



UNFSA REVIEW HIGHLIGHTS: TUESDAY, 24 MAY 2016

The Resumed Review Conference reconvened on Tuesday at the UN Headquarters in New York. Delegates continued their discussion on the review of the implementation of the recommendations adopted at the 2006 and 2010 meetings, including on the conservation and management of stocks and on mechanisms for international cooperation and non-members.

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS RELATING TO THE CONSERVATION AND MANAGEMENT OF STOCKS

Reduction of fishing capacity to levels commensurate with the sustainability of fish stocks: Speakers reflected on, *inter alia*: technological advances and fishing methods that contribute to overcapacity; and knowledge strengthening and capacity building for implementing the Agreement. The US, BARBADOS and others recognized disproportionate burdens on small-scale fishers in developing countries, with the REPUBLIC OF KOREA saying SIDS need to increase capacity to fulfill fisheries aspirations.

FIJI underscored the need to ensure stringent control measures in high seas fisheries. FSM shared their national mechanisms to reduce fishing frequency rather than vessel numbers. BARBADOS shared efforts to involve small-scale fishers in MCS and enforcement.

The REPUBLIC OF KOREA and the US called for addressing data gaps in fishing capacity. ICCAT cited data deficiency on fishing effort as a constraint for tuna organizations.

GREENPEACE attributed recovery of Atlantic bluefin tuna to a reduction of fishing capacity.

Elimination of subsidies that contribute to IUU fishing, overfishing and overcapacity: Speakers called for greater transparency on subsidies, with some suggesting providing more economic data to RFMOs. A few, including NAURU, observed that some developing states rely on subsidies to develop their fisheries. JAPAN and others pointed out that positive subsidies support fishing communities.

The EU, with NEW ZEALAND and others, supported a resumption of World Trade Organization (WTO) negotiations on tackling fisheries subsidies, with the EU underscoring the importance of a mechanism applicable to all WTO members. Recalling a lack of consensus of the Doha Round at the WTO Ministerial Conference, the US cautioned pursuing the Doha mandate might be detrimental.

The EU reiterated its commitment to achieving SDG Target 14.6 on prohibiting fisheries subsidies that contribute to overcapacity, overfishing and IUU fishing by 2020. FAO said the current indicator for Target 14.6 does not address monitoring subsidies elimination *per se*, but only relates to IUU fishing.

Lost or abandoned fishing gear and discards: Speakers highlighted challenges related to lost or abandoned fishing gear. CHILE underscored the problem of plastic and microplastic pollution from such gear. NORWAY and others supported efforts to raise awareness and recover lost gear.

The REPUBLIC OF KOREA, supported by CHILE, CANADA and the EU, called for innovation and regulation, highlighting experiences with biodegradable gears and fishing gear registration systems.

Some addressed Fish Aggregating Devices (FADs), with the MARSHALL ISLANDS pointing to FAD-related pollution from FADs washing ashore. The EU highlighted progress in FAD usage, including FAD registers and books. He also supported reduction of bycatch through greater use of non-entangling gear.

The RUSSIAN FEDERATION shared its moratorium on large driftnet fishing on the high seas and within EEZs.

Data collection and sharing of information: Delegates, including the EU and CHILE, stressed that fisheries data goes beyond stock assessments and includes ecological, economic and social data.

AUSTRALIA highlighted national data sensitivities as a barrier to sharing data. The MARSHALL ISLANDS said some WCPFC members have negotiated data provision exemptions. JAPAN, supported by CANADA, underscored the importance of understanding factors that hinder data submission. The EU, CANADA and CHILE favored using disincentives, like ICCAT's "No data, no fish," when data is repeatedly not provided.

Lamenting capacity shortages, FIJI, CANADA, CHILE, and BRAZIL supported using the Assistance Fund. ICCAT said financial assistance is fundamental to data collection and information sharing.

THE REPUBLIC OF KOREA supported cost-efficient, independent data collection. NORWAY valued data from independent research institutions. IUCN emphasized data collection should include bycatch and discard information.

FAO data arrangements and the global fisheries statistics database: The EU said the lack of FAO catch data on the high seas limits implementation. FAO clarified that disaggregating high seas and EEZ data would require a UN General Assembly (UNGA) resolution for states to submit separate data.

Conservation and management of sharks: Speakers addressed the five percent fin to carcass weight ratio, with the US saying it has been less effective.

CANADA highlighted progress on sharks and rays under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Noting sharks' migratory nature, the EU and KENYA urged greater cooperation with the Memorandum of Understanding (MOU) on the Conservation of Migratory Sharks.

The MARSHALL ISLANDS recommended longline fishing obligations and data provision on shark bycatch on the high seas and within EEZs.

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PEW said the precautionary approach should be applied when catch data is unavailable.

Conservation and management measures for deep-sea fisheries: JAPAN observed that RFMOs prohibit deep-sea fisheries in most areas and that these VME protection measures be transmitted to BBNJ PrepCom. NEAFC said areas where VMEs are likely to occur have been closed to bottom fishing and shared a new methodology for assessing data-limited stocks. INTERNATIONAL COALITION OF FISHERIES ASSOCIATIONS (ICFA) described orange roughy recovery in the South Pacific.

The EU suggested more focus on deep-sea fish species as VMEs.

NRDC highlighted, *inter alia*, the Northwest Atlantic Fisheries Organization's (NAFO) reluctance in listing deep-sea fish species as VMEs.

Determination of reference points or provisional reference points for specific stocks: NAURU highlighted, *inter alia*, Pacific SIDS' work with the Forum Fisheries Agency (FFA) on a harvest strategy framework.

AUSTRALIA observed some RFMOs struggle to reduce fishing mortality to recommended levels. The REPUBLIC OF KOREA said regular stock assessments are essential for effective reference points. The US lamented incomplete coverage of reference points and the failure to tie management decisions to targets.

The MARSHALL ISLANDS urged expediting management to address bigeye tuna stocks.

Science-policy interface: Speakers supported a continued, possibly revised, recommendation on this issue. NORWAY stressed communication between science and policy communities for successful resource management.

The US, supported by CANADA, suggested a future ICSP focus on best practices. CANADA also stressed the science-policy interface's relevance for climate change.

Rebuilding and recovery strategies: The US encouraged sharing lessons learned from eastern Atlantic bluefin tuna recovery. INDONESIA attributed recovery of Napoleon wrasse stocks, a CITES listed species, to improved fisheries management. The RUSSIAN FEDERATION reported on the Commission on Aquatic Bio-resources of the Caspian Sea's strategies for sturgeon recovery.

By-catch management: The EU said by-catch is linked to overfishing, adding that discards contribute to food waste and undermine achieving the SDGs. Observing that all fishing methods have drawbacks, ICFA said favoring one fishing gear over another would not alleviate by-catch.

Compliance with obligations as members or cooperating non-members of RFMOs and arrangements: The EU identified compliance as an accountability issue within RFMOs and, with the US, suggested adopting appropriate measures in cases of non-compliance. AUSTRALIA supported harmonizing measures across RFMOs. NEW ZEALAND said robust operational data is necessary to assess compliance. The MARSHALL ISLANDS urged support for SIDS and coastal states to meet obligations.

CHILE requested broadening the recommendation to include reference to non-members engaged in fishing-related activities. ICCAT highlighted progress on contracting parties' reporting to compliance committees.

Establishment of new RFMOs and arrangements: JAPAN, the US, the EU, NEW ZEALAND, CHILE, and the North Pacific Fisheries Commission (NPFC) welcomed the establishment of new RFMOs, pointing to: NPFC; the South Indian Ocean Fisheries Agreement (SIOFA); and SPRFMO. NEW ZEALAND highlighted SPRFMO as an example of best practice, particularly on voting and objection procedures.

The US shared its efforts with Canada, Denmark, Norway, and the Russian Federation to prevent unregulated commercial fishing in the high seas of the Arctic region through a non-legally binding instrument and discussions on a legally binding agreement.

FAO informed it is assisting coastal states of the Gulf of Aden and Red Seas in establishing an RFMO.

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS RELATING TO MECHANISMS FOR INTERNATIONAL COOPERATION AND NON-MEMBERS

Strengthening mandates and measures in RFMOs: CHILE suggested FAO play a role in improving RFMO cooperation.

Performance reviews and best practice guidelines: BARBADOS recommended performance assessments of RFMO members. JAPAN suggested a stepwise approach for implementing performance reviews' recommendations. The REPUBLIC OF KOREA, NORWAY and the EU called for a follow-up mechanism for implementing performance reviews' recommendations. The EU, NEW ZEALAND and CANADA suggested an adaptive, independent and regular review exercise. CANADA called for an accountable process, and with NORWAY and NRDC, transparency.

FAO reported on the 2004-2014 Implementation of Performance Review Reports by Regional Fishery Bodies (RFBs) highlighting, *inter alia*, implementation measures.

The EU, JAPAN and NEW ZEALAND encouraged more experienced RFMOs to share best practices.

Strengthening and enhancing cooperation among RFMOs: Several, including the EU and the REPUBLIC OF KOREA, referred to the joint meetings of the five tuna RFMOs, the "Kobe Process," as a good example of RFMO cooperation. NEW ZEALAND identified the PSMA as an opportunity for cooperation.

NEAFC offered lessons from the Joint Advisory Group on Data Management, which provides technical advice to promote harmonization and standardization in fisheries data management.

Participation in RFMOs: NEW ZEALAND, supported by the EU and CHILE, urged sharing best practice decision-making across RFMOs, citing SPRFMO's review process as a useful example. The REPUBLIC OF KOREA proposed inviting non-members, like market and port states, to participate in RFMOs.

Decision-making rules and procedures in RFMOs: The EU said consensus based decision-making is beneficial but can lead to weak outcomes, suggesting voting be allowed sometimes. CHILE invited consideration of the SPRFMO opt-out clause. GREENPEACE observed: some RFMO meetings have taken place behind closed doors; and draft proposals have not been available until the last minute.

Implementation of interim measures: CANADA suggested retaining a recommendation for interim measures without specific geographical references, which participants supported.

Effective control by flag states: Several delegates highlighted the FAO Voluntary Guidelines on Flag State Performance. JAPAN suggested RFMOs use the FAO Guidelines to assess member state compliance.

NORWAY suggested linking vessel authorization with obligations by relevant RFMOs through fishing licensing systems. AUSTRALIA encouraged states to de-register vessels conducting IUU fishing.

Before flagging a vessel, CHILE said the flag state needs to have the ability to implement its responsibilities. He recommended RFMOs take stronger actions against stateless vessels.

IN THE CORRIDORS

Tuesday's Resumed Review Conference meeting was marked by willingness to critically reevaluate progress, constraints and the way forward on diverse issues. Participants resolutely ploughed through the recommendations, with none mentioning the one-day lag on the program.

RFMOs took center stage in the afternoon, with several delegates stressing the importance of showcasing RFMOs' positive achievements in protecting VMEs and others expressing concerns regarding the insufficient implementation of the UNGA resolutions on bottom fishing. Participants also noted RFMOs limitations, with wide gaps between those considered successful and those struggling to catch up. Some reiterated, "an RFMO is only as good as its members." Many felt cooperation, standardization and harmonization could combat this "great RFMO divide." Others emphasized that no "one size fits all" modality is possible due to the diversity of ecosystems, stocks and nations.