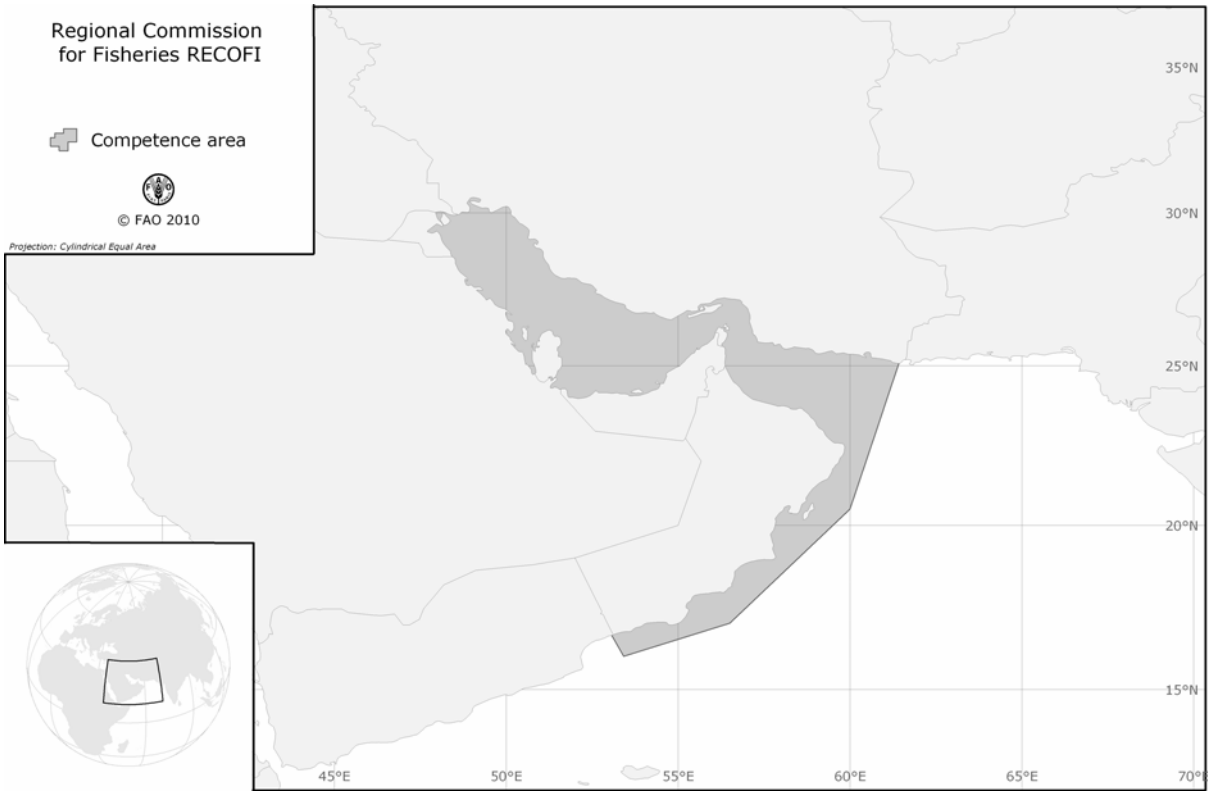
Area of competence

The Persian Gulf and the Gulf of Oman (Map 16).

[111] Refer to the FAO Web site at <www.fao.org/world/regional/rne/statut/region/page57/page57_en.htm>.

The RECOFI carries out its functions and responsibilities in the region, bounded in the south by the following rhumb lines: from Ras Dhabat Ali in 16°39'N, 53°3'30"E, then to a position in 16°00'N, 53°25'E), then to a position in 17°00'N, 56°30'E, then to a position in 20°30'N, 60°00'E), then to Ras Al-Fasteh in 25°04'N, 61°25'E.

Map 16
Regional Commission for Fisheries (RECOFI)



Source: FAO.

Species covered

All fisheries resources in the area of competence of the RECOFI, with the exception of internal waters. In addition to capture fisheries, the RECOFI pursues the sustainable development of aquaculture, and a regional aquaculture information system has been developed.

Membership

The current members of the RECOFI are: Bahrain, Iran (Islamic Republic of), Iraq, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.

Objectives

The objectives of the RECOFI are to promote the development, conservation, rational management and best utilization of living marine resources as well as the sustainable development of aquaculture in its area of competence.

On capture fisheries, a working group on fisheries management is developing a regional strategy for the use of fisheries statistics at the regional level. Actions are being taken to address the issues of regional stock status reporting and port State measures to combat IUU fishing. On aquaculture, a proposal for a regional programme for aquatic animal health has been elaborated. In addition, guidelines for the sustainable development of marine cage culture in the RECOFI region will be formulated.

Implementation of post-UNCED fishery instruments

The RECOFI does not currently have specific ongoing or planned activities to implement the Compliance Agreement, the Fish Stocks Agreement or the four IPOAs. The establishment of a working group on fisheries management and the regional aquaculture information system are actions seen as complying with the Code of Conduct for Responsible Fisheries. Actions are being taken to improve stock status reporting in conformity with the FAO Strategy for Improving Information on Status and Trends of Capture Fisheries. A planned workshop will deal with port State measures to combat IUU fishing.

Addressing specific issues

The RECOFI has no ongoing or planned activities to implement the precautionary approach, an EAF or area-based management tools. The issue of IUU fishing will be addressed by the planned regional workshops on port State measures. The management of fleet capacity is being contemplated through regional strategies. Information tools are currently being conceived and developed for fishery landing statistics. The RECOFI is strengthening its cooperation with the GFCM. To strengthen its institutional capacity, steps are being taken to increase awareness of the RECOFI's mandate and powers. New entrants into the RECOFI are accommodated where a non-member country exploits a shared fishery resource (e.g. Yemen), and they are invited to attend plenary sessions as observers.

3.5 South West Indian Ocean Fisheries Commission (SWIOFC)[112]

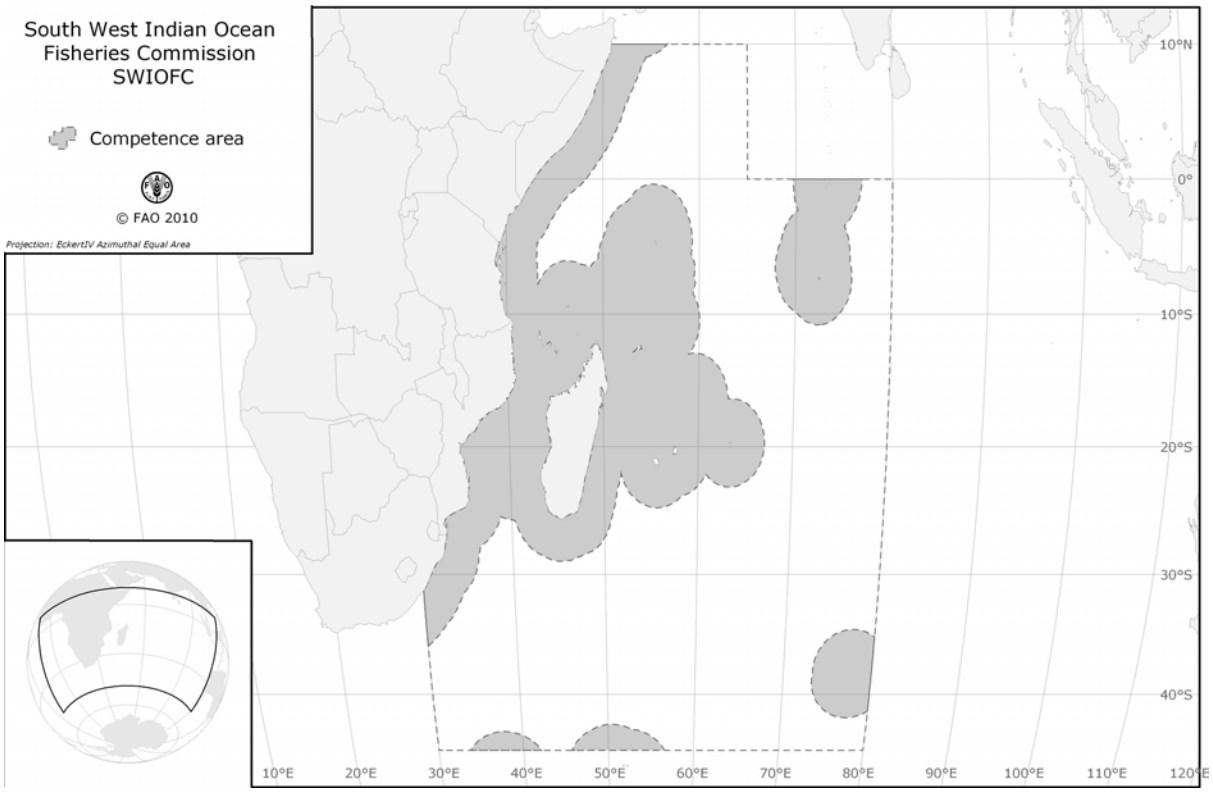
The SWIOFC was established in 2004 by Resolution 1/127 of the FAO Council under Article VI 1 of the FAO Constitution. Its rules of procedures were adopted by the Commission at its first session in 2005.

Area of competence

The South West Indian Ocean (Map 17).

[112] Refer to the FAO Web site at <www.fao.org/fishery/rfb/swiofc/en>.

Map 17
South West Indian Ocean Fisheries Commission (SWIOFC)



Source: FAO.

Species covered

All living marine resources without prejudice to the management and responsibilities and authority of other competent fisheries and other living marine resources management organizations or arrangements in the area of competence.

Membership

The SWIOFC is composed of such Members and Associate Members of FAO that are coastal States whose territories are situated wholly or partly within the area of the Commission and that notify in writing to the Director-General their interest in becoming a member of the Commission. The current members of the SWIOFC are: Comoros, France, Kenya, Madagascar, Maldives, Mauritius, Mozambique, Seychelles, Somalia, South Africa, United Republic of Tanzania and Yemen.

Objectives

The main objective of the SWIOFC is to promote the sustainable utilization of the living marine resources of the South West Indian Ocean region by the proper management and development of the living marine resources, without prejudice to the sovereign rights of coastal States, and to address common problems of fisheries management and development faced by the members of the Commission. The Commission has due regard for, and promotes, the application of the provisions of the Code of Conduct on Responsible Fisheries, including the precautionary approach and the ecosystem approach to fisheries management.

4. REGIONAL FISHERY BODIES IN THE PACIFIC OCEAN

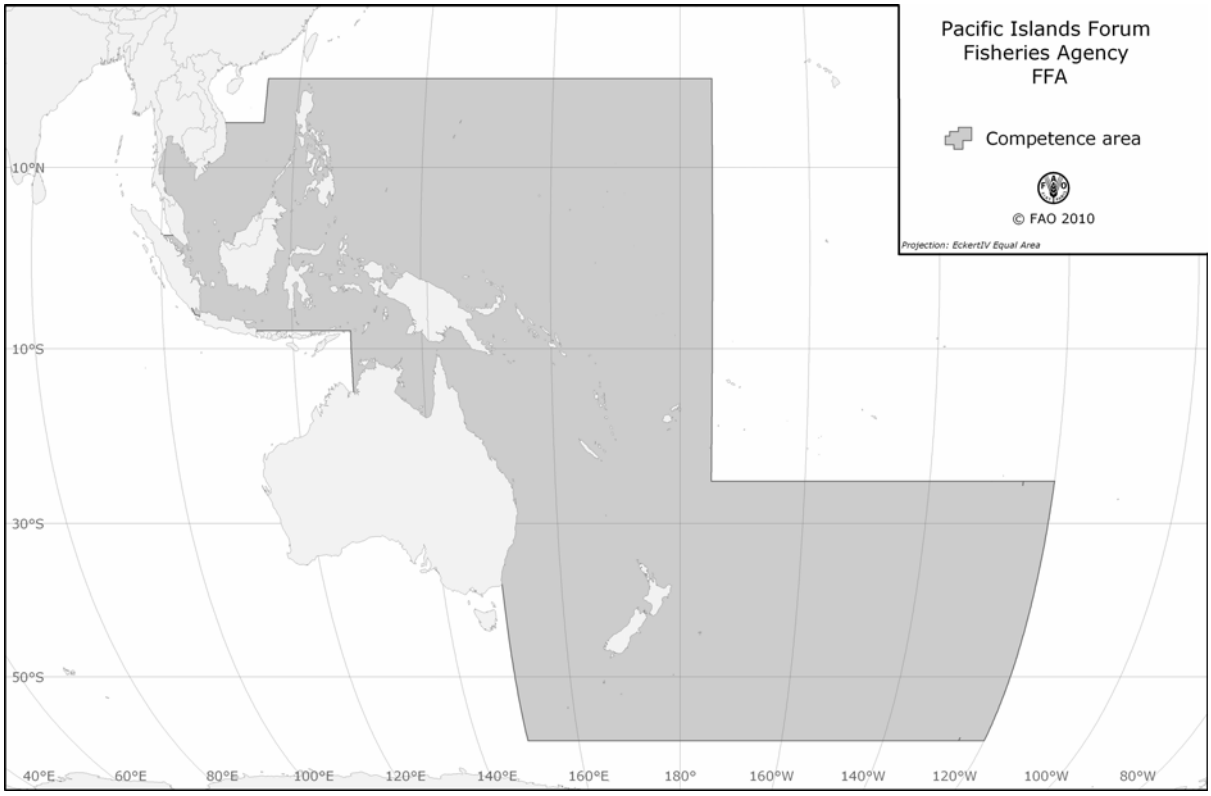
4.1 Pacific Islands Forum Fisheries Agency (FFA)[113]

The FFA was established by the South Pacific Forum Fisheries Agency Convention, which was signed in Honiara, Solomon Islands, on 10 July 1979.

Area of competence

To provide technical assistance and advice to its members on matters relating to sustainable management and development of the region's tuna fisheries resource. There is no precise definition of this area, but it coincides (Map 18) with FAO Statistical Areas 71 and 81.

Map 18
Pacific Islands Forum Fisheries Agency (FFA)



Source: FAO.

Species covered

Skipjack tuna, yellowfin tuna, bigeye tuna, albacore tuna, stripped marlin and swordfish.

Members

There are 17 member countries of the FFA: Australia, Cook Islands, Fiji, Kiribati, Marshall Islands, Micronesia (Federated States of), Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu.

[113] Refer to the FFA Web site at <www.ffa.int/>.

Objectives

The FFA was established to help countries sustainably manage their fishery resources that fall within their 200 mile EEZs. The FFA is an advisory body providing expertise, technical assistance and other support to its members who make sovereign decisions about their tuna resources and participate in regional decision-making on tuna management through agencies such as the WCPFC. Since 1979, the FFA has facilitated regional cooperation so that all Pacific countries benefit from the sustainable use of tuna – worth more than US$3 billion a year and important for many people's livelihoods in the Pacific. The mission statement of the FFA is: "To enable Member Countries to manage, conserve and use the tuna resources in their Exclusive Economic Zones and beyond, through enhancing national capacity and strengthening regional solidarity."

Implementation of post-UNCED fishery instruments

The FFA has integrated the Compliance Agreement into the FFA minimum terms and conditions for implementation within each EEZ of the member countries. The provisions of the Fish Stocks Agreement are reflected in the FFA legislative framework for its member countries. The Code of Conduct for Responsible Fisheries is also integrated into the FFA minimum terms and conditions for implementation within EEZs of FFA member countries. On the IPOAs for seabirds and sharks, the FFA is conducting ongoing activity for member States to develop their own NPOAs. The IPOA-CAPACITY is addressed through the FFA vessel day scheme – a scheme where vessel owners can purchase and trade days fishing at sea. The IPOA-IUU is covered under the FFA regional MCS strategy. The FAO Strategy for Improving Information on Status and Trends of Capture Fisheries and the FAO Model Scheme on Port State Measures are both integrated into the FFA minimum terms and conditions for implementation within EEZs of FFA member countries.

Addressing specific issues

The precautionary approach is implemented in the conservation and management measures for tuna resources within the EEZs of FFA member countries. An EAF is a prerequisite for a review of national tuna management plans. Regarding the establishment of area-based management tools, the FFA members have placed a proposal before the WCPFC for the closure of high-seas fishing operations. Monitoring, control and surveillance is addressed by the FFA minimum terms and conditions for implementation within the EEZs of member States. The FFA regional vessel register for foreign fishing vessels operating within the EEZs of its member States requires foreign fishing vessels to have on board an FFA-approved VMS. Initiatives to strengthen cooperation and coordination with other RFBs are demonstrated in the linkages with the WCPFC and the memorandum of understanding with the SPC. The FFA has acted to strengthen its institutional capacity by a series of initiatives including the FFA 20/20 Strategic Plan, a three-year business plan, and the FFA rules of procedures, financial regulations and appraisal procedures. A final issue that is a priority for the FFA is the development aspirations of its member countries.

4.2 Inter-American Tropical Tuna Commission (IATTC)[114]

The IATTC was created by the Convention for the Establishment of an Inter-American Tropical Tuna Commission and signed by the Governments of Costa Rica and the United States of America in Washington, United States of America, on 31 May 1949. The convention entered into force on 3 March 1950. In 2008, the IATTC convention was updated and replaced by the Antigua Convention.[115]

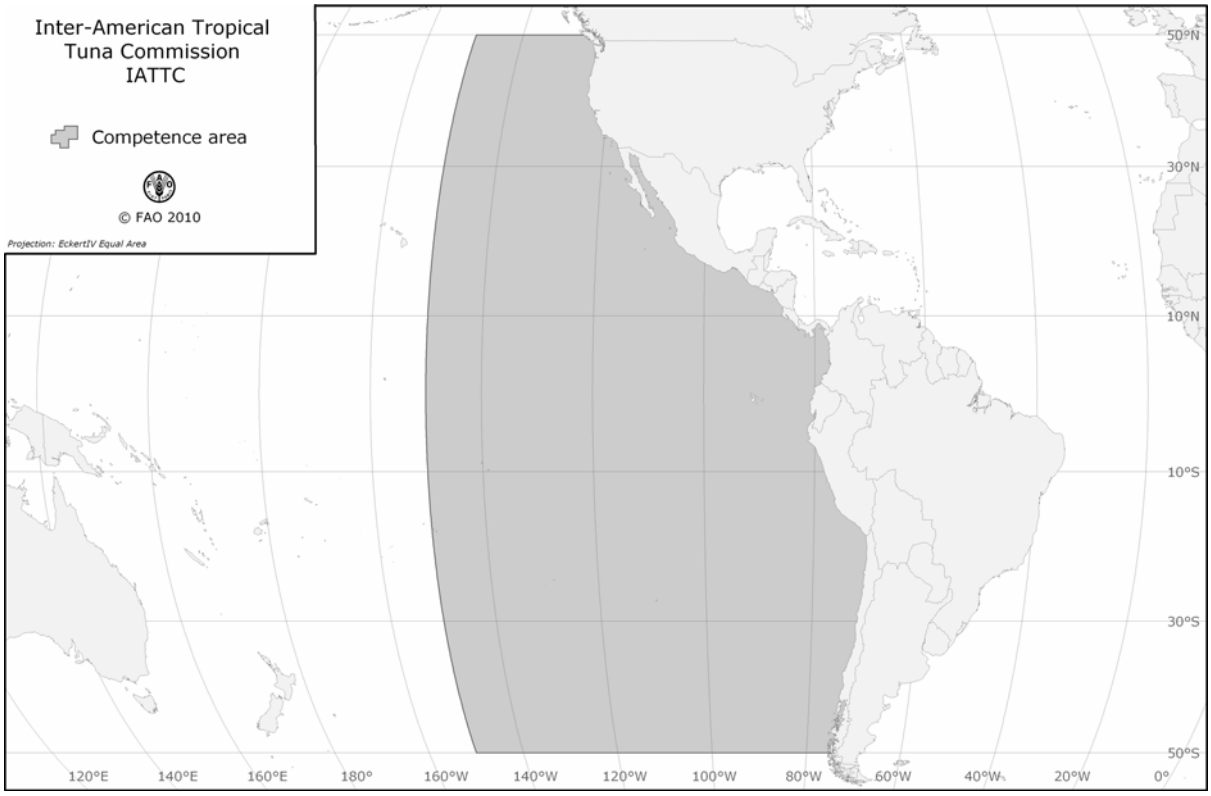
[114] Refer to the IATTC Web site at <www.iattc.org/>.
[115] The text of the Antigua Convention can be found at <www.iattc.org/IATTCdocumentationENG.htm>.

Area of competence

From Article III of the Antigua Convention, the area of competence of the IATTC (Map 19) comprises the area of the Pacific Ocean bounded by the coastline of North, Central and South America and by the following lines:

(i) the 50°N parallel from the coast of North America to its intersection with the 150°W meridian;
(ii) the 150°W meridian to its intersection with the 50°S parallel; and
(iii) the 50°S parallel to its intersection with the coast of South America.

Map 19
Inter-American Tropical Tuna Commission (IATTC)



Source: FAO.

Species covered

The species covered by the IATTC are all tunas and tuna-like species and other species of fish that are taken by vessels fishing for tuna and tuna-like species in the convention area.

Membership

Membership is open to any States whose nationals participate in fisheries in the IATTC convention area, provided that the contracting parties give their unanimous consent. The current members of the IATTC are Colombia, Costa Rica, Ecuador, El Salvador, France, Guatemala, Japan, Mexico, Nicaragua, Panama, Peru, Republic of Korea, Spain, United States of America, Vanuatu and Venezuela (Bolivarian Republic of). In addition, Belize, Canada, China, Cook Islands, European Union and Taiwan Province of China are cooperating non-parties or cooperating fishing entities.

Objective

Article II of the Antigua Convention provides that the objective of the IATTC is to ensure the long-term conservation and sustainable use of the fish stocks covered by this convention in accordance with the relevant rules of international law.

Implementation of post-UNCED fishery instruments

The IATTC has no plans to implement the Compliance Agreement.

Regarding the Fish Stocks Agreement, very few IATTC members are parties to it. While the Commission has no plans to implement the Fish Stocks Agreement, several of its provisions, such as transparency and the precautionary approach, have been incorporated into the work of the Commission.

On the Code of Conduct for Responsible Fisheries (the Code), the Commission has acted and continues to act to implement and promote the key provisions of the Code. The IATTC management programme is consistent with the principles elaborated in the Code.

The implementation of the IPOAs is a priority area for the IATTC. Since 2005, the IATTC has implemented a resolution on incidental mortality of seabirds, which includes all parties being encouraged to implement NPOAs, and improved data collection for all interactions with seabirds. Since 2003, the IATTC has implemented a resolution to protect sharks, including: encouraging members to implement NPOAs; retaining all catches of sharks for full utilization; prohibition of trading in fins that are harvested in contravention of the resolution; encouraging the release of sharks, especially juveniles; and improved data collection on sharks. On the IPOA-CAPACITY, the IATTC has developed a plan of action for the regional management of tuna fishing capacity (the EPO Plan) that complies with both the IPOA and the Code – Article 2(d). The objective of the EPO Plan is to achieve an efficient, equitable and transparent management of fishing capacity. For the IPOA-IUU, the IATTC has developed the following actions in order to prevent IUU fishing: a publicized list of IUU fishing vessels; transmission of this list to other RFMOs; a VMS for vessels of 24 m or more; an authorized fishing vessel list; and a resolution for the application of trade sanctions for fish caught in contravention of IATTC measures.

Regarding the FAO Strategy for Improving Information on Status and Trends of Capture Fisheries, the IATTC collects catch and effort data for fishing both within and beyond areas of national jurisdiction, including bycatch and discards. The IATTC is a partner in the FIRMS.

Addressing specific issues

The Antigua Convention calls upon the IATTC to "promote the application of any relevant provision of the Code of Conduct" and this includes the precautionary approach, which is incorporated in Article VII (1) (m) of the convention. Similarly, Article VII (1) (a) promotes principles of an EAF. Area-based management tools include a closed season of six weeks for fishing by purse seine vessels, plus TACs for bigeye catches by longline vessels.

The MCS/VMS measures to address IUU fishing include: observers on 100 percent of fishing trips by purse seine vessels; VMS on vessels of 24 m or more; an international review panel to review observer reports every six months and to sanction any fleets not operating in accordance with the agreement; an IUU fishing vessel list and an authorized vessel list and dissemination to other RFMOs of these same lists; and trade sanctions for fish caught in contravention of IATTC measures. Issues of fleet capacity are addressed by the EPO Plan (above).

Resolution C-03-05 is aimed at the IATTC obtaining comprehensive information on all catches for any species, and this information is made available on its Web site. Other mechanisms provide for

exchange of information with other RFMOs, e.g. the WCPFC. Article XXIV of the Antigua Convention relates to cooperation with other organizations or arrangements.

The Antigua Convention was negotiated to strengthen the institutional capacity of the IATTC. New members may join the Commission.

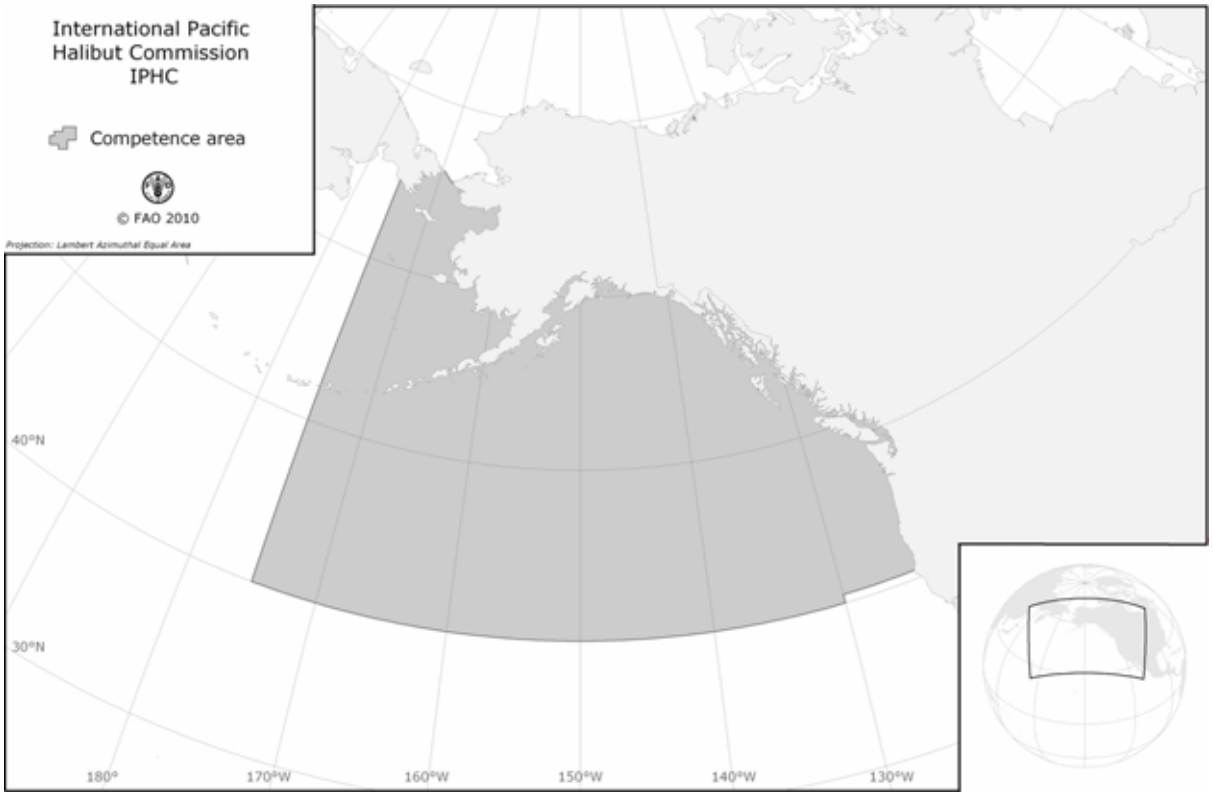
4.3 International Pacific Halibut Commission (IPHC)[116]

The IPHC was established by the Convention for the Preservation of the Halibut Fishery, signed in Washington, United States of America, on 2 March 1923. The convention was amended in 1930 and 1937. A new convention between Canada and the United States of America for the preservation of the halibut fishery of the Northern Pacific Ocean and Bering Sea was signed in Ottawa, Canada, on 2 March 1953 and entered into force on 28 October 1953. When the two countries extended their fishery jurisdictions, a protocol amending the convention was signed in Washington, United States of America, on 29 March 1979 and entered into force on 15 October 1980.

Area of competence

The convention covers the "convention area", defined as the waters off the west coasts of Canada and the United States of America, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which either party exercises exclusive fisheries jurisdiction. Maritime areas include, without distinction, areas within and seaward of the territorial sea or internal waters of the parties. This area (Map 20) coincides with FAO Statistical Area 67.

Map 20
International Pacific Halibut Commission (IPHC)



Source: FAO.

[116] Refer to the IPHC Web site at <www.iphc.washington.edu/halcom/default.htm>.

Species covered

The species covered by the convention is Pacific halibut (*Hippoglossus stenolepis*), which is found in the convention area.

Membership

Membership is limited to Canada and the United States of America. The convention is not open to other States.

Objectives

The objectives of the convention are the preservation of the halibut fishery of the Northern Pacific Ocean and Bering Sea. The main functions of the Commission are to conduct scientific studies relating to the Pacific halibut biology and fishery, as well as to formulate regulations designed to develop the stocks of Pacific halibut to those levels that permit optimal utilization. The Commission has regulatory powers and sets the TAC of halibut in the convention area.

Implementation of post-UNCED fishery instruments

The Compliance Agreement is not an issue for the IPHC. On the Fish Stocks Agreement, the IPHC convention predates the agreement and the provisions of the Fish Stocks Agreement are already implemented into IPHC provisions. The Code of Conduct for Responsible Fisheries is addressed by IPHC control of bycatch mortality for non-target species. There are also partial observers (United States of America) and comprehensive electronic monitoring (Canada) of halibut fishing provisions. The IPOA-SEABIRDS is addressed through mandatory regulations that require deployment of bird avoidance devices during halibut fishing. Shark bycatch has been the subject of cooperative research between universities and domestic fishery management agencies. Some species are caught incidentally while fishing for halibut, and although survival of sharks is high, information on their distribution and abundance is limited. Neither excess fishing capacity nor IUU fishing are issues for Pacific halibut management. Regarding the FAO Strategy for Improving Information on Status and Trends of Capture Fisheries, the IPHC maintains comprehensive statistical and biological sampling (including electronic reporting) of the halibut fisheries.

Addressing specific issues

On the implementation of the precautionary approach, the IPHC conducts ongoing research into harvest policy in order to define appropriate threshold and limit reference points for management. Management policy implements both reference points. On the implementation of an EAF, the Commission utilizes information on the dynamics of species co-occurring with Pacific halibut.

The Commission respects contracting party area-based management tools, and temporal closures are also used to avoid fish during transboundary movements.

Data collection and dissemination for halibut fisheries is integrated for the contracting parties through the IPHC.

The Commission cooperates with other RFBs through the FAO framework.

4.4 North Pacific Anadromous Fish Commission (NPAFC)[117]

The NPAFC was established by the Convention of Anadromous Stocks in the North Pacific Ocean, which was signed in Moscow on 11 February 1992 and entered into force on 16 February 1993. It

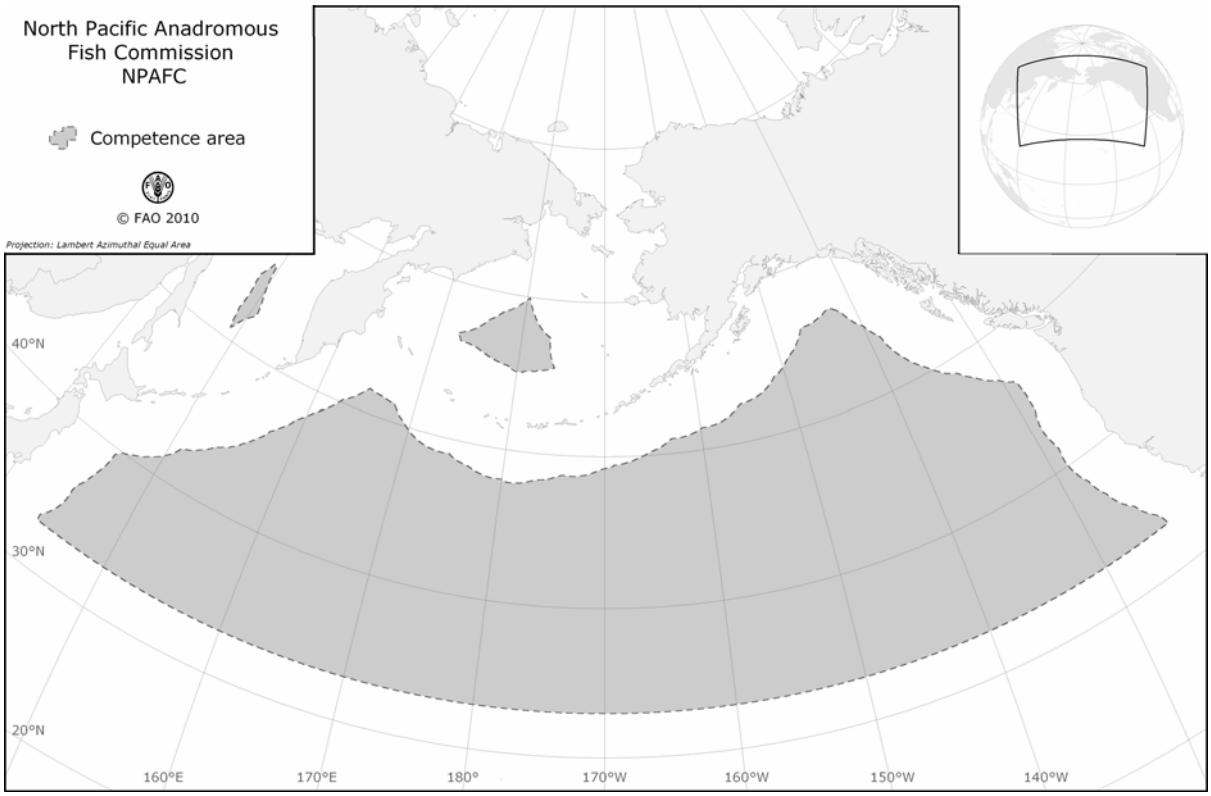
[117] Refer to the NPAFC Web site at <www.npafc.org/new/index.html>.

replaced the International Convention for the High Seas Fisheries of the North Pacific, which had been in force since 1952.

Area of competence

The area of competence of the NPAFC (Map 21), referred to as the convention area, is defined as the waters of the North Pacific Ocean and its adjacent seas, north of 33°N beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. It is understood that activities under the convention, for scientific purposes, may extend further southward in the North Pacific Ocean and its adjacent seas. The convention area coincides with FAO Statistical Areas 61 and 67 and part of 77.

Map 21
North Pacific Anadromous Fish Commission (NPAFC)



Source: FAO.

Species covered

The species covered by the NPAFC are: chum salmon, coho salmon, pink salmon, sockeye salmon, Chinook salmon, cherry salmon, and steelhead trout.

Membership

The current members of the NPAFC are: Canada, Japan, Republic of Korea, Russian Federation and United States of America. The convention is not open to other States, but other States may accede to it at the invitation of the original parties by unanimous agreement.

Objectives

The main objectives of the convention are to prohibit directed high-seas fishing for North Pacific salmon and to limit strictly the incidental taking of Pacific salmon. The parties may take action individually or collectively to prevent unauthorized fishing activities by others and prevent trafficking in illegally harvested Pacific salmon. Decisions of the NPAFC on all important matters are taken by consensus among all parties that are States of origin of anadromous stocks that migrate into the convention area.

Implementation of post-UNCED fishery instruments

As the convention prohibits direct fishing of the target species in the convention area, the "fisheries management" and "fishing operations" portions of the Code of Conduct for Responsible Fisheries are not among the NPAFC's mandates, although the same prohibition is evidence of an application of the precautionary approach by prohibiting the commercial fishing operations of its target species in the convention area. Regarding "fisheries research", coordination of scientific research among the parties is one of the NPAFC's mandates.

The Commission has expressed problems with IUU fishing, and each party of the Commission must take all necessary measures to ensure that its nationals and fishing vessels comply with the provisions of the convention. In 1993–2007, the cooperative enforcement efforts of the NPAFC parties resulted in the detection of 41 vessels conducting directed driftnet fishing operations for salmon in the convention area. Of those vessels, 16 were apprehended.

Many other post-UNCED fishery instruments (the Fish Stocks Agreement, the Compliance Agreement, and the IPOAs on seabirds, sharks and fishing capacity), are not applicable.

Addressing specific issues

As noted above, the precautionary approach is implemented.

On MCS and VMS to address IUU fishing, in 2004–07, a new integrated information system was developed. This system allows the parties to keep all electronic information about illegal or suspected vessels in the convention area on a closed Web site. Since 2006, an annual joint enforcement plan of the parties has been in force. It is a comprehensive plan resulting from the cooperative efforts of all the parties that includes patrol vessel and aircraft surveillance of the convention area throughout the high-threat season. An enforcement symposium, "Patrol tactics, planning and execution of enforcement in the NPAFC Convention Area", was held in 2006. The purpose of the symposium was to bring together enforcement professionals from each of the parties to share lessons learned and best practices from the respective agencies. In 2007, the NPAFC initiated a programme of cooperation with the WCPFC and the North Pacific Coast Guard Forum, which resulted in the first North Pacific IUU Tripartite Meeting in February 2008 in Vancouver, Canada.

Scientific cooperation and coordination of data occurs with the PICES and the NASCO.

A performance review of the NPAFC was planned for late 2009.

Regarding new entrants to the Commission, Taiwan Province of China has been cooperatively participating in enforcement discussions/activities at the NPAFC annual meetings in an observer capacity.

4.5 Pacific Salmon Commission (PSC)[118]

The PSC was established by treaty between the Government of Canada and the Government of the United States of America concerning Pacific salmon, signed in Ottawa, Canada, on 28 January 1985 and entered into force on 18 March 1985. The annexes to the treaty were revised in 1999.

Area of competence

The area of competence of the PSC (Map 22) consists of the EEZs of Canada (Pacific coast) and the United States of America (Pacific and Northwest coasts), and adjacent river systems.

Map 22
Pacific Salmon Commission (PSC)

Source: FAO.

Species covered

The treaty covers all Pacific salmon stocks and takes into account the conservation of steelhead trout.

Membership

Membership of the PSC is not open to other States. The membership consists of Canada and the United States of America.

[118] Refer to the PSC Web site at <www.psc.org/>.

Objectives

The main objectives of the treaty are the conservation and rational management of Pacific salmon stocks and the promotion of optimal production of such stocks and the cooperation in the management, research and enhancement of Pacific salmon stocks. The PSC is a 16 person body with four commissioners representing the interests of commercial and recreational fisheries, as well as federal, state and tribal governments. Four panels (the Southern, Northern, Transboundary and Fraser River panels) provide technical and regulatory advice to the Commission.

Implementation of post-UNCED fishery instruments

The PSC agreement provides for policies that are implemented by the two parties, and therefore implementation of post-UNCED fishery instruments is not applicable.

Addressing specific issues

The PSC notes that it is engaging in ongoing activities to implement the precautionary approach, an EAF, area-based management tools, fleet capacity, the collection and dissemination of fisheries data, and initiatives to strengthen cooperation with other RFBs.

4.6 South Pacific Regional Fisheries Management Organisation (SPRFMO)[119]

The international consultations on the proposed SPRFMO concluded with the adoption of the Convention on the Conservation and Management of the High Seas Fishery Resources of the South Pacific Ocean in Auckland, New Zealand, on 14 November 2009. The convention opened for signature on 1 February 2010 and will remain open for 12 months. It will enter into force 30 days after the deposit of the eighth instrument of ratification, accession, acceptance or approval (of which three must be coastal States and three non-coastal States). If after three years of its adoption the convention has not entered into force, six months after the deposit of the tenth instrument of ratification, accession, acceptance or approval shall bring it into force.

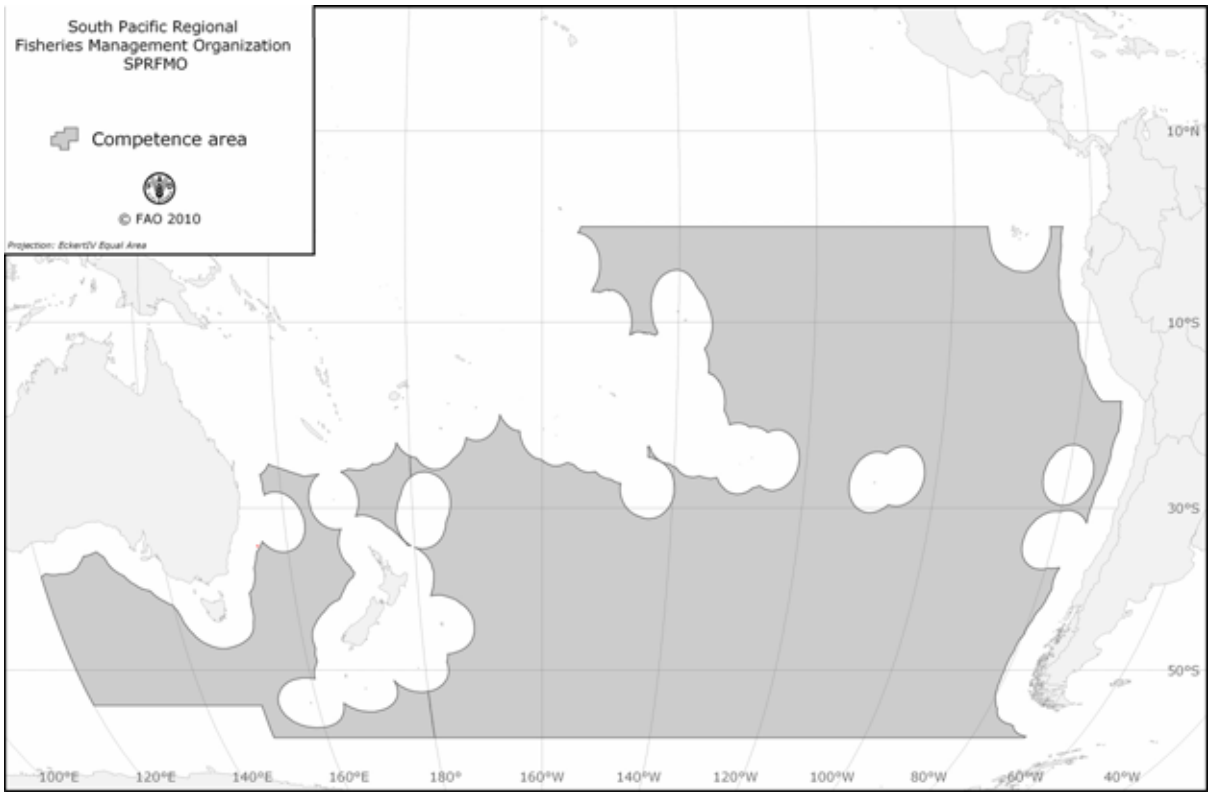
When the convention enters into force, the gap that exists in the international conservation and management of non-highly migratory fisheries and protection of biodiversity in the marine environment extending from the most eastern part of the South Indian Ocean through the Pacific towards the EEZs of South America will be closed.

Area of competence

High-seas parts of the South Pacific Ocean are not currently covered by an organization with a mandate to conserve and manage non-highly migratory fisheries in the region. The area where this gap exists spans across five FAO Statistical Areas, including the eastern part of FAO Statistical Area 57, all of FAO Statistical Area 81 and a large part of FAO Statistical Area 87. It also covers the southern part of FAO Statistical Areas 71 and 77. Participants in the consultations have agreed that the new RFMO should cover high-seas areas of the South Pacific as set out below (Map 23). The area of coverage will be finalized through the international consultation process. At present, the western boundary should abut the eastern boundary of the proposed convention area to be established under the Southern Indian Ocean Fisheries Agreement (i.e. 120°E). The southern boundary should abut the northern boundary of the convention area of the CCAMLR (i.e. 55°S – between 120°E and 150°E; and 60°S – east of 150°E). The eastern boundary should abut the outer limit of the maritime jurisdictions of South American states. The northern boundary has not yet been agreed; however, for the purposes of the interim measures agreed at the Reñaca meeting, the northern boundary is the equator.

[119] Refer to the SPRFMO Web site at <www.southpacificrfmo.org/>.

Map 23
South Pacific Regional Fisheries Management Organization (SPRFMO)



Source: FAO.

Species covered

All species except highly migratory species.

Given the vastness and great depth of much of the South Pacific Ocean, research into the biodiversity of the high seas of the South Pacific Ocean is still in its infancy. Fine muddy sediments made up of a variety of foraminiferans (microscopic single-celled, shelled, animals) dominate the deep ocean floor. Echinoderms (sea-urchins, sea-stars, brittle-stars, sea-cucumbers, and crinoids) dominate the abyssal depths (3 000–6 000 m). At shallower depths, the seamounts, banks and ridges are dominated by bottom invertebrates such as lobsters and crabs, and fish living near the bottom, for example orange roughy and alfonsino. Above the sea, there are various species of seabirds that spend a substantial part of their lives foraging in the marine environment of the South Pacific Ocean.

Knowledge of the distribution and extent of commercial fishing in the South Pacific Ocean high seas is limited. Exploratory and targeted commercial fishing is thought to have taken place in the area since at least the 1970s.

Commercial fisheries tend to have been concentrated in areas of higher productivity where there is upwelling of nutrients, often associated with seamounts and ridges. Seamounts and ridges are also the only places shallow enough to bottom fish. Although there are numerous seamount and ridge systems in the South Pacific high seas, only the prominent appear to have been fished to any extent: the Lord Howe Rise, the South Tasman Rise, and the Louisville Ridge. There are closely related fish species, and species in common, across all these features.

South Pacific high-seas fisheries can be categorized into benthic (mainly invertebrate species that live on the seafloor), demersal (mainly fish, close to the seafloor), and pelagic (mainly fish and prawns, at the surface and in the midwater). Commercial fishing for benthic and demersal species is restricted to a depth of about 1 500 m. Dominant demersal finfish fished commercially include orange roughy, oreos, alfonsino and bluenose. Pelagic fishing takes place irrespective of depth, but tends to be associated with upwelling of nutrients. The dominant pelagic species fished commercially is jack mackerel.

Fishing methods currently used include pelagic trawling, bottom trawling, pelagic longlining, bottom longlining and potting.

Membership

The convention was only concluded at the time of writing this publication. There are no members as yet. However, the question of membership did arise in preparatory meetings to establish the SPRFMO and the following principles were endorsed:

1. To ensure that the RFMO operates effectively in achieving its objective, including the promotion of responsible fisheries practices, it is important that its membership includes all coastal States and States and entities fishing species covered by the RFMO in its area of application. It is also important that mechanisms are established to accommodate the interests of new entrants, taking into account the requirement of a real interest and the requirements of developing States. If membership is not sufficiently broad, there is a risk that conservation and management measures could be undermined and the incentives for all who fish in the South Pacific Ocean to comply with the measures could be reduced.
2. It may be appropriate to establish specific provisions for cooperating non-parties to the Commission so that non-parties can assist in the effective implementation of measures, e.g. port State or market State measures.
3. Consideration should be given to the development of provisions in relation to recognition of the special requirements of developing States consistent with the UNCLOS and the Fish Stocks Agreement.
4. To promote transparency and to broaden the advice on which decisions are based, consideration should also be given to promoting participation, in an observer capacity, of fishing industry, relevant NGOs and intergovernmental organizations in meetings.[120]

Objectives

From Article 2 of the convention, the objective of the convention is that through the application of the precautionary approach and an EAF, the SPRFMO will ensure the long-term conservation and sustainable use of fishery resources and, in so doing, will safeguard the marine ecosystems in which these resources occur.

Implementation of post-UNCED fishery instruments

All instruments will be implemented after the convention comes into force.

Addressing specific issues

As noted above, both the precautionary approach and an EAF are incorporated into Article 2 of the convention. Although the convention has not yet come into force, there are interim measures in place to deal with bottom fishing. These interim measures are based on an EAF and they will further

[120] Document No. SP/01/Inf6 First International Meeting on the Establishment of the South Pacific Regional Fisheries Management Organisation, Wellington, New Zealand, 14 – 17 February 2006. <www.southpacificrfmo.org/assets/1st-International-Meeting/Governance%20principles.doc>.

involve both spatial closures and restrictions on fleet capacity. Data standards are in place and data are already being collected and disseminated.

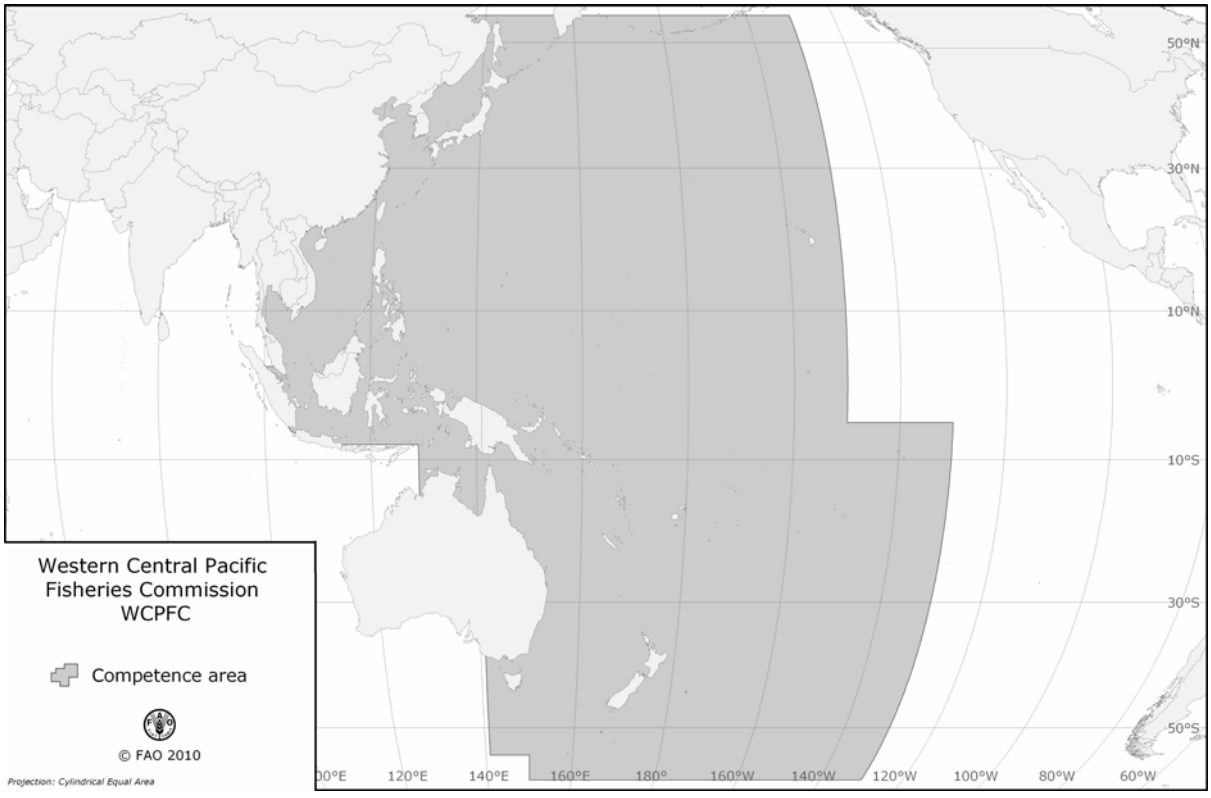
4.7 Western and Central Pacific Fisheries Commission (WCPFC)[121]

The WCPFC was established by the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPF Convention), which entered into force on 19 June 2004.

Area of competence

The convention area (Map 24) is defined in Article 3 of the convention and comprises all waters of the Pacific Ocean bounded to the south and to the east by a line drawn from the south coast of Australia due south along the 141°E meridian to its intersection with the 55°S parallel; thence due east along the 55°S parallel to its intersection with the 150°E meridian; thence due south along the 150°E meridian to its intersection with the 60°S parallel; thence due east along the 60°S parallel to its intersection with the 130°W meridian; thence due north along the 130°W meridian to its intersection with the 4°S parallel; thence due west along the 4°S parallel to its intersection with the 150°W meridian; thence due north along the 150°W meridian.

Map 24
Western Central Pacific Fisheries Commission (WCPFC)



Source: FAO.

[121] Refer to the WCPFC Web site at <www.wcpfc.int/>.

Species covered

The convention applies to all species of highly migratory fish stocks (defined as all fish stocks of the species listed in Annex I of the 1982 convention occurring in the convention area and such other species of fish as the WCPFC may determine) within the convention area, except sauries.

Membership

The current members of the WCPFC are: Australia, Canada, China, Cook Islands, European Union, Fiji, France, Japan, Kiribati, Marshall Islands, Micronesia (Federated States of), Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Solomon Islands, Taiwan Province of China, Tonga, Tuvalu, United States of America and Vanuatu.

Participating territories are: American Samoa, French Polynesia, Guam, New Caledonia, Northern Mariana Islands, Tokelau and Wallis and Futuna Islands.

Cooperating non-members are: Belize, El Salvador, Indonesia, Mexico and Senegal.

Objectives

From Article 2 of the convention: "The objective of the Convention is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement." The functions of the WCPFC are listed in Article 10 of the convention.

Implementation of post-UNCED fishery instruments

The Compliance Agreement is a flag State responsibility, but many of its provisions have been incorporated into the WCPFC convention and its subsequent decisions. The Fish Stocks Agreement is the anchor of the WCPFC convention and the instrument on which many of the WCPFC provisions are based. The activities of the WCPFC are broadly compatible with the Code of the Conduct for Responsible Fisheries.

The IPOA-SEABIRDS is implemented through Conservation and Management Measure (CMM 2007-04). The IPOA-SHARKS is implemented through Conservation and Management Measure (CMM 2006-05). The IPOA-CAPACITY is implemented through several resolutions that aim to limit capacity growth. The IPOA-IUU is implemented through Conservation and Management Measure (CMM 2007-03).

In 2007, the Commission adopted revised requirements and procedures for scientific data to be provided to the Commission.

The port States measures scheme is under consideration.

Addressing specific issues

The precautionary approach is explicitly referred to in the preamble of the conservation and management measures adopted for target stocks and non-target, incidental or dependent species. The EAF is actively advanced through an ecosystems risk assessment activity being undertaken under the science function of the WCPFC. In addition, the scientific committee supports an ecosystems and bycatch special working group.

Area-based MPAs, particularly for high-seas enclaves, are being considered.

An integrated MCS programme including VMS, an observer programme, transshipment verification, port State measures, catch documentation and IUU procedures are being actively advanced at the WCPFC.

The Commission maintains a record of fishing vessels, which includes details of fleet capacity. Some members of the Commission oppose restricting fleet capacity as they would prefer to promote competition through the implementation of a vessel day scheme.

The WCPFC is investigating data gaps in the Commission.

The WCPFC maintains formal memoranda of understanding with the CCAMLR, CCSBT, FFA, IATTC, IOTC and SPC. The Commission is also a member of the CWP.

The institutional structure of the WCPFC benefits from being a modern organization with progressive rules of procedure. However, in addition, the organization requires agreement among the members to strengthen its secretariat so that it can take a more proactive role in monitoring compliance.

Accommodation of new entrants is under consideration by the Commission. The concern is that WCPO stocks are currently fully subscribed and, therefore, opportunities for new entrants are very limited.

5. TRANSOCEAN REGIONAL FISHERY BODIES

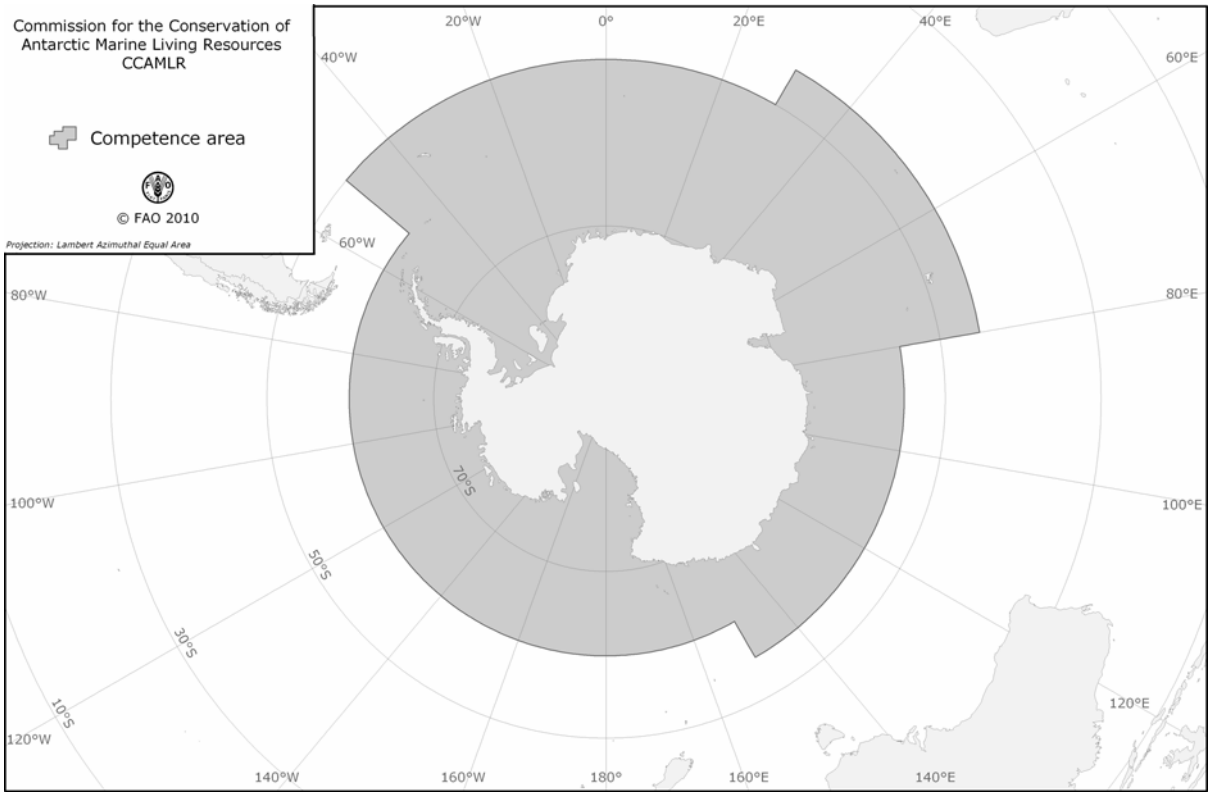
5.1 Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)[122]

The Convention on the Conservation of Antarctic Marine Living Resources came into force in 1982, as part of the Antarctic Treaty System, in pursuance of the provisions of Article IX of the Antarctic Treaty. It was established in response to concerns that an increase in krill catches in the Southern Ocean could have a serious effect on populations of krill and other marine life, particularly on birds, seals and fish, which mainly depend on krill for food.

Area of competence

This convention applies to the Antarctic marine living resources of the area south of 60°S and to the Antarctic marine living resources of the area between that latitude and the Antarctic Convergence that forms part of the Antarctic marine ecosystem (Map 25).

Map 25
Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)



Source: FAO.

Species covered

The convention applies to the Antarctic marine living resources defined by the convention as: "the populations of finfish, molluscs, crustaceans, and all other species of living organisms, including birds, found south of the Antarctic Convergence".

[122] Refer to the CCAMLR Web site at <www.ccamlr.org>.

Membership

The convention is open for accession by any State interested in research or harvesting activities in relation to the marine living resources to which the convention applies. In addition, the convention is also open for accession by regional economic integration organizations constituted by sovereign States that include among their members one or more States members of the CCAMLR and to which the States members of the organization have transferred, in whole or in part, competence with regard to the matters covered by the convention. The accession of such regional economic integration organizations is the subject of consultations among members of the Commission. The membership of the Commission is determined as follows: (i) contracting parties that participated in the meeting at which the convention was adopted; (ii) each State party acceded to the convention becomes a member of the Commission during the period when the acceding party is engaged in research or harvesting activities in relation to the marine living resources to which the Convention applies; and (iii) each regional economic integration organization that has acceded to the convention is entitled to become a member of the Commission during such time as its States members are so entitled.

The members of the CCAMLR are: Argentina, Australia, Belgium, Brazil, Chile, China, European Union, France, Germany, India, Italy, Japan, Namibia, New Zealand, Norway, Poland, Republic of Korea, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom, United States of America and Uruguay.

States that have acceded to the convention but are not members of the Commission are: Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Netherlands, Peru and Vanuatu.

Objectives

The main objective of the convention is the conservation of Antarctic marine living resources. The main functions of the CCAMLR are: (i) to ensure that all harvesting and research activities are conducted in accordance with the objectives of the Convention; (ii) to formulate, adopt and revise conservation measures; (iii) to compile, analyse and disseminate information on the status of resources; and (iv) to facilitate research activities. The Commission has regulatory powers and its regulatory measures are subject to an objection procedure. The Commission has a scientific committee, which is advised by specialist working groups. The Commission also has a standing committee on observation and inspection whose primary functions are to report on inspections of fishing vessels and to ensure compliance with conservation measures in force.

Implementation of post-UNCED fishery instruments

The CCAMLR encourages contracting parties to ratify/accede to the Compliance Agreement and the Fish Stocks Agreement, and to comply fully with the provisions of the Code of Conduct for Responsible Fisheries.

Regarding the IPOAs, the CCAMLR has conservation measures to address seabird bycatch that predate (and strongly influenced) the IPOA-SEABIRDS. All contracting parties are urged to implement the IPOA. Similarly, the CCAMLR has adopted measures for the conservation of sharks in its area. Illegal, unreported and unregulated fishing continues to be a significant problem for the CCAMLR and the comprehensive conservation measures implemented by the Commission predate the IPOA-IUU. These measures include trade documentation monitoring, contracting party information exchange and cooperation policies, measures aimed at NCPs, centralized VMS, scientific observer deployment, port State inspection control measures and control of nationals.

The CCAMLR is an active contributor to the CWP and a partner in the FIRMS. The Commission has comprehensive measures for catch and effort reporting, plus an annual review of the status of stocks.

The Commission has a number of measures to enhance port State controls for vessels fishing in its area and trading in toothfish in particular. The relevant port State measures include measures to ensure cooperation (CM 10-06 and CM 10-07), port State inspections (CM 10-03), and the catch documentation scheme (CM 10-05), all of which have port State elements. There is also a policy to enhance co-operation with NCPs as well as a capacity-building fund. All CCAMLR port State initiatives predated the finalization of the FAO Port State Agreement.

Addressing specific issues

The implementation of the precautionary approach is a key objective in the CCAMLR convention. Practical measures to implement it include precautionary catch limits, conservative development of new and exploratory fisheries, and objective monitoring of fisheries information. The implementation of an EAF is the subject of an extensive research programme addressing (and monitoring) ecosystem functionality (including potential direct/indirect effects of fishing and natural variability). In addition, measures are taken to address bycatch and provide for environmental protection in fishery regulations (e.g. with bottom fishing and prohibition of gillnetting). The CCAMLR is also developing research and management to address potentially irreversible ecosystem changes arising from fishing, taking into account natural variability and possible responses to climate change.

On area-based management tools, the Commission is working on objective bioregionalization of the CCAMLR area to underpin objective designation of MPAs. In addition, there are also measures in place to close certain areas to fishing, limit fishing seasons and also to require that certain measures are in place before fishing will be sanctioned in a particular area.

The CCAMLR is an active FIRMS partner and exchanges fisheries information with adjacent RFMOs on species of common interest. It has also engaged with the COFI Sub-Committee on Fish Trade for harmonizing catch documentation. The Commission is an active participant in the RSN and cooperates with other RFBs (e.g. the ACAP, CCSBT and WCPFC) on matters of common concern, e.g. seabird mortality. A performance review has recently been completed.

Regarding new entrants to the Commission, the organization is open to all potential entrants (as contracting parties) with interests in research on, or harvesting of, Antarctic marine living resources. Decision-making within the Commission is limited to parties that are actively fishing or actively undertaking research in the CCAMLR area. Participation in the CCAMLR's catch documentation scheme is open to all parties engaged in toothfish fishing and/or trade. There is a formal policy for cooperation with NCPs.

A final matter of concern to the Commission is that it has a static number of financial and human resource support staff who are expected to deal with a growing workload that is increasingly complex.

5.2 Commission for the Conservation of Southern Bluefin Tuna (CCSBT)[123]

The CCSBT was established by the Convention for the Conservation of Southern Bluefin Tuna signed by Australia, Japan and New Zealand in Canberra, Australia, on 10 May 1993 and entered into force on 20 May 1994.

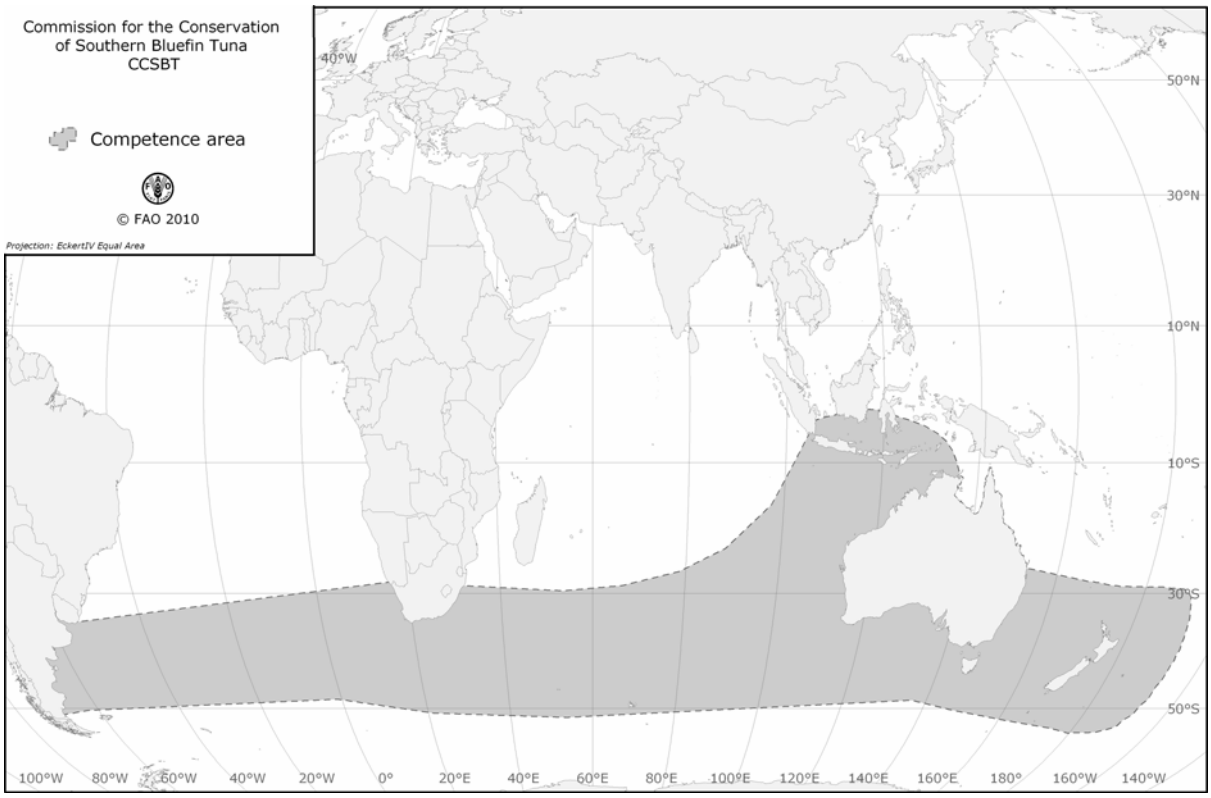
Area of competence

The convention does not mention any specific geographical area or areas to be covered by its provisions. Southern bluefin tuna (*Thunnus maccoyii*) constitute a stock fished in the Indian Ocean, the Southern Atlantic and the South Pacific. The species spawns south off Java, Indonesia, from where juveniles migrate east through the southern part of the Australian Fishing Zone towards New Zealand. Some other juveniles from the same spawning ground migrate west through the Indian

[123] Refer to the CCSBT Web site at <www.ccsbt.org/>.

Ocean towards South Africa. Therefore, it is assumed that the Commission is responsible for the whole area mentioned above (Map 26).

Map 26
Commission for the Conservation of Southern Bluefin Tuna (CCSBT)



Source: FAO.

Species covered

The species covered by the convention is southern bluefin tuna (SBT). The CCSBT is also responsible for collecting information on "ecologically related species" defined in the convention as living marine species that are associated with SBT, including but not restricted to both predators and prey of SBT.

Membership

The convention is open for accession to: (i) any State whose vessels engage in fishing for SBT; and (ii) any coastal State through whose exclusive economic or fishery zone SBT migrates. The current members of the CCSBT are the founding members, Australia, Japan and New Zealand. In addition, the Republic of Korea joined on 17 October 2001, and Indonesia joined on 8 April 2008. The Fishing Entity of Taiwan Province of China became a member of the Extended Commission on 30 August 2002. The Philippines, South Africa and the European Union are cooperating non-members.

Objectives

The CCSBT's objective is to ensure, through appropriate management, the conservation and optimal utilization of the global SBT fishery. The Commission also provides an internationally recognized forum for other countries/entities to participate actively in SBT issues. In pursuit of this objective, the CCSBT performs a number of functions. It:

- is responsible for setting a TAC and its allocation among the members;
- considers and administers regulatory measures to meet convention objectives;
- conducts and coordinates a scientific research programme aimed at providing information to support the Commissions management objectives (the programme is a mixture of member-managed activities and activities managed directly by the CCSBT secretariat);
- takes decisions to support and implement fishery management;
- provides a forum for the discussion of issues relevant to the conservation objectives of the convention;
- acts as a coordination mechanism for members' activities in relation to the SBT fishery;
- fosters activities directed towards the conservation of ecologically related species (living marine species that are associated with the SBT fishery) and bycatch species;
- encourages non-members engaged in the fishery to accede, apply for cooperating non-membership, or participate as observers in Commission activities;
- cooperates and liaises with other regional tuna fishery management organizations in areas of mutual interest.

Implementation of post-UNCED fishery instruments

The CCSBT is taking account of all post-UNCED fishery instruments in the implementation of its management and conservation objectives. Activities include:

- expert scientific advice is collected to inform decision-making;
- fishing activity is being managed at levels consistent with the scientific advice;
- trade information arrangements have been put in place to manage trade in SBT;
- IUU fishing has been targeted and appears to have been affected significantly by the CCSBT trade information scheme;
- the CCSBT has a working group focusing on ecologically related species and has taken decisions to require members to fish responsibly;
- publicity material is being prepared to educate fishers on sharks and seabirds.

Addressing specific issues

On the implementation of the precautionary approach, in 2006, the CCSBT reduced the TAC for the fishery to half of the actual historical catch in the two decades up to that time.

The CCSBT has agreed on a suite of MCS measures to address IUU fishing and is currently planning implementation. The Commission maintains a list of all vessels authorized to fish for SBT, and members may only take catch from these vessels. The Commission provides catch data to other RFMOs and cooperates with other RFMOs at all times. Regarding accommodation of new entrants, the CCSBT has maintained an arrangement for the granting of cooperating non-member status to encourage participation in the activities of the CCSBT. Cooperating non-members participate fully in the CCSBT activities but do not have voting rights. They are not required to make financial contributions to the CCSBT.

The CCSBT has completed a performance review.

5.3 Latin American Organization for Fisheries Development (OLDEPESCA)

The OLDEPESCA was established by the Constitutional Agreement of the Latin American Organization for Fishery Development. The agreement was signed in Mexico City, Mexico, on 29 October 1982 and entered into force on 2 November 1984. The agreement was amended twice in 1984.

Area of competence

The area of competence (Map 27) is not specifically defined, but the preamble to the agreement refers to the need to encourage the correct use and protection of fishery resources within the maritime jurisdiction zones of each State.

Map 27
Latin American Organization for Fisheries Development (OLDEPESCA)

Source: FAO.

Species covered

The agreement covers all living marine resources.

Membership

The membership of the OLDEPESCA is open only to those States belonging to the Latin American Economic System. The current members of the OLDEPESCA are: Belize, Bolivia (Plurinational State of), Costa Rica, Cuba, Ecuador, Guyana, Honduras, Mexico, Nicaragua, Panama, Peru and Venezuela (Bolivarian Republic of).

Objectives

The main objective of the agreement is to provide adequately for the food needs of Latin America, using the potential of fishery resources for the benefit of the people in the region. This will be achieved by holding joint actions aimed at developing the member countries and strengthening regional cooperation.

Implementation of post-UNCED fishery instruments

The OLDEPESCA has taken steps to plan the implementation of the Fish Stocks Agreement and the IPOAs dealing with seabirds, sharks and IUU fishing.

On the Fish Stocks Agreement, working groups have been established to investigate the impact of the agreement on the States in the region and the concerns of these States. At the XX Conference of Ministers of the OLDEPESCA (2009), the subject of implementing the Fish Stocks Agreement was considered of high importance, and members believe it is necessary to monitor carefully the development of the Ninth Round of Informal Consultations prior to the Review Conference to be held in 2010.

On the IPOA-SEABIRDS, the XX Conference of Ministers of the OLDEPESCA signed a text of agreement between the OLDEPESCA and the ACAP. This agreement should initiate actions among fishery administrators to address problems of seabird mortality from fishing practices.

On the IPOA-SHARKS, the XIX Conference of Ministers held in Lima, Peru, in June 2008, approved a proposal for "specific activities for the promotion and strengthening of research and management programmes for sharks." In addition, workshops for NPOAs have been conducted.

On the IPOA-IUU, Resolution No. 261-CM-2008 was passed at the XIX Conference of Ministers in 2008. The resolution reiterates the OLDEPESCA's commitment to combat all forms of IUU fishing worldwide and in the region, and renews the decision of OLDEPESCA members to formulate NPOAs to deal with IUU fishing.

Addressing specific issues

The OLDEPESCA is strengthening cooperation and coordination with other bodies, which include the Inter-American Convention for the Protection and Conservation of Sea Turtles, the ACAP, and an agreement between Safety for Fishermen and the OLDEPESCA.

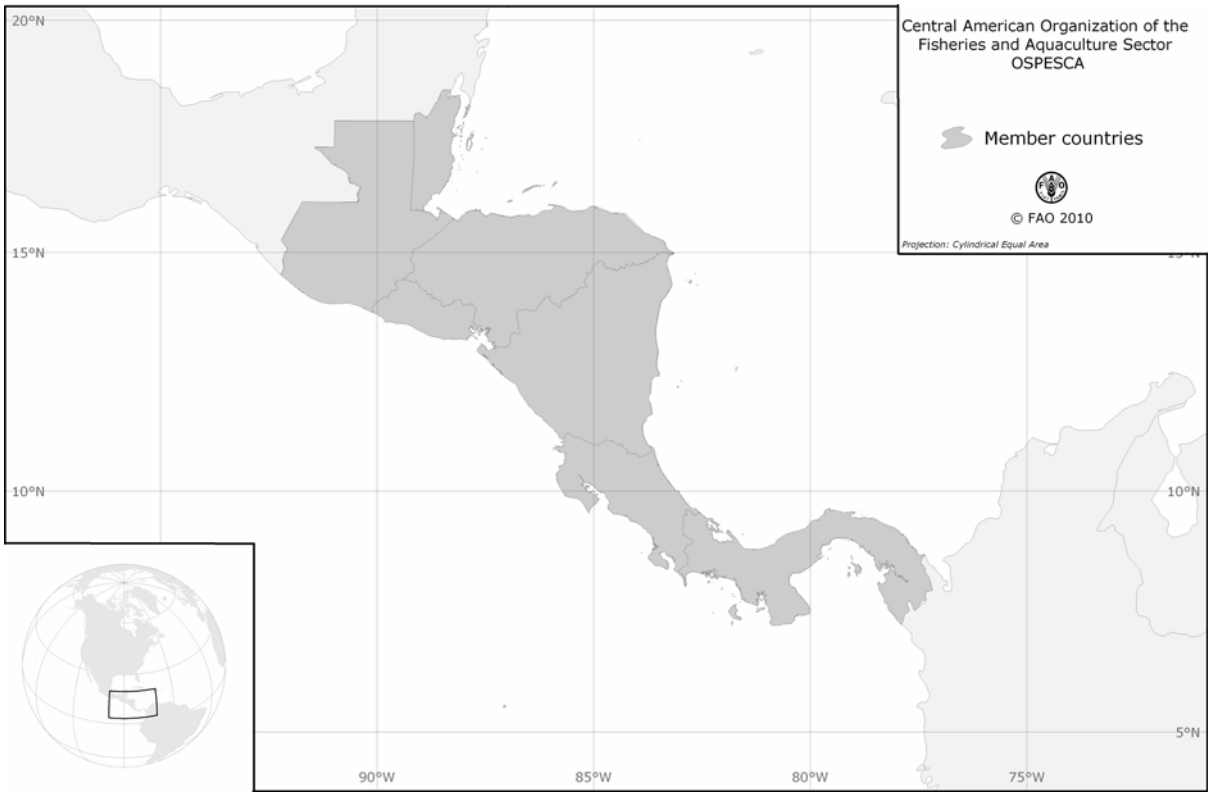
5.4 Central American Organization of the Fisheries and Aquaculture Sector (OSPESCA)

The OSPESCA was established by convention in 1995.

Area of competence

Fisheries and aquaculture (Map 28).

Map 28
Central American Organization of the Fisheries and Aquaculture Sector (OSPESCA)



Source: FAO.

Species covered

Pelagic and demersal species suitable for aquaculture.

Membership

The current members of the OSPESCA are: Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama.

Objectives

To establish a common regional system to increase the integrated participation of the countries of the Central American Isthmus and in this manner to contribute to the appropriate and sustainable use of fisheries resources and aquaculture products. The central activities of the OSPESCA are: the strengthening of the Institution and the Organization; the harmonization of Central American legislation; the adoption of regional decisions; regional management of fisheries and aquaculture; integrated coastal fisheries and aquaculture; integrated high-seas fisheries; dealing with shared species; surveillance and control; intra- and extra-regional trade; and sport fisheries associated with tourism and extra-regional relations.

Implementation of post-UNCED fishery instruments

The Compliance Agreement requires States to maintain a record of their fishing vessels and the OSPESCA does maintain a record of its industrial fishing vessels. The Fish Stocks Agreement

requires States to participate in regional cooperation management measures. The OSPESCA is pursuing the incorporation of member States into the IATTC. Numerous principles of the Code of Conduct for Responsible Fisheries are included in the policies of the OSPESCA. To address the IPOA-SHARKS, a shark regional group is implementing an action plan for sharks that includes the harmonization of methodologies. The IPOA-CAPACITY is addressed by Central America working in the formalization of NPOAs on capacity. The IPOA-IUU is being addressed by Central American satellite monitoring systems. To improve information on the status and trends of capture fisheries, the OSPESCA is conducting workshops on the capture of lobster and shrimps. Finally, the OSPESCA has participated in meetings for the agreement to implement port States measures.

Addressing specific issues

The principles of the Fisheries and Aquaculture Integration Policy for the Central American Isthmus include the precautionary principle. Further research is being conducted on an EAF – particularly for the lobster and shrimp fisheries on the Pacific and Caribbean coasts. Monitoring, control and surveillance is being addressed by implementation of a project to have VMS on all industrial fishing vessels and in each Central American country. To address and control fleet capacity, the OSPESCA has an integrated registry fishery system for all Central American countries. The OSPESCA is active in collaborative work with other regional organizations including the CPPS, FAO, the IATTC and the OLDEPESCA. In addition, letters of understanding have been signed with the IATTC, National Oceanic and Atmospheric Administration, The Nature Conservancy and the WWF, among others. The OSPESCA participates together with FAO in the PaCFA group working on the issue of the impact of climate change in fisheries and aquaculture.