

GUIDELINES FOR RESPONSIBLE FISHING

by

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Abstract

A document, "Technical Guidelines for Responsible Fisheries, Vol. 1: Fishing Operations" has been recently published by FAO to provide practical advice on implementing the provisions of Article 8 of the Code of Conduct regarding fishing operations to ensure all fishing operations are conducted responsibly. These Technical Guidelines are addressed to States, international organizations, fisheries management bodies, owners, managers and charterers of fishing vessels as well as fishers and their organizations. While the Guidelines may be applied by States on a voluntary basis, they give specific responsibility to all States, including Flag States and Port States, to research institutions for resources and environment, and for the fisheries sector in general, in the country and abroad. They also indicate, in detail, the fishing operators' responsibilities, including proper equipping of fishing vessels, furnishing of documents, authorizations and certificates, as required, respecting of all existing regulations, and reporting in detail on fishing operations and catch, etc. In practice, compliance with the recommendations of the Code regarding fishing operation are very exacting for fishery administrations, skippers and fishermen. To assist in this matter, a number of meetings will be organized in various parts of the world to discuss specific aspects such as fishing gear selectivity and responsible fishing practices, and several global programmes have been elaborated to assist in the training, including responsible fisheries practices, of fishing operators, or for establishment and operation of Monitoring, Control and Surveillance (MCS). Regional bodies and NGOs are taking measures to spread the message about responsible fisheries practices.

1. INTRODUCTION

The Code of Conduct for Responsible Fisheries has been developed with the long term objective "...to ensure the long term sustainability of living marine resources so that these can be harvested by generations to come thus making a substantial contribution to world food security and employment opportunities ...".

Article 8 of the Code further develops the provisions regarding fishing operations.

Prepared at the request of the Committee of Fisheries (COFI), the immediate objective of the Technical Guidelines is to provide practical advice on implementing the provisions of this Article to ensure all fishing operations are conducted responsibly.

These Technical Guidelines are addressed to States, international organizations, fisheries management bodies, owners, managers and charters of fishing vessels as well as fishers and their organizations. Guidance is also given for the general public.

It is worth mentioning that, at this stage, the Technical Guidelines have been published as a FAO Technical Paper, under its own responsibility and that the guidelines have not received prior, public endorsement by member states or by the world's fisheries community.

The Guidelines may be applied by States on a voluntary basis to all fishing operations on all oceans, seas and inland waters, to all fishing vessels (including vessels engaged in transshipment of fish), to fishers, owners, managers, masters of harbours for fishing vessels, and competent authorities.

It is worth mentioning that these Guidelines are preliminary and will be evaluated and revised as information accumulates through their implementation.

2. BACKGROUND

The guidelines proposed in the document "Guidelines for responsible fishing" issued recently by FAO have been prepared taking into account technical advice from experts, international agreements, conventions or regulations (examples of International Conventions, Agreements and Arrangements having a bearing on fishing operations are given in the Annex 1 of the document), and recommendations agreed on by the international community.

First of all, these Guidelines are a follow up to the Code of Conduct for Responsible Fisheries, as elaborated over almost a five-year period and finally approved on 31 October 1995.

The matter was discussed in detail during a FAO Expert Consultation on Responsible Fishing Operations, held in Sidney, Canada in June 1994.

When the discussions started for the elaboration of a code of conduct, the members of FAO recommended that specific consideration be given to problems related to fishing operations outside EEZs and to reflagging of large fishing units. An "Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas" (the Compliance Agreement) was prepared in consultation with the FAO Council. (So far ten countries have ratified the Agreement. Myanmar is the only country in Asia so far. The Agreement will come in force when twenty five countries will have signed it).

The abovementioned agreement concerning fishing in the high sea, has introduced the concept of "authorization to fish" attributed to certain vessels, under certain conditions, by the Flag State which has responsibility. The responsible Flag State is also committed to maintaining a registry of authorised vessels.

The developments at the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks has also been taken into account.

Reference is also made to recent international conventions and regulations, in particular developments within the International Maritime Organization (IMO):

- a) adoption of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention on the Safety of Fishing Vessels, 1977;
- b) amendment of the Convention on the Training and Certification of Watchkeepers;
- c) development of a new Convention on the Training and Certification of Fishing Vessel Personnel (International Convention on Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995); and
- d) amendment the International Regulations for the Prevention of Collisions at Sea (on the recommendation of FAO).

3. CONTENTS OF THE DOCUMENT

For the implementation of responsible fishing operations, responsibilities are shared between all States: Flag States, Port States and fishing industries.

The document indicates in detail who is responsible for what.

ALL STATES RESPONSIBILITIES

with regard to resources/environment

- fisheries resources
 - precautionary approach
 - consideration to degree of selectivity of fishing gear
 - development of standard methodology in fishing gear selectivity
 - fishing activities carried out only by authorized units
 - establishment/operation of MCS
 - law enforcement
- environment
 - adopt standard for the optimization of the use of energy (for harvesting and post-harvesting)

- phasing out of the use of Chlorofluorocarbon (CFC) in refrigeration systems as well as in fire- extinguishing systems
- provision for adequate research and monitoring of environment (environmental audit)
- selection or improvement of sites for harbours for fishing vessels (in consultation with the authorities responsible for coastal management)
- adopt standards and follow guidelines for design, construction, maintenance and management of harbours and landing places and relevant users awareness programmes in this respect
- provision for adequate research and monitoring of environment (environmental audit)

with regard to fishery sector

- establishment of appropriate management policies
- monitoring of gear and catch
- promotion of more selective fishing gear
- development of standard methodology in fishing gear selectivity
- establishment of MCS
- operation of fisheries protection vessels
- establishment and updating of registry of vessels
- establishment and operation of observers programmes, where and when appropriate
- precautionary approach
- wide dissemination of information on progress of research
- regulation for transshipment
- improving Geographic Information Systems (GIS)

for its own fishing industry

- working conditions and safety of fishermen
 - ◇ establishment of SAR, GMDSS
 - ◇ communication system (ITU)
 - ◇ forecasting and broadcasting of information on the weather and sea conditions
- participation in elaboration of management policies
- issue of “authorization to fish”
- guarantee of the fishing rights to artisanal and small-scale fisheries
- reduce conflicts between passive and active fishing gear
- where appropriate, the use of artificial structures and/or fish aggregating technology for increasing stock abundance or enhancing fishing opportunities

- education and training (including adoption of common standard of training, energy optimization and energy saving techniques)
- information on
 - ◇ responsible fisheries/relevant Code of Conduct, international agreements,
 - ◇ regulation
 - ◇ authority of fisheries protection officers/vessels

FLAG STATES RESPONSIBILITIES

for international fishing sector

- issue of “authorization to fish”
- control that authorized vessels
 - ◇ carry all requested documents,
 - ◇ are properly insured
 - ◇ are maintained in accordance to national rules and international conventions
 - ◇ are properly marked, as well as the fishing gear they use
 - ◇ are operated by experienced, trained (properly informed on the Code) and certificate persons
- establishment and maintenance of registry of vessels
- system for reporting of vessels
- issue of standard of safety
- repatriation of crew, when appropriate

PORT STATES RESPONSIBILITIES

- procedures in accordance with international laws and applicable international agreements
- inspection of the documentation required on board vessels authorized to fish
- reporting of inspection
- detention of vessels which do not fulfil commitments

INDUSTRIES RESPONSIBILITIES

Equipment

- maintenance of proper equipment on board (navigation equipment and instrumentation, electronic data storage devices and, to the extent possible, remote sensing devices)
- equipment to enhance energy optimization and reduce the emissions of dangerous substances to the atmosphere

Documents

- carry all documents on board, including “authorization to fish”
- inform Flag States regarding the validity of certificates and “authorization to fish”
- insurance coverage

Operation

- respect of existing regulation
for the Prevention of Collision at Sea (light and shapes)
“ship traffic separation schemes”, etc.
- marking of vessels and fishing gear
- recognize the fishing right to categories of fisheries (artisanal and small scale fisheries)
- reduce conflicts with vessels/fishermen using other fishing gear
- develop more selective fishing gear
- contribute to energy saving
- reporting of lost fishing gear
- maintenance of good quality of catch
- reporting of activities at sea (sailing and fishing)
- facilitate the control by fisheries protection vessels and officers

RESEARCH RESPONSIBILITIES

with regard to fishing

- development of more selective fishing gear
- development of standard methodology in fishing gear selectivity
- environmental audit (including for fishing ports)
- execution of observers programmes

more generally

- conception of plans for fisheries management
- precautionary approach
- wide dissemination of information on progress/results of research

In the document, a series of annexes include details of the Standard Specifications for the Marking and Identification of Fishing Vessels (as endorsed by the FAO Committee on Fisheries, Rome, April 1989), proposes a system for the marking of fishing gear (in order to identify the owner) and for the application of a standard system of lights and shapes for the identification and location of fishing gear that may be unattended.

An annex also includes Guidelines and Standards for the removal of offshore installations and structures as adopted by the International Maritime Organization

(IMO) in 1989 and Procedures for the development and management of harbours and landing places, including guidance on the conduct of environmental auditing with regard to proposals for new construction and the upgrading of existing facilities.

4. GUIDELINES ALSO RELEVANT TO SMALL-SCALE FISHERIES

While many articles and recommendations obviously refer to the industrial fisheries, equipment and practices, other fisheries, small scale or artisanal, are also concerned.

Small-scale fishers have to abide with the recommendations included in the Code of Conduct and, in this connection, they have their responsibilities.

The constraints (technical, economic, social) which limit the possibilities, practices and options of the small-scale fishery sector should not be neglected.

However the small-scale fishers are required to pay attention, as far as possible, to possible wastage resulting from their fishing activities (fishing gear selectivity), to energy consumption and to the environmental impact of their activity in general. As a matter of fact, it is not untrue to state that in many cases such concern already exists among these fishers.

It can also be reasonably expected that efforts will be made for marking boats (including canoes) and fishing gear, and that lost fishing gear will also be reported.

It is also justified to recommend to fishers that they avoid conflicts with other vessels/fishers engaged in other fishing practices.

States have also responsibilities with respect of the small scale fishing sector and fishers.

The States responsibilities can be summarized as :

- a) to establish management policies taking into account small-scale fisheries, preferably in consultation with concerned fishing communities;
- b) to guarantee the fishing rights of small-scale fishers, and to act to limit conflicts with other fisheries, larger-scale in particular;
- c) to monitor the coastal environment in order to guarantee the sustainability of the small-scale fishery sector;
- d) where appropriate, to encourage the installation of artificial structures and the development of fish aggregating technology in general;
- e) to act to improve safety and working conditions of small scale fishers

- f) to pay attention to design, arrangement, available facilities, and maintenance of landing places used by small scale fishing units;
- g) to make extension services available to all fishers.

5. FOLLOW UP

An expert consultation on sustainable fishing technologies and practices will be held in Canada, early next year and will include discussions regarding the strategy for introduction and implementation of sustainable technologies and practices; in addition, methodology for development and assessment of the selective effectiveness of fishing gear and of the impact on marine habitat of fishing activities will be discussed.

The two last topics are important elements for more responsible fishing operations. In this connection it is also worth mentioning a consultation to be held in 1998 on reduction of incidental catch of seabirds aiming to limit the side-effects of fishing operations.

Responsible fishing operations also mean adjusting fishing fleets sizes to available resources. In this connection, it is worth mentioning that an international meeting will be organized in the USA in February 1998 on the restructure of national fishing fleets capacities to levels conducive to sustainable harvesting of the available and accessible marine resources.

In the Code of Conduct and in the relevant Technical Guidelines, mention is made of the responsibility of States regarding dissemination of information and training of fishermen on responsible fisheries concepts and requirements. In this respect, FAO is now elaborating, in consultation with a number of training institutions and UN specialized agencies, a proposal for a special programme, a component of an existing global programme called: Train-X (which now includes elements for training on maritime trade and management of aquatic environment).

Non-Governmental Organizations (NGOs) who participated in the formulation of the Code are taking measures to spread the message about the Code in order to create pressure from below to get States to take measures to adopt its provisions.

International organizations working closely with fishworkers have also taken initiatives to publicise the relevant aspects of the Code. They include the International Labour Organisation (ILO), the International Federation of Free Trade Unions and the International Collective in Support of Fishworkers.

A programme for promoting responsible fishing operations has been elaborated. It includes, among other things:

- a) assistance for the amendment of national fisheries legislation in relation to responsible fishing operations; - development of awareness programmes for responsible fishing operations and protection of the marine environment, with the organization of regional workshops for the training of trainers in this regard;

- b) enhancement of the capability of the countries to assess and select fishing gear and methods appropriate to their fisheries

It is worth mentioning in addition two sub-programmes of the inter-regional programme dealing, respectively, with improvement of national capacities of developing countries in monitoring, control and surveillance and with the provision of scientific advice for fisheries management, which Norway has agreed to fund.

6. CONCLUSION

In conclusion, it is worth mentioning that the report of the last meeting of the Committee of Fisheries (COFI), 17-20 March 97:

“... recalled that individual States are responsible for implementation of the Code and agreed that progress report on implementation of the Code should be presented every two years which should include information on FAO activities, proposed guidelines to implement the Code and on inter-regional programmes, as well as application at national level. A questionnaire will be designed.”

The Guidelines were elaborated to assist fishery administrations and industries in the implementation of the Code of Conduct, in particular in respect to the recommendations included in Article 8 of the Code related to fishing operations. As already mentioned, these Guidelines will be evaluated and revised as information accumulates through their implementation.

Furthermore, annexes on specific technical subjects are in preparation and these will be released in the form of “Supplement to the Technical Guidelines on Fishing Operations” as and when they are completed.