

REGIONAL GUIDELINES FOR RESPONSIBLE FISHERIES IN SOUTHEAST ASIA: POST-HARVEST PRACTICES AND TRADE

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CHAPTER I

INTRODUCTION

Background

Due to the growing domestic need and international demand for fish and fishery products in the long term, the aquatic resources have been exploited extravagantly with limitation of recruitment. This situation reached the global concern, and many meetings were convened to seek ways and means to ensure the sustainability of fisheries, aquatic resources, and the environment. The International Conference on Responsible Fishing held in 1992 Cancún (Mexico) requested FAO to prepare an international Code of Conduct to address new approaches to fisheries management embracing conservation and environmental considerations. The FAO Governing Bodies recommended the formulation of a global Code of Conduct for Responsible Fisheries (CCRF), which establish principles and standards applicable to the conservation, management and development of all fisheries. The CCRF , adopted on 31 October 1995 by the FAO Conference, provides necessary framework for national and international efforts to ensure sustainable exploitation of aquatic living resources, responsible aquaculture and fish trade in harmony with the environment.

Since the adoption of the CCRF in 1995, to facilitate the implementation at the national level, there is a need to regionalize the Code to examine, clarify and elaborate the generic articles of the global CCRF by establishing a set of guidelines considering regional specificities including fisheries structure, ecosystems, cultural, social and economics factors as well as salient issues in Southeast Asia. With particular to fishery products in the ASEAN Member Countries, most of the products are domestically consumed and by large characterized by small and medium enterprises (SMEs). Only some countries have capability to develop food safety and quality assurance in fish product industry for export to EU and the US. To meet food security and promote trade in domestic, intra-regional and international market, it is necessary to take these regional specificities of fisheries into consideration when the regional guidelines on post-harvest practices and trade is developed.

Regionalization of the Code of Conduct for Responsible Fisheries in the Southeast Asia

In order to assist the SEAFDEC Member Countries in implementing the FAO Code of Conduct for Responsible Fisheries (CCRF), the Program on Regionalization of the Code of Conduct for Responsible Fisheries was initiated in 1998. The collaborative program has been under the coordination of SEAFDEC Secretariat in collaboration with respective Departments as well as all ASEAN Member Countries. The program consists of four phases; Phase I: Fishing Operations, Phase II: Aquaculture, Phase III: Fisheries Management, and Phase IV: Fisheries Post-harvest Practices and Trade focusing on the formulation and distribution of regional guidelines to facilitate implementation of the CCRF at the national level by the Member Countries.

The regionalization process involves technical examination of the details on each generic article of the CCRF especially from the point of view of regional specificity. As a result regional guidelines to facilitate the implementation of the CCRF will be compiled and distributed to all countries in the region. The regionalization process is believed to be a learning exercise for the countries to effectively put the CCRF in place at the national level. The program expects to gradually create the circumstance among the Member Countries to be aware of the importance of establishing regional policies on the issues that are important for the implementation of the CCRF.

Preparation of the Regional Guidelines for Responsible Fisheries in Southeast Asia: Post-harvest Practices and Trade

Since 2000, the respective Departments of SEAFDEC established the Regional Guidelines for Responsible Fisheries in Southeast Asia Phase I, II and III as guidance to the Member Countries based on the specific article of the CCRF. As part of the program on Regionalization of the Code of Conduct for Responsible Fisheries (RCCRF): Phase IV Post-Harvest Practices and Trade, SEAFDEC Marine Fisheries Research Department (MFRD) organized the Core Expert Meeting from 4-6 May 2004 in Singapore. The meeting was attended by the core experts from the ASEAN and SEAFDEC Member Countries including members of the ASEAN Post-harvest Technology Network as well as staff from SEAFDEC MFRD and the Secretariat, in order to establish common understanding among core experts and SEAFDEC on the concept and principle of the RCCRF program particularly on scope and framework of Phase IV; to clarify issues/areas required for the formulation of the regional guidelines for responsible fisheries on post-harvest practices and trade; and to finalize RCCRF Phase IV process, activities and timeframe as well as Terms of Reference of the Core Experts.

The Meeting reviewed the CCRF Article 11 on Post-harvest Practices and Trade by clarifying issues and areas in regional fisheries context based on the preliminary review made by MFRD and the Secretariat, covering Article 11.1 Responsible fish utilization, Article 11.2 Responsible international trade, and Article 11.3 Laws and regulations relating to fish trade. After brainstorming and deliberation, the Meeting developed the 1st Draft of the Regional Guidelines for Responsible Fisheries on Post-Harvest Practices and Trade based on relevant technical recommendations, the Resolution and Plan of Action of the Millennium Conference, including results of implementation of subsequent initiatives. Subsequently, core experts coordinated with relevant national agencies within their country to obtain inputs for drafting the 2nd Draft of the Regional Guidelines and provided to SEAFDEC MFRD.

After compiling comments from the ASEAN Member countries, MFRD in collaboration with the Secretariat consolidated all national inputs into the 3rd Draft Regional Guidelines without country specific actions for finalization through the discussion at the Regional Technical Consultation on the RCCRF Phase IV: Post-harvest Practices and Trade to be organized in Chiang Mai, Thailand from 26 to 29 October 2004. It is envisaged the result of deliberation the Regional Guidelines will provide a basis to facilitate the implementation of the CCRF at the national level in the Southeast Asian Region.

CHAPTER II

GENERAL PRINCIPLES

Nature and Scope

The Regional Guidelines for Responsible Fisheries in Southeast Asia – Responsible Post-Harvest Practices and Trade will be used as a reference identifying directions and priority actions for implementation of Article 11 of the Code of Conduct for Responsible Fisheries in the ASEAN Member Countries. This Regional Guidelines was developed through the rigorous process of preparation among SEAFDEC Departments and Core Experts in the ASEAN region. The following issues to be provided covering the objectives and general perspective on the nature of fisheries situation in the region.

Objectives

The objectives of the Regional Guidelines for Post-Harvest Practices and Trade are the following:

- To clarify implication and applicability of the CCRF in the regional context;
- To identify the issues (or missing areas) that require special consideration in the regional context; and
- To identify, where appropriate, directions and prioritize actions to implement the CCRF.

Rationale

The regional guidelines was prepared in consideration of the following:

1. Traditions and Culture

It is often said that the role of fisheries is to supply the animal protein to the diets of people worldwide because of its excellent nutritional value. Increasing of fish demand is mainly caused by an expanding population, economic well-being, and taste of consumer change including national policy. In the ASEAN region, the traditional fish products still represent a significantly large amount of the total utilization of fish. Most people still prefer to consume fresh fish, but there are a restriction on availability and price. The traditional fish products are a cheap source of protein food for human consumption which sometimes the raw material includes by-catch. Many products, including products that are boiled, dried, salted, smoked, marinated, fermented, minced and powdered, are usually of low value and supplied for the domestic market, although some specialized products are high-value and other products such as fish sauce are now being exported. There is wide range of processed products, varying from country to country according to traditional processing practices. In certain parts of the region, the expansion of the export industry has entailed a rapid increase in modern processing technologies in commercial establishment, such as Thailand, Indonesia, Malaysia and the Philippines.

Considering the present regional condition, most of traditional fish products are domestically consumed and operated by backyard processing, which have been source of income generation and certain livelihood. In general, processors are poorly educated and lack of know-how in preservation as well as standardized processing techniques. Some traditional processes are unhygienic which lead to lower quality and market value. It is necessary to maintain the confidence of seafood safety and quality assurance for traditional fish processing sub-sector, and attention should be given to establishment of proper safety standard apply for the traditional processing methods to ensure local food security and food safety.

2. Fisheries Structure

In Southeast Asia, small-scale fisheries are the most important suppliers of fish as more than 75% of fish consumed comes from small-scale fisheries. This provides the last livelihood opportunity for millions of poor people. So far, the traditional fish products industry is generally comprised of household producers and small and medium enterprises (SMEs), which are family-owned operations with little mechanization. Consequently, they are vitally important for food security, especially as most of it goes to local population where it plays an essential role in their diet. Under current circumstance, fish and shellfish products have been consumed domestically, only some countries have capability to develop food safety and quality assurance in fish product industry for export to international markets such as EU and the US. There is some gap among ASEAN member countries in term of insufficient development and cooperation on intra-regional trade. To meet food security and promote trade in domestic, intra-regional and international market, balance should be given and strongly supported. Currently, the volumes of fish production from capture fisheries are currently declining due to resource depletion and fluctuation. Large proportion of catch tends to be of low economic value, and the quality is also poor because of improper post-harvest handling and inadequate on-board and on-shore processing and holding facilities. This creates the adverse impact to people in wide area, due to the fact that key function of fisheries in developing country is rather different from developed country. Fish play multi-significant role as food supply, source of foreign exchange earnings, employment creation, source of income, and poverty alleviation in Southeast Asian region. To ensure food security and livelihood, more attention from the Member Countries must be paid to this issue.

3. Southeast Asian Ecosystems

Southeast Asia possesses regional characteristics of tropical waters, multi-species and multi-gear fisheries. Small-scale fisheries operated by traditional boats still produce a high number of catch of four or five fish species group. An unidentified fish was categorized into “miscellaneous fish” while majority of the catches in many countries comprise “trash fish”. Much of the remaining catch that has not traditionally been fully consumed has increasingly been used and processed for animal feed, traditional products and value-added products such as surimi. One of the constraints causing post-harvest losses is the improper handling techniques on board the fishing vessel and is exacerbated by inadequacy of space for storage of large quantities of

lower valued species and insufficient supply ice or other processing on board. The volume of fish production is tending to decrease as the result of resources deterioration. Hence, it appears important to maximize the utilization of existing catch including stimulate the utilization of trash fish and other species of currently low value as well as better quality fish.

4. Area of Coverage

The Regional Guidelines for Responsible Fisheries in Southeast Asia – Responsible Post-Harvest Practices and Trade is prepared as a reference identifying directions and priority actions to implement the Code of Conduct for Responsible Fisheries in harmonization with the regional specificities and current situation of the ASEAN Member Countries. The usage of the Regional Guidelines applies for national and international/regional levels. It is hoped that the countries, which share similar specific fisheries characteristics and circumstances will benefit from this Regional Guidelines.

Consideration on International Legal Instruments

The Code of Conduct for Responsible Fisheries (CCRF) generally refers to many relevant regulations, principles and requirements under international laws, agreements and conventions. While some of these have clear fisheries objectives, others have wider objectives including post-harvest practices and trade affairs. Policy makers in each States should recognize the international concerns and to effectively implement the relevant legal instruments. It is suggested that they should set up a working group composed of legal and relevant technical experts to verify each article of relevant international instruments. They should clarify which articles should be applicable to the fisheries sector in their countries. States should also take appropriate legal action to enact appropriate national laws, together with appropriate dissemination to the public and users and the setting up of an appropriate enforcement mechanisms.

FAO and other relevant international organizations have been requested to provide relevant information on the extent of the implementation of such international conventions and instruments to the respective authorities. Likewise, states should ensure their fullest cooperation in providing appropriate information of the implementation.

CHAPTER III

REGIONAL DEFINITIONS AND EXPLANATIONS OF THE TERMINOLOGY

Adulterated fish and fishery products

This refers to fish and fishery products adulterated by a deliberate act that aims at deceiving the purchaser or consumer as to its real worth by substitution of inferior substances. This could be in the form of fish of lesser value. Adulteration in this context, therefore, is associated with deliberate fraud by the producer of the product.

[Revised based on FAO Technical Guidelines for Responsible Fisheries – Responsible Fish Utilization, Page 10]

By-catch

By-catch is a term attached to target catch. Since target catch is not a useful term applying to all fisheries in the region, the term by-catch will be used for industrial fisheries as follows.

"A general term for that component of the catch, which is anticipated to be caught during an industrial fishing operation, in addition to the target catch."

Special emphasis should be placed on the management of by-catch of shrimp trawlers irrespective of their size.

[Regional Guidelines for Responsible Fisheries in Southeast Asia, Responsible Fishing Operations, Page 6]

Cleaner technology

A measure to improve or adjust production process or products, so that consumption of raw materials, energy and natural resources is accomplished efficiently, with minimum waste or none at all. It is pollution reduction at source, including substitution of raw materials, recycling and re-using, which will help conserve the environment and simultaneously reduce production costs.

[http://lib.diw.go.th/ctu/ct_def.php?ChMN=05&MN=05&FlagMN=Y] – This definition is taken from the Cleaner Technology Unit of the Department of Industrial Works, Thailand. The Department is accountable and responsible for controlling, checking and developing industrial works in Thailand.

Competent Authority

This term refers to a Governmental or Government-appointed Authority designated to be responsible for a particular sector.

[www.basel.int/ca.html] – This definition is taken from the “Competent Authorities Basel Convention on Hazardous Waste – United Nations Environment Program.”

Eco-labelling

Eco-labelling is a scheme which uses a specific mark to promote products which have the potential to reduce negative environmental impact enabling consumers to express choice in environmental matters. This scheme is voluntary, rather than mandatory and the eco-label does not provide information on product quality.

[Technical Document ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Glossary, Page 200]

Environmental Degradation

Environmental Degradation is the loss in quality and quantity of water and its living aquatic resources, associated habitats and surrounding terrestrial environment.

[Technical Document ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Glossary, Page 200]

Equivalence

The Codex Alimentarius Commission defines equivalence as the capability of different inspection and certification systems to meet the same objectives.

[FAO Technical Guidelines for Responsible Fisheries – Responsible Fish Utilization, Page 16]

Food Safety

Food Safety requirements are generally covered under health, veterinary or similar legislation

[Technical Document ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Article 4.3: Fish Quality, Safety and Management Systems, Page 175]

Food Safety Measures

A nationally instituted program or system of hazards verification intended to ensure that food is safe, wholesome, unadulterated, and therefore acceptable for human consumption.

[Revised based on HACCP and FAO Technical Guidelines for Responsible Fisheries – Responsible Fish Utilization]

Good Manufacturing Practices

The universal steps or procedures that control the operational conditions within a food establishment allowing for environmental conditions that are favorable to the production of safe food.

[Technical Document ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Glossary, Page 201]

HACCP

Hazard Analysis Critical Control Points (HACCP): a system that identifies, evaluates and control hazards significant for food safety.

[Regional Guidelines for Responsible Fisheries in Southeast Asia, Responsible Aquaculture, Page 9]

Harmonization

This term refers to the Adoption of the same standards by different countries or organizations.

[Technical Document ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Glossary, Page 201]

Non-indigenous Species

Species not native to a country, or not native to a specific locality or ecosystem although found elsewhere in the same country.

[Regional Guidelines for Responsible Fisheries in Southeast Asia, Responsible Aquaculture, Page 8]

Non-tariff trade barriers

The term refers to Restrictions that are intended to protect domestic producers, including quotas, voluntary export restraints, subsidies, and domestic content requirements. Other trade restrictions include orderly marketing arrangements (a market-sharing pact negotiated by trading partners to lessen the intensity of competition); health and safety standards; government procurement policy, etc.

[Technical Document ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Glossary, Page 202]

Post-Harvest Technology

The handling (at sea and onshore), processing, marketing and distribution of fish and fishery products.

[Revised based on Outcomes of the National Seminars for ASEAN_SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, Theme IV: Fisheries Post-Harvest Technology, Page 201]

Quality

The set of desired attributes characterizing a food (fish) product in any form, whether fresh or processed such as product description, packaging, labelling, weights and measures which may be considered in setting of national specifications, or legislation on industrial standards, trade requirements for consumer protection.

[Revised base on Technical Document ASEAN-SEAFDEC CONFERENCE on Sustainable Fisheries for Food Security in the New Millennium, point 4.3: Fish Quality, Safety and Management Systems, Page 175]

Quality Assurance

The Application of Quality measures that ensure the availability of only high quality seafood for consumption.

[Training Manual on Fish Quality Preservation, MFRD/SEAFDEC, 1992, Page 159]

Safe Fish and Fishery Products

This refers to fish and fishery products that do not cause illness, injury or death in the consumer. Fish products can be unsafe due to the presence or growth of pathogenic organisms or their toxins (bacteria, viruses, fungi), the presence of biotoxins (biogenics amines and ciguatoxins) and parasites, or be contaminated with chemicals or unsafe materials (metal/glass).

[Revised based on FAO Technical Guidelines for Responsible Fisheries – Responsible Fish Utilization, page 10]

Sanitary and phytosanitary measures

Includes all relevant laws, decrees, regulations, requirements and procedures including, *inter alia*, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labeling requirements directly related to food safety

[WTO Agreement on the Application of Sanitary and Phytosanitary Measures, Annex A, Page 77]

Sustainable development

Sustainable development is the management and conservation of the natural resource base and the orientation of technological and institutional change in such a manner as to ensure the attainment and continued satisfaction of human needs for present and future generations. Such sustainable development (in the agriculture, forestry, and fisheries sectors) conserves land, water, and plant and animal genetic resources, and is environmentally non-degrading, technically appropriate, economically viable and socially acceptable.

[Regional Guidelines for Responsible Fisheries in Southeast Asia, Responsible Aquaculture, Page 5]

Stakeholders

Individuals or groups of individuals who are involved in utilization of fishery resources and have interests in fisheries.

[Regional Guidelines for Responsible Fisheries in Southeast Asia, Responsible Fisheries Management, Page 12]

Technical Barriers to Trade

This term refers to Regulations, Standards, Testing and Certification Procedures that create unnecessary obstacles to trade.

*[Revised based on Technical Barriers to Trade Agreement-
(http://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm4_e.htm#TRS)*

Wholesome fish and fishery products

This term refers to fish that is not only safe to eat but also has beneficial effects i.e. it is nutritionally good for the consumer. Fish is naturally nutritious and therefore wholesome food. However, it is possible, through poor processing and loss of quality, for nutritional value to be lost and therefore wholesomeness to be reduced. Some authorities also associate decomposition or spoilage with wholesomeness, implying that a spoilt fish has less nutritional value than when fresh or properly processed, which may or may not be so.

[Revised based on FAO Technical Guidelines for Responsible Fisheries – Responsible Fish Utilization, Page 10]

CHAPTER IV

THE REGIONAL GUIDELINES FOR RESPONSIBLE FISHERIES IN SOUTHEAST ASIA: POST-HARVEST PRACTICES AND TRADE

The Regional Guidelines for Responsible Fisheries in Southeast Asia: Post-harvest Practices and Trade is prepared based on the Article 11 of the *Code of Conduct for Responsible Fisheries*. The original article numbers and statements are shown below to the left of the regional guidelines, while the modified regional guidelines are shown in the right column. Where a regional guidelines is not provided, the original Article 11 guideline applies.

“ADD.” Refers to issues/areas that are of importance to the region in accordance with the Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region including recommendations of their subsequent technical meeting. The Resolution and Plan of Action were adopted at the ASEAN-SEAFDEC Conference on sustainable Fisheries for Food Security in the New Millennium: “Fish for the People”. The Conference was held in November 2001 in Bangkok, Thailand

ARTICLE 11.1 RESPONSIBLE FISH UTILIZATION

Articles/Focused Issues	Regional Guidelines
11.1 Responsible fish utilization	
<p>11.1.1 Safe and wholesome measures States should adopt appropriate measures to ensure the right of consumers to safe, wholesome and unadulterated fish and fishery products.</p>	<p>States should, elaborate the policies and agree upon the application of appropriate food safety measures on fish and fishery products depending on their usage of the products and scale of industry.</p> <p>States, in collaboration with SEAFDEC and other organizations, should develop appropriate guidelines in food safety measures such as good manufacturing practices (GMP).</p> <p>States should institute a legal framework under which a producer would be made accountable for placing on the market food, which is detrimental to the health of the consumer.</p> <p>States should disseminate and ensure that appropriate food legislations are accessible and understood by stakeholders particularly the small-scale processors.</p> <p>States should have appropriate legislation which</p>

	<p>requires producers, wholesalers, distributors and retailers to have a functioning and effective safety and system.</p> <p>States should provide appropriate technical and other assistance to the various kinds of, especially for SMEs in order to ensure the effective implementation of the applied safety measures taking into account the economic, social, environmental and nutritional aspects.</p> <p>States should develop appropriate national guidelines to assist the industries with various scales and business objectives for the implementation of the appropriate food safety measures of fish and fishery products.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • SEAFDEC Regional Code of Conduct for Responsible Fisheries (RCCRF) - Responsible Aquaculture Point 9.4.5 (Use of chemicals) • SEAFDEC RCCRF - Responsible Aquaculture Point 9.4.7 (Product quality and safety) • FAO Code of Conduct for Responsible Fisheries (CCRF) – Fisheries Research Sub-article 12.8 (Monitoring food supplies from aquatic sources and the environment)
<p>11.1.2 Safety and quality assurance systems</p> <p>States should establish and maintain effective national safety and quality assurance systems to protect consumer health and prevent commercial fraud.</p>	<p>States should prioritise the food safety aspects when implementing their quality assurance system.</p> <p>States should raise public awareness of food safety and extend appropriate technical assistance, services and training particularly for small-scale fish processing industry, fish traders.</p> <p>States should establish/review their food inspection and safety assurance system, and ensure that conflicting and/or overlapping roles by various authorities are minimized.</p> <p>States should also establish an effective dissemination system to ensure that the stakeholders understand the responsibilities and</p>

	<p>roles of the local and national food inspection agencies.</p> <p>States should put emphasis on improving safety and quality of fish through better on-board and on-shore handling and preservation.</p> <p>Regional Organizations including SEAFDEC, should develop appropriate guidelines on the quality assurance of fish and fishery product from on-board handling to consumers compiling the existing practices and various factors including economic, social, environmental and nutritional aspects and in collaboration with the Member Countries.</p> <p>States should develop its national guidelines and /or administrative orders to ensure the improvement of quality of the fish and fishery product from harvest through transportation, distribution to factory gate of the processing industry and/or consumers.</p> <p>States should provide technical assistance / cooperation and infrastructure development to support the national industry to comply with appropriate food safety and quality assurance systems.</p> <p>States should establish systems for inspection and quarantine, and capability to detect the presence of any hazards that can affect the safety of raw materials and products. The relevant authorities should have the power to close or restrict harvesting from a particular water body until the hazard has passed and to stop the distribution of the products until the safety of the products can be assured.</p> <p>States should establish and maintain effective systems to detect, deter and prevent commercial fraud by setting up mechanisms that make it more likely that perpetrators will be caught and prosecuted.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.1.2 ADD. 1 on Quality and safety management system</i>
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	<ul style="list-style-type: none"> • SEAFDEC RCCRF – <i>Responsible Aquaculture Point 9.4.4 (Effective farm and fish health management)</i> • SEAFDEC RCCRF - <i>Responsible Aquaculture Point 9.4.7 (Product quality and safety)</i> • FAO CCRF - <i>Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.6 (Barriers to trade)</i>
<p>11.1.2 ADD. 1 Quality and safety management</p>	<p>Develop and apply fish quality and safety management systems that ensure food safety and support the competitive position of ASEAN fish products on world markets through the implementation, validation and verification of Hazard Analysis and Critical Control Point (HACCP) based systems and improved laboratory practices, and adapting quality and safety management systems so that they may be applied to small and medium enterprises in the ASEAN Region. (Millennium Plan of Action, paragraph 4 of Sustainable Utilization of Fish and Fishery products)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>11.1.2 on Safety and quality assurance systems</i>
<p>11.1.3 Safety and quality standards</p> <p>States should set minimum standards for safety and quality assurance and make sure that these standards are effectively applied throughout the industry. They should promote the implementation of quality standards agreed within the context of the FAO/WHO Codex Alimentarius Commission and other relevant organizations or arrangements.</p>	<p>States should develop and promote the application of national standards and guidelines, governing raw materials, handling, processing, product quality specifications, and storage stability using the FAO/WHO Codex Alimentarius Commission and other relevant organizations as a guideline taking into account the local and regional circumstances</p> <p>States should develop the appropriate national/regional standards (safety and quality assurance) in relation to domestic, ethnic and traditional products including fermented products, if these have not yet been developed at international level.</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>11.1.3 ADD. 1 on Participation and involvement in international fora and technical committees</i>

<p>11.1.3 ADD. 1 Participation and involvement in international fora</p>	<p>Increase participation and involvement of ASEAN Member Countries in international fora and technical committees such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Codex, FAO, Office International des Epizooties (OIE), Regional Fisheries Bodies, and WTO to safeguard and promote ASEAN interests, recognizing that international fisheries policies are increasingly discussed and agreed upon at the global level. (Millennium Plan Of Action, paragraph 2 of Regional and International Policy Formulation)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.3 on Safety and quality standards
<p>11.1.4 Harmonization/mutual recognition States should cooperate to achieve harmonization, or mutual recognition, or both, of national sanitary measures and certification programmes as appropriate and explore possibilities for the establishment of mutually recognized control and certification agencies.</p>	<p>States should work towards achieving harmonization or mutual recognition of national sanitary measures and certification programmes for example, the ASEAN SPS committee.</p> <p>States should take into consideration harmonization of safety issues within the country.</p> <p>State should consider how equivalency within the region could be achieved. The ways to achieve compliance of safety and quality regulations in production and processing should be sought.</p> <p>States should ensure that the following are the mechanisms in determining the equivalency of a national food safety control system:</p> <ol style="list-style-type: none"> a) Appropriate legislation, regulations and infrastructure covering fish handling and processing, b) National food safety control programme, including monitoring, inspection, certification systems c) National monitoring programme for items which may influence the safety of fish and fish products,

	<p>d) Trained staff who are able to provide technical support for the implementation of food safety assurance programmes in the industry and who are also able to audit and verify such programmes,</p> <p>e) Capacity building to train and update staff.</p> <p>States should support the joint ASEAN approach on harmonization of trade issues by further elaborating regional standards, criteria and guidelines on fish products, not only on SPS but also on TBT related issues.</p> <p>States should consider giving greater responsibility to their respective national fisheries agency for establishing coordination between the various government agencies. This includes ensuring coordinated legislation and regulatory requirements for fish and fishery products, as well as fish inspection and quality control units.</p> <p>States should also ensure that legislation exists or is developed or upgraded regarding the quality, safety and control of fish and fishery products, and that the application of legislation is harmonized between control agencies.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.1.4 ADD. 1 on Quality and safety coordination</i> • <i>11.1.4 ADD. 2 on ASEAN trade policy, product standards, inspection and quality control systems</i> • <i>11.1.4 ADD. 3 on Regional guidelines and standards</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.4 (Indiscriminatory measures of SPS and TBT)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.6 (Barriers to trade)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Laws and Regulations Relating to Fish Trade Sub-article 11.3.6 (Harmonization of standards)</i> • <i>World Trade Organization Review of the</i>
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	<p><i>Operation and Implementation of the Agreement on the Application of Sanitary and Phytosanitary Measures, Articles 3, 9 and 12.4</i></p>
<p>11.1.4 ADD. 1 Quality and safety coordination</p>	<p>Encourage relevant control agencies to coordinate their activities at all levels in applying appropriate legislation regarding the quality and safety of fish and fishery products. (Millennium Plan Of Action, paragraph 3 of Sustainable Utilization of Fish and Fishery Products)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.4 on Harmonization/mutual recognition
<p>11.1.4 ADD. 2 ASEAN trade policy, product standards, inspection and quality control systems</p>	<p>Strengthen ASEAN trade policy on fish and fishery products through regional collaboration by harmonizing product standards and sanitary measures with international standards wherever appropriate, working towards harmonised guidelines for fish inspection and quality control systems among ASEAN Member Countries, strengthening fish inspection and quality control systems with regard to food safety and exchanging information on risk analysis. (Millennium Plan Of Action, paragraph 1 of Fish Trade)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.4 on Harmonization/mutual recognition
<p>11.1.4 ADD. 3 Regional guidelines and standards</p>	<p>Enhance regional collaboration by developing guidelines, criteria and standards on important fisheries issues to strengthen ASEAN policies and positions and harmonize them with international initiatives and arrangements. (Millennium Plan Of Action, paragraph 1 of Regional and International Policy Formulation)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.4 on Harmonization/mutual recognition
<p>11.1.5 Policy formulation States should give due consideration to the economic and social role of the post-harvest fisheries sector when formulating national policies for the sustainable development and</p>	<p>States should have clear national policies for sustainable fish utilization based on sound scientific data and risk analysis. The policies should be consensus based, transparent, and address contemporary health and trade issues for fish and fisheries products.</p>

<p>utilization of fishery resources.</p>	<p>States should play a key role in facilitating the provision of the legal and fiscal frameworks and mechanisms required for implementing the policies as well as establishing a conducive environment to meet the needs and concerns of all, from fishers to consumers.</p> <p>States should have a policy to upgrade the capacity and capability of the small-scale fish processing industry.</p> <p>States should consider promoting the development of the post-harvest sector and recognize the needs of the whole industry in terms of fund allocations when formulating policies for research and development, taking into consideration the socio-economic aspects of the stakeholders.</p> <p>States should promote the development of the traditional fish processing industry and upgrade the industry's products to meet the quality and safety requirements of the market.</p> <p>States should consider economic and social aspects such as employment, poverty, livelihood, gender issues and food security especially when the appropriate Policy is formulated.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • 11.1.5 ADD. 1 on Regional Guidelines • 11.1.6 ADD. 1 on Post-harvest technology • FAO CCRF - Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.2 (Sustainable fisheries and responsible fish utilization) • FAO CCRF - Fisheries Research Sub-article 12.7 (Optimized utilization of fishery resources and to support national policies related to fish as food)
<p>11.1.5 ADD. 1 Regional Guidelines</p>	<p>Formulate regional guidelines to implement the Code of Conduct for Responsible Fisheries, taking into account the specific social, economic, cultural, ecological and institutional contexts and diversity of ASEAN fisheries. (Millennium Resolution, paragraph 1)</p>

	<p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.5 on Policy formulation
<p>11.1.6 Research States and relevant organizations should sponsor research in fish technology and quality assurance and support projects to improve post-harvest handling of fish, taking into account the economic, social, environmental and nutritional impact of such projects.</p>	<p>States and relevant organizations should encourage research in a number of areas for example: risk assessment, risk analysis under food safety; cleaner technology, energy reduction, and biotechnology under food security in post-harvest processing, packaging development of the appropriate processing equipment for SMEs, nutritional composition; utilization and marketing of newly discovered species / identified stocks for human consumption; environmental impact; assessment of the seasonal volume and area fluctuation; reducing post-harvest losses and optimising utilization of under-utilised fish species, transportation and logistic improvement for food safety and quality, economics and marketing.</p> <p>States should collaborate with private sector and international organizations, in consultation with stakeholders, to prioritise the research needs in relation to post-harvest activities (including onboard handling) and also in area of upgrading and value adding to traditional products.</p> <p>States should give assistance to research on the use of such raw materials (under-utilized species) for human consumption by providing incentives and encouragement to the private sector to invest for commercial production.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • 11.1.6 ADD. 1 on Post-harvest technology • FAO CCRF - Fisheries Research Sub-article 12.7 (encourage research to ensure optimum utilization of fishery resources)
<p>11.1.6 ADD. 1 Post-harvest technology</p>	<p>States should improve post-harvest technologies to ensure fish quality assurance and safety management systems, which are appropriate for small and medium-sized enterprises in the Region, taking into account the importance of traditional fish products and food security requirements (Millennium Resolution, paragraph 14)</p>

	<p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.6 on Research
<p>11.1.7 Environmentally sound methods</p> <p>States, noting the existence of different production methods, should through cooperation and by facilitating the development and transfer of appropriate technologies, ensure that processing, transporting and storage methods are environmentally sound.</p>	<p>States should develop appropriate guidelines and legislation for sites selection and location of fish processing facilities/plants taking into consideration technical, environmental and economic, social factors.</p> <p>States should establish environmental protection legislation to ensure that water is treated before being discharged from fish processing plants.</p> <p>States should encourage the utilization of trimmings, by-products and waste from the fish processing industry.</p> <p>States should encourage alternative environment-friendly means of fish preservation, and the development and transfer of appropriate technologies, taking into account social and economic factors.</p> <p>States should ensure that cold storage and freezing facilities do not use ozone-depleting refrigerants such as CFCs and HCFCs. States should also assist the industry in taking on the responsibilities for safe disposal of substances involved.</p> <p>States should promote and encourage cleaner technology in the promotion of post-harvest technology in fisheries sector.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • SEAFDEC RCCRF - Responsible Fishing Operations Point 8.8 (Protection of the atmosphere) • SEAFDEC RCCRF - Responsible Fishing Operations Points 8.9.1 (3) and (4) (Waste disposal and pollution) • SEAFDEC RCCRF - Responsible Aquaculture Point 9.4.6 (Disposal of waste and chemicals) • FAO CCRF - Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.15 (Promotion of international fish

	<p><i>trade without compromising environmental issues)</i></p>
<p>11.1.8 States should encourage those involved in fish processing, distribution and marketing to:</p> <p>a) reduce post-harvest losses and waste;</p> <p>b) improve the use of by-catch to the extent that this is consistent with responsible fisheries management practices; and</p> <p>c) use the resources, especially water and energy, in particular wood, in an environmentally sound manner.</p>	<p>a) States should promote better handling, preservation and utilization of fish through research and development of appropriate technologies, marketing opportunities and distribution and training of personnel and provision of infrastructure, taking into account the social, economic and environmental costs.</p> <p>States should promote effort to improve quality and maintain freshness of all fish harvested through appropriate distribution/marketing system (e.g. ice-making and cold storage facilities in landing and marketing areas, and use of refrigerated vans for transport).</p> <p>b) States should support research and development in identifying marketing and product development opportunities, so as to reduce potential losses and discarding of fish at sea.</p> <p>States should promote the direct usage for human consumption of fish species that are not fully used for that purposes such as small pelagic, unwanted catch etc.</p> <p>(c) States and industry should take into consideration the design, site layout, processing operations and management in fish processing industries optimize both the use of available water and energy.</p> <p>States should encourage the fishing communities and fish processing industries to use alternatives fuels.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • 11.1.8 ADD. 1 on Optimizing utilization of catch • 11.1.8 ADD. 2 on Maximum Utilization of catch

	<ul style="list-style-type: none"> • SEAFDEC RCCRF – Responsible Fishing Management Point 7.6.9 (Waste, discards, ghost fishing) • SEAFDEC RCCRF – Responsible Fishing Operations Point 8.4.4 (Technology for best use of retained catch) • SEAFDEC RCCRF – Responsible Fishing Operations Point 8.6.1 (Efficient Use of energy) • SEAFDEC RCCRF – Responsible Fishing Operations Point 8.9.1 (Design and construction of harbours and landing places)
<p>11.1.8 ADD. 1 Optimizing utilization of catch</p>	<p>Introduce and provide support for the development of technologies to optimize the utilization of catch and reduce post-harvest losses, wastes and discards in industrial and small-scale fisheries and processing operations through improved processing facilities, on-board and on-shore handling, storage and distribution of fish and fishery products. (Millennium Plan Of Action, paragraph 1 of Sustainable Utilization of Fish and Fishery Products)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.8 on post-harvest losses and waste
<p>11.1.8 ADD. 2 Maximum Utilization of catch</p>	<p>Promote the maximum utilization of catch, including the reduction of discards and post-harvest losses to increase fish supply and improve economic returns (Millennium Resolution, paragraph 11)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.1.8 on post-harvest losses and waste
<p>11.1.9 Human consumption use States should encourage the use of fish for human consumption and promote consumption of fish whenever appropriate.</p>	<p>States should encourage the proper handling and quality preservation of fish of low economic value for direct human consumption, taking into consideration economic factors.</p> <p>States should encourage the maximum utilization of under-utilized species of low-economic value (including pelagic fishes) for direct human consumption taking into consideration socio-</p>

	<p>economic factors.</p> <p>States should promote greater fish consumption of under-utilized fish through public education on the beneficial effects of these fish on human health and the way to prepare them.</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>FAO CCRF - Fisheries Research Sub-article 12.7 (Research on optimization of fish and to support national policies related to fish as food)</i>
<p>11.1.10 Value-added products States should cooperate in order to facilitate the production of value-added products by developing countries.</p>	<p>Member States should cooperate in facilitating the production of value-added products in the region through technology transfer. States should as far as possible, create a conducive environment for private sector cooperation / investment.</p> <p>States should promote research and development to improve local products and enhance their export potential.</p> <p>States are encouraged to establish organizations to promote export, source for new market and update the industry on the legislation, prices and factors affecting the trade.</p> <p>States should be aware and mitigate the negative social and economic impact of increased wealth and employment opportunities and foreign exchange earnings on domestic and subsistence communities.</p>
<p>11.1.11 Conservation and management practices, identification of origin States should ensure that international and domestic trade in fish and fishery products accords with sound conservation and management practices through improving the identification of the origin of fish and fishery products traded.</p>	<p>States should as far as possible encourage the establishment of an identification and tracking system as a supplementary measure for sustainable fishery management systems.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.1.11 ADD. 1 on Potential impacts of eco-labelling</i>

	<ul style="list-style-type: none"> • <i>11.1.11 ADD. 2 on Environmental and biodiversity impact</i> • <i>SEAFDEC RCCRF – Responsible Fisheries Management Point 7.1.10 (Legal issues)</i> • <i>SEAFDEC RCCRF – Responsible Fisheries Management Point 7.5.1 (Precautionary approach)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Responsible Fish Utilization Sub-article 11.1.2 (Safety and quality assurance systems)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.9 (Trade in endangered species)</i>
<p>11.1.11 ADD. 1 Potential impacts of eco-labelling</p>	<p>Anticipate and address the potential impacts of eco-labelling of ASEAN fish and fishery products. (Millennium Plan Of Action, paragraph 3 of Fish Trade)</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.1.11 on Conservation and management practices, identification of origin</i> • <i>FAO Draft International Guidelines for Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries</i>
<p>11.1.11 ADD. 2 Environmental and biodiversity impact</p>	<p>Mitigate the potential impacts on the environment and biodiversity, including the spreading of aquatic animal diseases, caused by the uncontrolled introduction and transfer of non-indigenous and exotic aquatic species (Millennium Resolution, Paragraph 10)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>11.1.11 on Conservation and management practices, identification of origin</i>
<p>11.1.12 Laws, regulations and policies States should ensure that environmental effects of post-harvest activities are considered in the development of related laws, regulations and policies without creating any market distortions.</p>	<p>States should seek to regulate and minimize environmental damage by including in the statute books, legislation which enables action to be taken against those responsible for violating those regulations.</p> <p>States should ensure that the policies designed do not allow the circumvention of the environmental</p>

	<p>protection legislative framework giving unfair advantages to some groups of people.</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>FAO CCRF - Post-Harvest Practices and Trade: Responsible Fish Utilization Sub-article 11.1.11 (Improving the Identification of the origin of fish and fishery products)</i>
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ARTICLE 11.2 RESPONSIBLE INTERNATIONAL TRADE

Articles/Focused Issues	Regional Guidelines
11.2 Responsible international trade	
<p>11.2.1 WTO principles, rights and obligations</p> <p>The provisions of this Code should be interpreted and applied in accordance with the principles, rights and obligations established in the World Trade Organization (WTO) Agreement.</p>	<p>States should exert efforts to develop ASEAN common interests/positions in fisheries trade and reflect them in the process of developing principles and decisions/agreements at WTO.</p>
<p>11.2.2 Sustainable fisheries and responsible fish utilization</p> <p>International trade in fish and fishery products should not compromise the sustainable development of fisheries and responsible utilization of living aquatic resources.</p>	<p>States should establish policy and legal frameworks concerning sustainable development of fisheries and responsible utilization of living aquatic resources. Such frameworks should take into consideration fisheries management policies, laws and regulations at the national level and the impact of international trade on the sustainable utilization of aquatic resources.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.2.2 ADD.1 on Maximum utilization of catch</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.2.2 (Measures for the objectives)</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.1.8 (Excess fishing capacity)</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.6.4 (Responsible fishing)</i>

<p>11.2.2 ADD.1 Maximum utilization of catch</p>	<p>Promote the maximum utilization of catch, including the reduction of discards and post-harvest losses to increase fish supply and improve economic returns (SEAFDEC Millennium Resolution, Paragraph 11 – Maximum Utilization of Catch)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>11.2.2 on Sustainable fisheries and responsible fish utilization</i>
<p>11.2.3 Transparent and scientific-based measures States should ensure that measures affecting international trade in fish and fishery products are transparent, based, when applicable, on scientific evidence, and are in accordance with internationally agreed rules.</p>	<p>States should also involve, consult and collaborate with stakeholders including fisheries organizations covering extension, research and marketing with respect to the consequences of measures imposed in relation to fish trade.</p> <p>States should collect scientific evidence for use in international fish trade negotiations.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>FAO CCRF - Post Harvest Practices and Trade: Laws and Regulations Relating to the Fish Trade Sub-article 11.3.1 (Transparency, simplicity and comprehensibility on laws and regulations relating to fish trade)</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.1.9 (Transparency in Fisheries management)</i> • <i>FAO Draft Technical guidelines for Responsible Fisheries on Responsible International Trade Points 14, 17(yet to finalize)</i> • <i>Fish for the People, Volume 1 Number 1 2003, Page 21</i>
<p>11.2.4 Indiscriminatory measures (SPS and TBT) Fish trade measures adopted by States to protect human or animal life or health, the interests of consumers or the environment, should not be discriminatory and should be in accordance with internationally</p>	<p>States should strengthen the trade policy on fish and fishery products through harmonizing product standards and sanitary measures in the region, in particular the principles, rights and obligations established in the Agreement on the Application of SPS and TBT of the WTO, by:</p>

<p>agreed trade rules, in particular the principles, rights and obligations established in the Agreement on the Application of Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade of the WTO.</p>	<p>a) Enhancing participation and inputs of ASEAN countries in international fora, including WTO/SPS, Codex and Office International des Epizooties (OIE) meetings; and</p> <p>b) Developing standards for regional fishery products traded internationally</p> <p>c) Active participation of fisheries agencies in existing ASEAN fora for the harmonization and setting of SPS and TBT standards</p> <p>States should improve science-based information to support the development of standards, practices and control measures.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • 11.2.4 ADD. 1 on ASEAN Trade Policy • FAO Draft Technical guidelines for Responsible Fisheries on Responsible International Trade Points 18,22 (yet to finalize) • FAO CCRF - Post-harvest Practices and Trade Sub-article 11.2.3 (Transparent and scientific-based), • FAO CCRF - Post-harvest Practices and Trade Sub-article 11.2.14 (Participation in regional and multilateral fora) • FAO CCRF - Post-harvest Practices and Trade Sub-article 11.3.6 (Harmonization of standards)
<p>11.2.4 ADD. 1 ASEAN Trade Policy</p>	<p>Strengthen ASEAN trade policy on fish and fishery products through regional collaboration by harmonizing product standards and sanitary measures with international standards wherever appropriate, working towards harmonized guidelines for fish inspection and quality control systems among ASEAN Member Countries, strengthening fish inspection and quality control systems with regard to food safety and exchanging information on risk analysis (SEAFDEC Millennium Plan Of Action, Paragraph 1 of Fish Trade (ASEAN trade policy, product standards, inspection and quality control systems)</p>

	<p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.4 on <i>Indiscriminatory measures (SPS and TBT)</i>
<p>11.2.5 Trade liberalization, barriers and distortion States should further liberalize trade in fish and fishery products and eliminate barriers and distortions to trade such as duties, quotas and non-tariff barriers in accordance with the principles, rights and obligations of the WTO Agreement.</p>	<p>States should promote close consultation between national fishery agency and other trade related agencies for liberalization of trade in fish and fishery products</p> <p>States should make efforts to strengthen competitiveness in term of product quality of fish and fishery products in the regional and global market.</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.5 ADD. 1 on <i>Fisheries subsidies</i>
<p>11.2.5 ADD. 1 Fisheries subsidies</p>	<p>States should, in collaboration with international technical organizations such as the Food and Agriculture Organization of the United Nations (FAO) and the World Trade Organization (WTO), assess the impact of government subsidies on fisheries, particularly on the needs of small-scale fisheries in the ASEAN region and sustainable fisheries (SEAFDEC Millennium Plan of Action, paragraph 2 of Fish Trade).</p> <p>Considering the fact that initiatives related to fisheries subsidies are not always promoted by fishery related agencies and this has led to lack of thorough understanding of requirements and complexity of the fisheries particularly in the ASEAN region, the Member Countries should closely monitor the progress of the initiatives, actively involve in formulating common positions reflecting the ASEAN uniqueness of fisheries and coordinate with relevant agencies representing each country at the international fora (Advance copy of Summary Report of the ASEAN-SEAFDEC RTC on Fisheries Subsidies, 9-10 October 2003, Bangkok, Thailand, Page 2-3)</p> <p>The Member Countries should exert their utmost efforts in establishing sound fisheries management in place and ensure that fisheries</p>

	<p>subsidies do not contribute to over-exploitation and unsustainability of fisheries. (Advance copy of Summary Report of the ASEAN-SEAFDEC RTC on Fisheries Subsidies, 9-10 October 2003, Bangkok, Thailand, Page 3)</p> <p>The Member Countries agreed that:</p> <ul style="list-style-type: none"> - Fisheries subsidies contributing to sustainable fisheries as well as poverty alleviation should be permitted; - Some fisheries subsidies whether they should be permitted or removed will depend on a number of factors including management regime, status of resources and the length of time that subsidies will be applied; and - Fisheries subsidies contributing to over-exploitation of fishery resources or unsustainability of fisheries must be removed. <p>(Advance copy of Summary Report of the ASEAN-SEAFDEC RTC on Fisheries Subsidies, 9-10 October 2003, Bangkok, Thailand, Page 2)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.5 on Trade liberalization, barriers and distortion
<p>11.2.6 Barriers to trade States should not directly or indirectly create unnecessary or hidden barriers to trade which limit the consumer's freedom of choice of supplier or that restrict market access.</p>	
<p>11.2.7 Access to markets, access to resources States should not condition access to markets to access to resources. This principle does not preclude the possibility of fishing agreements between States which include provisions referring to access to resources, trade and access to markets, transfer of technology, scientific research, training and other relevant elements.</p>	<p>Linkage:</p> <ul style="list-style-type: none"> • SEAFDEC RCCRF - Responsible Fisheries Management Point 7.3.1 ADD. 2 (Rights-based fisheries)

<p>11.2.8 Access to markets States should not link access to markets to the purchase of specific technology or sale of other products.</p>	<p>Linkage:</p> <ul style="list-style-type: none"> • <i>FAO Draft Technical guidelines for Responsible Fisheries on Responsible International Trade Point 37(yet to finalize)</i>
<p>11.2.9 Trade in endangered species States should cooperate in complying with relevant international agreements regulating trade in endangered species.</p>	<p>States should actively participate in relevant meetings of international organizations such as CITES and FAO, to ensure that the decisions made reflect the interests of the region.</p> <p>States, in collaboration with regional organizations including SEAFDEC, should collect relevant information to understand the fisheries for the concerned species to be discussed at CITES.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>FAO Draft Technical guidelines on law and regulation relating fish trade Point 40 (yet to finalize)</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.2.2 (7) (Measures for the objectives)</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.6.4 ADD. 1 (Responsible fishing)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade Sub-article 11.1.11 (Identification of the origin of fish and fishery products traded)</i>
<p>11.2.9 ADD. 1 Fisheries related issues under the Convention on International Trade and Endangered Species of Wild Fauna and Flora (CITES)</p>	<p>I. Common Positions of the ASEAN-SEAFDEC Member Countries on Fisheries Management and Trade</p> <p>1.1 To support the ASEAN common positions that the management of commercial fisheries, including shark fisheries, should come under the purview of FAO and the CCRF and not the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) as endorsed at the Senior Official Meeting (SOM) of the 23rd Meeting of the ASEAN Ministers on Agriculture and Forestry (AMAF) in October 2001.</p>

	<p>1.2 To support the ASEAN common positions for the 12th Meeting of the Conference of the Parties to CITES (COP12) to be held in November 2002, which was discussed at the 2nd Meeting of the ASEAN Expert Group on CITES (AEG-CITES) in August 2002 and subsequently endorsed by the 24th AMAF in October 2002 that:</p> <ul style="list-style-type: none"> - CITES listing proposals should be based on the principle of sustainable use of resources in relation to any species; - There must be scientific-based data provided by a competent scientific authority; - Other than CITES, other competent authorities such as FAO, ITTO, etc. exist to sustainably manage these species; - ASEAN as a group should proactively promote the management of marine and tree species issues to be addressed by relevant competent authorities and not CITES; and - ASEAN countries may also support other countries on CITES issues not of direct interest to ASEAN. <p>(Proceedings of The ASEAN-SEAFDEC Regional Meeting on Fish Trade and Environment, Bangkok, Thailand, 14-16 October 2002)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.9 on Trade in endangered species
<p>11.2.10 Trade in live specimens States should develop international agreements for trade in live specimens where there is a risk of environmental damage in importing or exporting States.</p>	<p>States should collaborate to establish regional agreements on the trade of live specimens, based on the available scientific evidence, on their impact on the environment and fish disease transmission, in line with international agreements</p> <p>States should formulate trade policies with regards to the adverse environmental impact of the introduction of non-indigenous species into</p>

	<p>the existing aquatic environment.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>FAO Draft Technical guidelines on Responsible Fisheries on Laws and Regulations Relating to the Fish Trade Point 44 (yet to finalize)</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.2.2 (4) (Measures for the objectives)</i> • <i>SEAFDEC RCCRF - Responsible Aquaculture Point 9.3.2 (Cooperation in international codes of practice and procedures)</i> • <i>SEAFDEC RCCRF - Responsible Aquaculture Point 9.3.3 (Encouraging adoption of appropriate practices)</i>
<p>11.2.11 International trade standards States should cooperate to promote adherence to, and effective implementation of relevant international standards for trade in fish and fishery products and living aquatic resource conservation.</p>	<p>States should ensure the effective implementation of technical measures and standards with regards to trade in fish and fishery products and living aquatic resource conservation in order to ensure regional competitiveness and resource conservation</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.2.11 ADD.1 on Joint ASEAN approaches and positions on international trade</i> • <i>11.2.11 ADD. 2 on Participation and Involvement</i> • <i>11.1.4 ADD. 2 on ASEAN trade policies, product standards, inspection and quality control systems</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Laws and Regulations Relating to the Fish Trade Sub-article 11.3.6 (Harmonization of standards)</i>
<p>11.2.11 ADD.1 Joint ASEAN approaches and positions on international trade</p>	<p>Strengthen the joint ASEAN approaches and positions on international trade in fish and fishery products indigenous to the Region by harmonizing standards, criteria and guidelines (SEAFDEC Millennium Resolution, paragraph 15)</p>

	<p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.11 on International trade standards
<p>11.2.11 ADD. 2 Participation and Involvement</p>	<p>Increase the participation and involvement of ASEAN Member Countries in international fora to safeguard and promote ASEAN interests. (Millennium Resolution, paragraph 16)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.11 on International trade standards
<p>11.2.12 Conservation measures and trade benefits States should not undermine conservation measures for living aquatic resources in order to gain trade or investment benefits.</p>	<p>States should promote closer coordination between national fishery agency, environment/conservation and trade-related agencies in order to avoid the possible effects of trade and investment on sustainable fisheries management and conservation.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • SEAFDEC RCCRF - Responsible Fisheries Management Point 7.1.1 (Long term and sustainable use of resources) • SEAFDEC RCCRF - Responsible Fisheries Management Point 7.2.2 (Measures for the management objectives) • 11.2.12 ADD. 1 on Conservation
<p>11.2.12 ADD. 1 Conservation</p>	<p>Work towards the conservation and rehabilitation of aquatic habitats essential to enhancing fisheries resources (SEAFDEC Millennium Resolution, paragraph 9)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.2.12 on Conservation measures and trade benefits
<p>11.2.13 Trade rules and standards States should cooperate to develop internationally acceptable rules or standards for trade in fish and fishery products in accordance with the principles, rights, and obligations established in the</p>	<p>States should develop a national and regional framework and mechanism to involve national fishery and trade agencies in the formulation of trade policy including setting up trade rules and standards.</p>

<p>WTO Agreement.</p>	<p>Linkages:</p> <ul style="list-style-type: none"> • 11.1.4 ADD. 3 on Regional guidelines and standards • 11.2.4 ADD. 1 on ASEAN Trade Policy • 11.1.3 ADD. 1 on Participation and involvement in international fora • 11.2.11 ADD. 2 on Participation and Involvement
<p>11.2.14 Participation in regional and multilateral fora States should cooperate with each other and actively participate in relevant regional and multilateral fora, such as the WTO, in order to ensure equitable, non-discriminatory trade in fish and fishery products as well as wide adherence to multilaterally agreed fishery conservation measures.</p>	<p>States should involve fisheries agency in international/regional fora and technical committees with respects to trade in fish and fishery products, such as the WTO, as well as ASEAN regional fora, e.g. ASEAN Expert Group on Food Safety, ASEAN Food Safety Network, ASEAN Task Force on Codex, ASWG on Harmonization on Shrimp Standards for Export-Import, ASEAN Expert Group (AEG) on CITES, etc, in order that national and regional interests and concerns are adequately addressed and considered.</p> <p>States should use the adopted common ASEAN position on fisheries trade issues as a basis for regional inputs at international fora.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • 11.2.11 ADD. 2 on Participation and Involvement • 11.2.4 ADD. 1 on ASEAN Trade Policy • 11.1.4 ADD. 3 on Regional guidelines and standards • 11.1.3 ADD. 1 on Participation and involvement in international fora • FAO Draft Technical Guidelines for Responsible Fisheries on Responsible International Trade Point 60 (yet to finalize)
<p>11.2.15 Promotion of international fish trade States, aid agencies, multilateral development banks and other relevant international organizations should ensure that their policies and practices</p>	<p>States should ensure that promotion of the international fish trade does not adversely affect environmental conservation, national food security and the livelihood of stakeholders.</p>

<p>related to the promotion of international fish trade and export production do not result in environmental degradation or adversely impact the nutritional rights and needs of people for whom fish is critical to their health and well being and for whom other comparable sources of food are not readily available or affordable.</p>	<p>States should investigate the positive impact of international trade on fish products.</p>
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ARTICLE 11.3 LAWS AND REGULATIONS RELATING TO FISH TRADE

Articles/Focused Issues	Regional Guidelines
11.3 Laws and regulations relating to fish trade	
<p>11.3.1 Transparency, simplicity and comprehensibility Laws, regulations and administrative procedures applicable to international trade in fish and fishery products should be transparent, as simple as possible, comprehensible and, when appropriate, based on scientific evidence.</p>	<p>States should ensure that the responsible agency collaborate with the national fishery agency to ensure that laws, regulations and administrative procedures related to fisheries be transparent, as simple as possible, comprehensible by all stakeholders to facilitate international trade in fish and fishery products.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.1.9 (Transparency)</i> • <i>FAO Draft Technical Guidelines for Responsible Fisheries on Laws and Regulations Relating to Fish Trade Points 64, 65, 66, 67 (yet to finalize)</i> • <i>FAO CCRF – General Principles Sub-article 6.4 (Basing conservation and management decisions on the best scientific evidence)</i>
<p>11.3.2 Consultation and participation of stakeholders States, in accordance with their national laws, should facilitate appropriate consultation with and participation of industry as well as environmental and consumer groups in the development and implementation of laws and regulations related to trade in fish</p>	<p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.3.2 ADD. 1 on Greater involvement by stakeholders</i> • <i>SEAFDEC RCCRF – Responsible Fisheries Management Point 7.1.2 (Consultation / ADD. 1 Stakeholder involvement)</i> • <i>SEAFDEC RCCRF – Responsible Fisheries</i>

<p>and fishery products.</p>	<p><i>Management Point 7.1.9 (Transparency)</i></p> <ul style="list-style-type: none"> • <i>SEAFDEC RCCRF – Responsible Fisheries Management Point 7.1.10 (Legal Issues)</i> • <i>FAO CCRF – General Principles Sub-article 6.13 (Involvement of stakeholders in decision-making)</i>
<p>11.3.2 ADD. 1 Greater Involvement by stakeholders</p>	<p>Acknowledge the need for enhanced human resource capabilities at all levels and encourage greater involvement by stakeholders to facilitate consensus and compliance in achieving sustainable fisheries</p> <p>Linkage:</p> <ul style="list-style-type: none"> • <i>11.3.2 on Consultation and participation of stakeholders</i>
<p>11.3.3 Simplification States should simplify their laws, regulations and administrative procedures applicable to trade in fish and fishery products without jeopardizing their effectiveness.</p>	<p>Linkage:</p> <ul style="list-style-type: none"> • <i>FAO Draft Technical Guidelines on Laws and Regulations relating to fish trade Points 71, 73 (yet to finalized)</i>
<p>11.3.4 Inter-state consultation When a State introduces changes to its legal requirements affecting trade in fish and fishery products with other States, sufficient information and time should be given to allow the States and producers affected to introduce, as appropriate, the changes needed in their processes and procedures. In this connection, consultation with affected States on the time frame for implementation of the changes would be desirable. Due consideration should be given to requests from developing countries for temporary derogations from obligations.</p>	<p>Linkages:</p> <ul style="list-style-type: none"> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.3.4 (Promote co-operation)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade: Responsible International Trade Sub-article 11.2.11 (Co-operation of states)</i> • <i>FAO Draft Technical Guidelines for Responsible Fisheries on Laws and Regulations Relating to the Fish Trade Point 79 (yet to finalize)</i> • <i>FAO CCRF - General Principles Sub-article 6.15 (Co-operation to prevent disputes)</i>
<p>11.3.5 Review of laws and regulations States should periodically review laws and regulations applicable to</p>	<p>Linkages:</p> <ul style="list-style-type: none"> • <i>SEAFDEC RCCRF - Responsible Fisheries</i>

<p>international trade in fish and fishery products in order to determine whether the conditions which gave rise to their introduction continue to exist.</p>	<p><i>Management Point 7.7.1 (1) (Legal Implementation)</i></p> <ul style="list-style-type: none"> • <i>FAO Draft Technical Guidelines for Responsible Fisheries on Laws and Regulations Relating to the Fish Trade Point 80 (yet to finalize)</i>
<p>11.3.6 Harmonization of standards States should harmonize as far as possible the standards applicable to international trade in fish and fishery products in accordance with relevant internationally recognized provisions.</p>	<p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.2.11 ADD.1 on Joint ASEAN approaches and positions on international trade</i> • <i>11.1.4 ADD. 2 on ASEAN trade policy, product standards, inspection and quality control systems</i> • <i>11.1.4 ADD. 3 on Regional guidelines and standards</i> • <i>SEAFDEC RCCRF - Responsible Fisheries Management Point 7.7.1 (2) (Legal Implementation)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade Sub-article 11.1.4 (Co-operation to achieve harmonization of national sanitary measures)</i> • <i>FAO CCRF - Post-Harvest Practices and Trade Sub-article 11.2.11 (Co-operation for effective implementation of international standards)</i>
<p>11.3.7 Statistical information on international fish trade States should collect, disseminate and exchange timely, accurate and pertinent statistical information on international trade in fish and fishery products through relevant national institutions and international organizations.</p>	<p>States should strengthen and harmonize ASEAN statistical information on international trade through regional collaborative mechanisms. States should build up capacity in the analysis of fisheries trade data and information for fisheries management.</p> <p>States should put emphasis on research and development to compile data and facts on issues that can serve as scientific evidence taking into account international standards, guidelines and recommendations.</p> <p>Linkages:</p> <ul style="list-style-type: none"> • <i>11.3.7 ADD. 1 on Maximizing the Use of National Fishery Statistical Systems</i>

	<ul style="list-style-type: none"> • 11.3.7 ADD. 2 on Use of National Fisheries Statistical Systems • 11.3.7 ADD. 3 on Standardized definitions and classifications of statistical data • SEAFDEC RCCRF - Responsible Fisheries Management Point 7.4 ADD. 1 (Statistics) • SEAFDEC RCCRF - Responsible Fisheries Management Point 7.3.4 (Promote cooperation)
<p>11.3.7 ADD. 1 Maximizing the Use of National Fishery Statistical Systems</p>	<p>Strengthen national fishery statistical systems and maximize their use for fisheries planning and management and develop standard definitions and classifications to facilitate regional fishery statistics and information exchanges (SEAFDEC Millenium Resolution, Paragraph 7).</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.3.7 on Statistical information on international fish trade
<p>11.3.7 ADD. 2 Use of National Fisheries Statistical Systems</p>	<p>Maximize the use of national fisheries statistical systems by focusing on clear objectives and timely results directly related to fishery management decision-making and planning processes. (SEAFDEC Millenium Plan Of Action, Paragraph 10 of Fisheries Management)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.3.7 on Statistical information on international fish trade
<p>11.3.7 ADD. 3 Standardized definitions and classifications of statistical data</p>	<p>Apply, where appropriate, regionally standardized definitions and classifications for statistical data to facilitate regional compilation, analysis and data exchange. (SEAFDEC Millenium Plan Of Action, Paragraph 11 of Fisheries Management)</p> <p>Linkage:</p> <ul style="list-style-type: none"> • 11.3.7 on Statistical information on international fish trade
<p>11.3.8 Notification</p> <p>States should promptly notify interested States, WTO and other</p>	<p>-</p> <p>Linkages:</p> <ul style="list-style-type: none"> • SEAFDEC RCCRF - Responsible Fisheries

<p>appropriate international organizations on the development of and changes to laws, regulations and administrative procedures applicable to international trade in fish and fishery products.</p>	<p><i>Management Point 7.1.10 (Legal Issues)</i></p> <ul style="list-style-type: none">• <i>FAO Technical Guidelines for Responsible Fisheries on Laws and Regulations Relating to Fish Trade Points 90, 93, 94</i>• <i>FAO CCRF - General Principles Sub-article 6.15 (Co-operation by states)</i>
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CHAPTER V

FOLLOW-UP ACTIVITIES FOR IMPLEMENTATION

The Regional Guidelines for Responsible Fisheries in Southeast Asia: Post-harvest Practices and Trade, particularly aims to address the missing areas of the global CCRF Article 11 that require consideration in the regional context with regard to responsible fish utilization, responsible international trade and laws and regulations relating to fish trade. To strengthen countries implementation, there is need to encourage and making an effort to promote and facilitate actions for the implementation of the Regional Guidelines for Post-harvest Practices and Trade. The level of implementation and action status of issues will need to be promoted by both the Southeast Asian States and the regional organization like SEAFDEC as follows.

Role of Southeast Asian Countries

Along with this issues and articles that the guidelines contain, using the Regional Guidelines as basis, States may take the necessary action to appropriately manage fisheries within their jurisdictions to achieve sustainable fisheries on Post-harvest Practices and Trade as the following:

- Dissemination and distribution of the Regional Guidelines to policy-makers and fisheries stakeholders in the state
- Develop, improve and formulate national policies to introduce the Regional Guidelines
- Initiate necessary action identifies in the Regional Guidelines
- Prepare supplementary guidelines to further clarify and elaborate the issues and specific subjects to be promoted in the Regional Guidelines
- Improve national legal instruments
- Promote the required policy and technical research to obtain needed or detailed information

Role of SEAFDEC

SEAFDEC as a regional organization, in collaboration with its member countries, will further develop programs to facilitate the implementation of the CCRF in the Southeast Asian region. The following proposed activities will be undertaken by the Secretariat or may be carried out in collaboration with concerned Technical Departments and with ASEAN-SEAFDEC Member Countries

- Disseminate and distribution of the Regional Guidelines to policy-makers and fisheries stakeholders in the Southeast Asia;
- Provide a basis for formulation and implementation of relevant regional programs (research & development, training and information activities);
- Use as a reference for donor supports in priority common area/issues; and

- Provide a comprehensive framework for policy and program coordination toward sustainable/responsible fisheries

Regional Collaborative Mechanism

To promote implementation of the program on Regionalization of the Code of Conduct for Responsible Fisheries (RCCRF) Phase IV: Post-harvest Practices and Trade, the Secretariat established a dedicated e-mail in the ASEAN Post-harvest Technology Network *aseanfphn@seafdec.org* for a Core Expert from all ASEAN Member Countries. The network as a means of communication among the Core Experts, the SEAFDEC MFRD and the Secretariat to incorporate the regional programs related to Post-harvest Practices and Trade under ASEAN-SEAFDEC Fisheries Collaborative Group (FCG).

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