



## UNICPOLOS-6 HIGHLIGHTS: MONDAY, 6 JUNE 2005

The sixth meeting of the UN Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS-6 or Consultative Process) opened on Monday, 6 June 2005, at UN headquarters in New York. Delegates convened in a Plenary session in the morning and afternoon, addressing organizational matters and exchanging views on areas of concern and actions needed. In the afternoon, a Discussion Panel on fisheries and their contribution to sustainable development was held.

### PLENARY

**OPENING:** Co-chair Philip Burgess (Australia) opened the meeting, noting the two discussion panel issues relate to the Millennium Development Goals (MDGs). Underlining that this meeting is the last of the three year period for which the Consultative Process has been extended, he raised a number of questions on its future.

Co-chair Cristián Maquieira (Chile) stated that the issue of fisheries has taken an increasingly important role because of their impact on sustainable development.

MEXICO proposed to amend the agenda to indicate that the Consultative Process will suggest "issues" rather than "recommendations" to the General Assembly. Delegates adopted the agenda (A/AC.259/L.6) with the proposed amendment.

**EXCHANGE OF VIEWS ON AREAS OF CONCERN AND ACTIONS NEEDED:** ICELAND prioritized full implementation of existing global instruments and called for local and regional solutions to oceans resources management, rather than additional global instruments. He proposed strengthening regional fisheries management organizations (RFMOs), adding that each should decide on the modalities of its own performance assessment. He highlighted the importance of sustainable fisheries capacity building in Iceland's development aid policy.

CANADA emphasized: integration of fisheries into the new oceans agenda; institutional coordination inside and outside the UN system; capacity building needs of developing countries; and coherence with other fora, such as the Convention on Biological Diversity Working Group on Protected Areas. On the future of UNICPOLOS, she called for its continuation and a better reflection of its discussions in the report to the General Assembly.

The US noted the challenge of moving from negotiation to implementation and said key areas need to be addressed,

including: an ecosystem approach to conservation and management of marine resources; control of illegal, unreported and unregulated (IUU) fishing; overfishing and excess fishing capacity; lack of capacity of developing States to monitor and control fishing vessels; and the development of sustainable marine aquaculture.

NEW ZEALAND said the Consultative Process should be continued, and the nature of its mandate safeguarded. On high seas biodiversity, she called on States to cooperate to give effect to the General Assembly's call for interim targeted bans on destructive fishing practices in vulnerable areas, and indicated that her country will promote the combat of IUU fishing.

AUSTRALIA noted that the high seas are the last great commons, and stressed that unless all States cooperate in their management, they will become "deserts." She stressed the urgent need for implementation of the UN Fish Stocks Agreement (FSA) and said derelict fishing gear heavily impacts marine resources, noting the problem remains unresolved at the regional or international levels.

CHINA emphasized the role played by small-scale fisheries and aquaculture for food security and poverty alleviation in developing countries, and called for increased compliance with existing provisions dealing with marine debris in international instruments. The REPUBLIC OF KOREA outlined national legal instruments on sustainable fisheries, including a Special Act on Reducing Small-Sized Bottom Trawlers and a vessel buyback programme to reduce the domestic fleet.

To enhance management within the fishing industry, VENEZUELA noted that it will launch a registry of fisheries-related data and activities. MEXICO recalled the need to account for the Millennium Declaration, the Monterey Consensus, and the JPOI when discussing marine debris. Underlining the importance to maintain maritime security, INDONESIA mentioned a joint initiative with the IMO and the Global Environment Facility on a Marine Electronic Highway to increase the safety of navigation in the Area. NAMIBIA called for the abolition of subsidies to the fishing industry and protective trade measures.

NORWAY underscored the importance of implementing the existing legal framework for responsible fisheries. Noting that excess capacity is the major cause of overexploitation, he called for the reduction of fishing fleets. He said a food security approach should be taken for future fisheries management and called on States that have not yet done so to become members to the FSA.



Noting the role of fisheries in food security, CHILE said urgent steps need to be taken to regulate high seas fisheries. He listed areas of concerns, including: IUU fishing; port States' compliance with their conservation obligations; the definition of the genuine link between flag States and vessels; and fishing subsidies. PERU highlighted the links between fisheries and poverty reduction, food security, and economic development, calling for new financial resources and greater international cooperation in developing relevant human and institutional resources.

The INTERNATIONAL LABOUR ORGANIZATION called attention to recent developments in the protection of living and working conditions at sea, and welcomed suggestions on how UNICPOLOS can help enhance the ratification and implementation of international maritime labor standards. The INTERNATIONAL MARITIME ORGANIZATION (IMO) noted the globalization of shipping services, and reported on the IMO Voluntary Member State Audit Scheme aimed to promote flag States' accountability. The UNESCO INTERNATIONAL OCEANOGRAPHIC COMMISSION (IOC) highlighted its work on: the tsunami early warning system in the Indian Ocean; scientific aspects of using indicators for an ecosystem approach to fisheries management; and the IOC Criteria and Guidelines on the Transfer of Marine Technology. The EUROPEAN COMMISSION stressed the need to implement the existing legal regime for the sustainable management of fisheries and outlined reforms undertaken within the EU on this issue. He called for the creation of additional RFMOs, and underlined fisheries' role in poverty reduction and achieving the MDGs.

The WORLD CONSERVATION UNION (IUCN) outlined her organization's work on high seas governance, and listed challenges to sustainable fisheries, including high seas bottom trawling, and the lack of measures to control shark fishing and of scientific information. THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS indicated that his organization's measures to combat IUU fishing have shown encouraging results.

The SEA TURTLE RESTORATION PROJECT called for a temporary moratorium on longline fishing in the Pacific. CONSERVATION INTERNATIONAL, on behalf of the Deep Sea Conservation Coalition, outlined steps towards restoring fisheries to sustainable levels: controlling unregulated deep sea fishing to protect biodiversity; adopting conservation and management measures, as well as an interim prohibition of high seas bottom trawling. On behalf of a tripartite coalition, SIERRA CLUB called for the application of the precautionary principle to reduce activities that create intense submarine noise until effective guidelines on marine noise pollution are developed.

The INTERNATIONAL TRANSPORT WORKERS FEDERATION highlighted circumstances that contribute to IUU fishing, including human rights violations in the fishing industry. Underscoring the need to ensure flag States' compliance with international regulations, GREENPEACE, on behalf of a group of NGOs, stressed the importance of considering the social dimension of sustainable fisheries, such as the respect for human rights in the fisheries sector.

#### **DISCUSSION PANEL ON FISHERIES AND THEIR CONTRIBUTION TO SUSTAINABLE DEVELOPMENT**

David Balton, Deputy Assistant Secretary for Oceans, International Environmental and Scientific Affairs, US Department of State, presented a report on the outcome of the fourth round of informal consultations of States parties to the FSA, noting that 52 States are currently parties to the agreement.

He indicated that the consultations focused on preparing for a review conference tentatively scheduled to take place from 22-26 May 2006 at the UN Headquarters in New York. Balton underscored the importance of using this opportunity to review the conservation and management of straddling and highly migratory fish stocks and to strengthen the implementation of the FSA.

In ensuing discussions, the COALITION FOR FISHERIES ASSOCIATION enquired about possible reasons for the low participation to the FSA. Barton responded that a few provisions cause concern for some countries, but also stressed that a number of States are working towards ratification.

Lori Ridgeway, Director-General, International Coordination and Policy Analysis, Fisheries and Oceans, Canada, reported on the Conference on the Governance of High Seas Fisheries and the FSA, Moving from Words to Action, and its outcomes, namely a ministerial declaration and chairs' reports of presentations and workshops. Ridgeway said the conference highlighted, the need to modernize RFMOs and their decision-making process to: include ecosystem considerations; enhance their transparency; and use best available scientific information. The conference also underscored: the need to urgently complete trade negotiations on fisheries subsidies; the possibility of negotiating a legal instrument on port State obligations; and the possibility for the General Assembly to decide the appropriate forum to elaborate on the legal definition of the genuine link between flag States and vessels.

Serge Garcia, Director of Fisheries Resources Division, Food and Agricultural Organization, provided an overview of the 2004 Report on the State of Marine Fisheries, noting that conclusions will be different when fisheries are considered as a whole. He listed statistics on the value of the world's fish trade, and global fleet size, and highlighted capture-based aquaculture as one of the major new issues affecting fisheries. He furthered that the majority of stocks are overfished and overexploited, pointing to tuna stocks as the primary example. Among actions required to mitigate fish stock decline, he highlighted a stronger commitment towards an ecologically sustainable future, as well as more responsible governance and industry. He noted that in order to be effective an ecosystem approach must be applied to all sectors.

In ensuing discussions, participants focused on: the definition of fully exploited stocks; statistics on straddling high sea stocks; gaps in data; fish stocks recovery; and emerging issues of ethics.

#### **IN THE CORRIDORS**

As exchange of views on the two areas of focus of UNICPOLOS-6 commenced, participants anticipated that fisheries will have the lion's share in the upcoming discussions. Some noted the link between fisheries and other related, ongoing processes, such as the meeting of the CBD working group focusing on high seas marine protected areas, lamenting its overlap with next week's second GMA international workshop. Others pointed out that the discussion panel on fisheries allows for a transition from UNICPOLOS-5's focus on new sustainable uses of the oceans to some of the emerging challenges in relation, this time, to more traditional uses. Indeed, some participants reiterated calls for action on the need for a genuine link between flag States and vessels, bottom trawling, and high seas biodiversity. With presentations on the alarming state of fisheries worldwide adding to the feeling of *déjà vu*, NGO representatives hoped that delegates would not miss this opportunity to turn words into action.