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COMMITTEE ON FISHERIES

Thirtieth Session

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Progress in the Implementation of the Code of Conduct for Responsible Fisheries and Related Instruments, Including International Plans of Action and Strategies, and Other Matters

Executive Summary

This paper provides a summary of activities by FAO Members, regional fishery bodies (RFBs), non-governmental organizations (NGOs) and the Secretariat, intended to support the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries (the Code) and its related instruments since the last report to the FAO Committee on Fisheries (COFI) in 2011. It is the eighth such report prepared for the Committee. FAO's action to promote the Code's implementation is addressed, activities and applications of the Code at national level are reviewed, the activities of RFBs and NGOs are examined and the role of FAO's FishCode Programme is considered. The proposed action by the Committee is set out in the bullet points below.

The Committee is invited to:

- provide guidance on how to continue to broaden and deepen the implementation of the Code;
- encourage Members to respond to the questionnaire for subsequent reports;
- advise, taking account of paragraphs 62 and 63, whether the system for electronic reporting should be enhanced further for the next COFI session;
- advise, taking account of paragraph 64, whether the system for electronic reporting should be expanded for RFBs and NGOs for the next COFI session;
- note that stock specific target reference points were often either being approached or exceeded giving rise to fully exploited or overexploited stocks;
- note that although bycatches and discards are widely recognized as a problem, formal monitoring schemes are absent and management measures to minimise them are frequently not implemented;
- note that national policy, legal and institutional frameworks need to be strengthened, especially in connection with aquaculture development; and
- note progress concerning safety at sea in the fisheries sector, welcome the FAO/International Labour Organization (ILO)/International Maritime Organization (IMO) Implementation Guidelines and recommend the early publication of this document.

INTRODUCTION

1. Article 4 of the 1995 FAO Code of Conduct for Responsible Fisheries (the Code) states, *inter alia*, that FAO will report to the FAO Committee on Fisheries (COFI) concerning its implementation. This report is the eighth prepared by the Secretariat for COFI. The information contained in the report has been supplied by Members, regional fishery bodies (RFBs), non-governmental organizations (NGOs) and the Secretariat. The information is collated and analyzed on the basis of self-assessment questionnaires submitted to FAO. An electronic version of the questionnaire was prepared for Members and the responses were submitted for the first time using this method. A statistical summary of Members responses, containing all tables referred to in this document, is made available on the COFI Web site[1] and at COFI to be read in conjunction with this paper.

2. For the 2012 report, 56 Members[2] (29 percent of all FAO Members)[3] responded to the questionnaire in comparison to 69 Members (submitted before the deadline) for the 2011 report. In addition, 15 RFBs[4] (44 percent of the bodies to which questionnaires were sent) responded for this report in comparison to 21 RFBs in 2011. In addition, responses were received from four NGOs (13 percent of the organizations to which questionnaires were sent) in comparison to 11 NGOs in 2011.

3. Response rates from the African and South West Pacific regions were the lowest and weakened from the 2011 report, with only six and two responses being obtained respectively. Other FAO regions with weakened response rates were Europe and the Near East whilst other regions maintained or increased their rates of responses (Table 2).

FAO ACTION TO SUPPORT THE CODE'S IMPLEMENTATION

4. FAO supports the Code's implementation in a variety of ways including through regular and field programme activities. Since the 2011 report, the Fisheries and Aquaculture Department has undertaken activities specifically designed to promote and strengthen implementation.

5. FAO has undertaken activities and proposed mechanisms to improve long-term access to, and sharing of, essential information to support the Code's implementation. FAO has gone through a process to develop a new supplementary aquaculture questionnaire to improve the implementation of article 9 of the Code of Conduct and the reporting rate pertaining to the aquaculture sector. The process has involved training and testing on the new instrument in the main aquaculture countries in different regions thus contributing to a better understanding of the Code and the relevance of reporting. In 2010 and 2011 Technical Guidelines relating to ecosystem approach to aquaculture, use of wild fishery resources for capture-based aquaculture, use of wild fish as feed in aquaculture, together with marine protected areas and fisheries, were produced. FAO also undertook other directed activities to support the Code's implementation including the organization of regional workshops to promote and deepen the understanding of elements of the Code and its implementation, the continual development of technical guidelines, the translation of guidelines and the elaboration of national plans of action to combat illegal, unreported and unregulated (IUU) fishing. Contributions on the Code to activities outside FAO were also made.

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[1] http://www.fao.org/cofi/cofi2012/64143

[2] The questionnaire was despatched to FAO Members on 21 September 2011. Follow-up requests were despatched on 2 November 2011 and 28 November 2011. The closure date for acceptances was 15 December 2011 but questionnaires were accepted for inclusion in the analysis until 19 January 2012. Fifty-six countries submitted questionnaires before 19 January 2012. After this date, questionnaires were received from India,Israel and Greece. The information provided in these questionnaires could not be included in the analysis

[3] In this report, reference to "Members" refers to the FAO Members who responded to the questionnaire and whose responses were taken into account in compiling the report.

[4] Two RFBs indicated that the questionnaire was not relevant to their work and 15 RFBs responded in a substantive manner. The questionnaire was also completed by IOTC but was submitted after the deadline and not in time to be considered in the analysis

ACTIVITIES AND APPLICATIONS OF THE CODE AT NATIONAL LEVEL

General

6. In Article 2, the Code lays out ten Objectives. Members were invited to rank their national relevance (Table 3). Top priorities continued to be assigned to objectives (a) and (b)[5], as was the case for the 2007, 2009 and 2011 reports. The lowest relevance was assigned to objectives (d) and (j), with the latter in last position. The 2011 lowest priority objective, the promotion of responsible fish trade in fisheries and fisheries products, objective (h), moved up to fifth place and objective (e), the facilitation and promotion of cooperation in the conservation of fishery resources, fisheries management and development, also gained ground from sixth to third place.

7. The Code is subdivided into themes, touching on eight technical domains of fisheries and aquaculture sectors. Members were invited to assign priority ratings to these (Table 4). "Fisheries Management" and "Aquaculture Development" continue to be ranked as top priorities, reflecting results obtained since 2001. As in 2009 and 2011, "Inland Fisheries Development" was ranked as the bottom priority and "Integration of fisheries into coastal and basin area management" has moved down one position, from the 2011 rankings, to the penultimate rank.

8. Ninety-three percent of the Members reported that they have a fisheries policy, 59 percent of which conform fully and 32 percent of which conform partially to the Code (Table 5). Of the ten percent that did not conform at all to the Code, 100 percent reported to be working towards conformity in terms of policy.

9. Fifty-six percent and 40 percent of the Members reported to have national fisheries legislation in full or partial conformity with the Code, respectively (Table 6). Of the four percent of the Members who reported complete inconsistency with the Code, all indicated that plans are in place to align national legislation accordingly. Over 50 percent of the members enacted fisheries base legislation before 1995 (Table 7).

10. In terms of building awareness about the Code, the most commonly used mechanisms centred on meetings, workshops and seminars together with publishing and distribution of Code documents (Table 8).

Fisheries Management

11. A further reduction, from the level reported in 2011 and previous years, in the percentage of countries reporting not to have developed fisheries management plans, is worth noting. Only two percent of respondents reported to have no fisheries management plans in place (Table 9). The reported percentage of existing/drafted plans implemented for inland fisheries was 91 percent, while implementation of marine fisheries management plans stood at 95 percent. These results were likely to have been influenced by the low response rates from African and Asian Members, where formal fisheries management planning in the past has been reported as being low.

12. The most commonly applied management measures in marine fisheries are related to addressing the interests and rights of small-scale fishers, as well as fishing capacity (Table 10), which up to 2011 were among the least important measures applied. In inland fisheries the most common measures reported focused on the protection of endangered species and the use of stock specific target reference points. Ensuring that the level of fishing is commensurate with the state of fisheries resources featured as the least applied measure in both marine and inland fisheries management plans. It is worth pointing out that the interests of small-scale fishers, has moved progressively from fifth position in 2005 to first position this year.

[5] Objective a): Establish principles for responsible fisheries considering all their relevant biological, technical, economic, social environmental and commercial aspects. Objective b): Establish principles and criteria to implement policies for the conservation of fishery resources and fisheries management and development. Objective d): Provide guidance to formulate and implement international agreements and other legal instruments. Objective j): Provide standards of conduct for all involved in the fisheries sector.

13. Sixty-nine percent of the Members reported to have started to implement the ecosystem approach to fisheries (EAF), the majority of which have established ecological, socio-economic and governance objectives and have identified issues to be addressed by management actions (Table 11).

14. As in 2007, 2009 and 2011, over 50 percent of Members reported to have developed stock specific target reference points for managing fisheries (Table 12). In a majority of cases, stock specific target reference points were either being approached or exceeded, signifying a steady trend in managed fisheries either nearing full exploitation (76 percent), or being overexploited (68 percent). Other reported commonly used "indicators" for managing fish stocks include catch and effort indicators and socio-economic indicators (Table 13). In situations where stock specific target reference points were exceeded, the most commonly reported remedial action was the limitation of fishing effort (94 percent) (Table 14).

Fishing Operations

15. Members were invited to report on mechanisms to control fishing operations within and outside waters under national jurisdiction (Tables 15 and 16). Ninety-six percent and 78 percent of Members reported to have taken steps to control fisheries operations within their Exclusive Economic Zone (EEZ) and beyond, respectively. As was the case since 2007, the strengthening of monitoring, control and surveillance (MCS) arrangements was reported to be the principal action taken to ensure that fishing operations within the EEZ comply with license provisions. The most commonly used mechanism to effectively control fishing operations beyond EEZs is the application of mandatory authorisation schemes, along with logbook and reporting systems, enforcement of compliance and enhancement of MCS.

16. Three-quarters of Members reported that by-catches and discards occur in major fisheries (Table 17). Fifty-three percent of the Members have formal monitoring schemes for bycatch and discards and 47 percent report that bycatch and discards are unsustainable. Only 38 percent of the Members have implemented management measures to minimise bycatch and discards, all of which also address the protection of juveniles.

17. Seventy-one percent of Members reported to have partially or fully implemented vessel monitoring systems (VMS), with 69 percent of other Members planning to do so in future (Table 18). It is relevant to note that whilst the proportion of Members which have partially or fully implemented VMS has remained practically the same since the 2011 report, the percentage of Members planning to do so has doubled.

18. The issue of the safety in the fisheries sector was raised at the 2011 session of COFI where the Committee welcomed the ongoing collaboration between FAO, the International Labour Organization (ILO) and the International Maritime Organization (IMO). The Committee encouraged the continuation of such collaboration. Moreover, the Committee did not support the proposed de-emphasis of the issues related to safety at sea for fishing vessels. A summary of FAO's activities that support the implementation of the Code with regard to safety at sea in the fisheries sector is also available as a reference document[6].

19. In the context of the cooperation between IMO, ILO and FAO, a new safety standard for small fishing vessels, entitled "Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels", has been completed and is being published[7]. Furthermore, the development of the new FAO/ILO/IMO guidelines to assist Competent Authorities in the implementation of voluntary instruments on the design, construction and equipment of fishing vessels of all types and sizes (Implementation Guidelines), has also been completed. The text of the "Implementation Guidelines", as approved by IMO, is available as a reference document[8]

[6] Also available at http://www.fao.org/cofi/cofi2012/64143
[7] Also available at http://www.fao.org/cofi/cofi2012/64143
[8] Also available at http://www.fao.org/cofi/cofi2012/64143

Aquaculture Development

20. Ninety-eight percent of Members reported that aquaculture development occurs in their countries (Table 19). Forty four, 36 and 40 percent of these Members have largely complete and enabling policy, legal and institutional frameworks in place, respectively. The majority of the rest of the Members have partially developed these frameworks and a few have not done so or are largely insufficient.

21. The Code encourages countries to elaborate, adopt and implement codes of best practice and procedures, specifically with respect to introductions and transfers of organisms. Seventy-five percent of Members reported that they have developed such instruments at the government level, while just under sixty percent stated to have done so at the producer level (Table 20). These figures marked continued increases over reports in earlier years. The involvement of suppliers and manufacturers in the development of such codes has also increased since the 2011 report (both 32 percent).

22. The Code encourages Members to regularly conduct environmental assessments of aquaculture operations, to monitor operations and to minimize harmful effects of alien species introductions. More than three-quarters of Members reported that they had been involved actively in implementing these mechanisms (Table 21). However, most of them indicated that improvements were needed and some stated that the mechanisms in place are highly effective (Table 22). Members also identified needs to improve the implementation of these mechanisms to increase their effectiveness (Table 23).

23. Members are encouraged to promote responsible aquaculture practices to support rural communities, producer organizations and fish farmers. Ninety-one percent of Members stated that they had taken measures in this sense (Table 24).

Integration of Fisheries into Coastal Area Management[9]

24. Of the 95 percent of Members which reported to have a coastline, only 40, 31 and 26 percent of them have a largely complete and enabling policy, legal and institutional framework for integrated coastal zone management in place, respectively (Table 25). About half of the others have partially developed their frameworks and the rest have not developed any or are largely insufficient.

25. Conflict trends within fisheries and between the fisheries sector and other sectors operating within the coastal area have changed little over the last ten years. Intrasectoral fisheries conflicts remained the most prominent, with fishing gear conflicts in coastal waters being the most important, followed by conflicts between coastal and industrial fisheries (Table 26). Seventy-three percent of the concerned countries have conflict resolution mechanisms in place for gear conflict issues and 66 percent of them have mechanisms to resolve coastal and industrial fisheries conflicts. At least half of the countries have mechanisms in place to tackle the other conflicts.

Post-Harvest Practices and Trade

26. Seventy-seven percent of Members reported that a largely complete and enabling effective food safety and quality assurance system for fish and fisheries products was in place in their countries (Table 27), whilst the rest had a partially installed system. Progress in this field has risen steadily since 2001, when only 58 percent of countries had an effective system in place.

27. All Members reported that post-harvest losses are a problem and almost all had taken mitigation measures (Table 28). The five main measures taken included the enacting of food-safety regulations, the creation of regulatory bodies, enhanced monitoring, control and inspections, the provision and improvement of infrastructure and the promotion of by-product utilization.

28. Each Member indicated that by-catch problems exist in their fisheries and almost 90 percent have implemented measures to improve the use of by-catch in fish processing, distribution and marketing (Table 29), a higher level than that reported in previous years.

[9] The questions under this header were the only questions responded to by EU Members in their own right.

29. While a majority of processors were in a position to trace the origin of the fisheries products they purchased (82 percent), 35 percent of consumers could do so (Table 30). These results indicated *status quo* in the former category and an improvement on the level reported in the 2011 report in the latter category, reaching the levels reported in 2003 and 2005.

30. All reporting Members stated that processing and trading in illegally harvested fisheries resources is a problem in their respective countries and more than 90 percent of them have taken measures to address the matter (Table 31).

Fisheries Research

31. Members reported that they have obtained reliable estimates on stock status for a total of 1,220 stocks exploited in their national fisheries, being equivalent to 31-40 percent of the main national stocks (Table 32). Seventy-seven percent of Members indicated that statistics on catch and fishing effort were collected in a timely, complete and reliable manner. However, only 62 percent of Members reported that sufficient qualified personnel were available to generate data in support of sustainable fisheries management (Table 33). Both these results mirror exactly the figures in the 2009 and 2011 reports. The subject areas for which the greatest need for additional qualified personnel is needed are fish biology and stock assessment, together with fisheries statistics and sampling (Table 34).

32. The most prominent data sources used by Members for the development of fishery management plans are in-port/landing site sampling surveys (91 percent), routine data collection (87 percent), historical data (77 percent), processing, market and trade statistics (75 percent) and research vessel surveys (68 percent) (Table 35).

33. Ninety-three percent of Members reported that management measures are undermined by data gaps, particularly those related to stock status (45 percent), ecosystem data (45 percent), effort data (43 percent) as well as IUU fishing and MCS data (40 percent) (Table 36).

34. The percentage of Members who reported that their countries routinely monitored the state of the marine environment fell to 66 percent this year (the level was 78 percent in 2011). The most common routine monitoring programmes focus on coastal parameters and coastal and offshore habitats (Table 37).

35. For the first time, Members were asked to report on research and programmes addressing the impact of climate change on fisheries. Sixty-six percent of Members indicated that formal research was in place to assess/predict the impact of climate change on fisheries, and 69 percent of these implemented formal programmes to mitigate its potential ecological, economic and social impacts, and to build resilience (Table 38).

International Plans of Action (IPOA)

36. Sixty-four percent of Members reported that they have developed and started to implement a national plan of action (NPOA) for fishing capacity. Furthermore, 50 percent of the Members declared that they have launched a preliminary fishing capacity assessment, of which 18 percent were completed, and 16 percent of these started implementing management measures to adjust fishing capacity (Table 39). Half of the countries, which had not yet launched a preliminary assessment, reported that they have plans to commence. The main methods used to measure capacity are indicated in Table 40.

37. In relation to measuring fishing capacity on the high seas, 71 percent of Members declared that their countries flag and/or authorize fishing vessels to operate on the high seas and 74 percent of these supply a record of such vessels to FAO (Table 41). Of the Members not currently supplying this vessel record to FAO, 71 percent indicated that they intend to do so in the future.

38. With regards to efforts in preventing the further build-up of overcapacity, of those Members which declared their recognition of the problem of overcapacity (64 percent), almost all (96 percent) reported that steps were being taken to tackle the issue. The most commonly taken steps related to

freezing on the number of vessels or licences and monitoring and research on fishing capacity (Table 42). In addition, almost 90 percent of the countries recognising the problem of fishing overcapacity have taken steps to reduce it (Table 43).

39. As noted in the 2011 report, it appears once again from this year's responses that, generally, Members are giving increasing importance to assessments for the IPOA-sharks. Sixty-eight percent of the reporting Members stated that sharks are caught either as a target or bycatch in their fisheries (Table 45). Sixty percent of the reporting Members have already conducted an assessment of shark stocks, all of which concluded that an NPOA-Sharks was needed and 83 percent of them already had an NPOA-sharks in place, with the rest of the countries intending to develop one in the future. Of those countries which did not conduct an assessment, 83 percent reported that they were planning to do so.

40. As in the case of sharks, it is evident that Members are also giving importance to the assessment of the impact of fisheries on seabirds. Eighty three percent of reporting Members declared that longline, trawl and/or gillnet fishing was conducted in waters under their jurisdiction and 80 percent have already conducted an impact assessment, all of which concluded that an NPOA-seabirds was needed and 66 percent of them already had an NPOA-seabirds in place, with the rest of the countries intending to develop one in the future (Table 46). Seventy percent of those countries which have not yet carried out an assessment indicated that they were planning to do so. The mitigation measures being used in longline fisheries (67 percent of Members involved) and trawl and/or gillnet fisheries (55 percent of Members involved) are reported in Tables 47 and 48 respectively.

As in previous years, most Members (86 percent) identified IUU fishing as a problem (Table 49). Of these countries, 58 percent indicated that they had drafted an NPOA-IUU of which 77 percent have started to formally implement it. Ninety-three percent of those countries which had not yet drafted an NPOA-IUU declared their intention to draft one. Members' commitment to tackle IUU fishing is clearly evident, with almost 90 percent of them reporting to have taken measures to combat IUU fishing (Table 50).

41. Similar to what was reported in 2011, 72 percent of Members reported that they were aware of Strategy-STF (Table 51). However, only 55 percent of Members are implementing plans and programmes for the Strategy-STF, all of which include components related to activities to improve data collection, 94 percent include activities to improve data analysis and 82 percent include activities to improve data dissemination.

42. Sixty-three percent of Members reported to be aware of Strategy-STA, an increase of 13 percent over that reported in the 2011 report (Table 52). Sixty percent of Members declared that plans and programs are being implemented for the Strategy-STA, through activities to improve data collection, improve data analysis and data dissemination,in order of importance

43. Sixty-four percent of Members reported to have ratified, accepted or acceded to the 1995 UN Fish Stocks Agreement, while 59 percent indicated they had done the same for the 1993 FAO Compliance Agreement (Table 53). With regards to the 2009 Agreement on Port State Measures, it is evident that the question on ratification, accession or acceptance of this Agreement was misunderstood by several of the responding Members[10] and the related result indicated in Table 53 is incorrect. However, it is positive to note that 35 percent of the Members expressed their intention to become a Party to the port State measures Agreement.

Constraints and Suggested Solutions

44. Ninety-one percent of responding Members reported that they faced some constraints in implementing the Code and the overall trends in identified constraints and solutions to the implementation of the Code remained similar (Tables 54 and 55). The top constraints were related to insufficient budgetary resources (46 percent), human resources (42 percent), lack of awareness and information about the Code (37 percent) and inadequate scientific research, statistics and information

[10] The European Union, Myanmar, Norway and Sri Lanka have ratified, acceded or accepted the Agreement.

access (34 percent). The top ranking solutions proposed by Members were training and awareness (54 percent), access to more budgetary means (44 percent) and improvement of institutional structures and collaboration (42 percent), access to more human resources (32 percent) and improvement of research, statistics and access to information (32 percent).

45. Table 56 indicates that each of the Code-related technical publications is available in at least 50 percent of the countries' fisheries administrations and some are available in more than 80 percent of them.

Key Findings

46. Most Members reported to have national fisheries legislation in full or partial conformity with the Code, and about two-thirds of Members reported to have started to implement the EAF. However, in a majority of cases, stock specific target reference points were either being approached or exceeded, signifying a steady trend in managed fisheries either nearing full exploitation or being overexploited. Three-quarters of Members reported that by-catches and discards occur in major fisheries but only half of them have formal monitoring schemes in place and even less have implemented management measures to minimise them.

47. Almost all Members reported that aquaculture development occurs in their countries but less than half of them have largely complete and enabling policy, legal and institutional frameworks in place, a situation which similar in the case of integrated coastal zone management in coastal countries.

48. MCS continues to be a priority for Members and several have taken steps to control fisheries operations particularly within their EEZ. Almost three-quarters of Members have partially or fully implemented VMS.

49. More than three-quarters of Members have a largely complete and enabling effective food safety and quality assurance system for fish and fisheries products in place in their countries, whilst the rest have a partially installed system. Although all Members reported that post-harvest losses are a problem, almost all had taken mitigation measures in this regard.

50. While most Members reported that management measures are undermined by data gaps, a decline in percentage of countries which routinely monitor the state of the marine environment is observed. On the other hand, it is interesting to note that two thirds of Members indicated that formal research was in place to assess/predict the impact of climate change on fisheries with the majority implementing formal programmes to mitigate, and to build resilience to, its potential ecological, economic and social impacts.

51. As noted in previous years, several Members have developed and started to implement a NPOA for fishing capacity and have schemes in place to flag and/or authorize fishing vessels to operate on the high seas. In countries where the problem of overcapacity is recognized almost all are taking steps to tackle the issue. Members are giving increasing importance to assessments in relation to the IPOA-sharks and IPOA-seabirds. Furthermore, about half of the members are implementing an NPOA-IUU. Awareness of FAO's Strategy-STF and Strategy-STA is improving.

ACTIVITIES OF REGIONAL FISHERY BODIES AND NON GOVERNMENTAL ORGANIZATIONS

Regional Fishery Bodies

52. Fifteen RFBs[11] responded to the questionnaire on the implementation of the Code and related instruments circulated by the Secretariat. All of these RFBs indicated that marine fisheries management plans contain measures to allow depleted stocks to recover and most of them stated that management measures address the protection of endangered species, address selectivity of fishing gear

[11] CCAMLR, CCSBT, CTMFM, FFA, GFCM, IATTC, ICCAT, IPHC, NAFO, NASCO, NEAFC, RECOFI, SEAFO, SWIOFC, WECAFC

and include the prohibition of destructive fishing methods and practices. At least three-quarters of them also reported that management measures are in place to ensure that the level of fishing is commensurate with the state of fisheries resources and that other measures address biodiversity of aquatic habitats and ecosystems (including the identification of essential fish habitats), address the interests of small-scale fishers and provide for stakeholder participation in determining management decisions, while roughly 50 percent of the RFBs reported that management plans and/or measures addressed the issue of fishing capacity. With regards to inland fisheries management plans, the responses indicate that the management measures and other elements mentioned above are also largely applicable to inland fisheries, where relevant.

53. Two thirds of the RFBs (a significant improvement over that reported in 2011) indicated that stock specific target reference points are used in the management processes, however most RFBs notified that the reference points set have been exceeded or were being approached. To remedy the situation, the concerned RFBs have developed specific management programmes, including special focus on IUU fishing, MCS, and stock recovery plans. All but one of the RFBs pointed out that the precautionary approach (PA) had been applied to the management of fisheries resources in their area of competence through various regional arrangements (e.g. agreements, plans, guidelines, resolutions, action plans) and specific actions.

54. Twelve RFBs responded that they had taken measures to ensure that only fishing operations consistent with their adopted management measures were conducted within their areas of competence and eleven RFBs reported that their organization had adopted VMS. In addition, twelve RFBs reported that they had adopted measures over the last two years to limit or strengthen existing measures on fisheries bycatch and discards, furthering the progress made on this issue over recent years.

55. Aquaculture development only concerned five of the RFBs which responded to the questionnaire. Only two of these confirmed that they undertake environmental impact assessments (EIAs) of aquaculture operations, monitor them and seek to minimize harmful effects of the introduction of non-native species or the use of genetically altered stocks.

56. Almost all of the RFBs (thirteen) indicated that reliable estimates of the status of the more important stocks had been obtained within the last three years or that work is underway to obtain them and all RFBs reported that they used catch and effort data from commercial fisheries for the development of fisheries management plans and the adoption of management measures.

57. Efforts to assist in the implementation of the IPOAs are also reported. On the implementation of the IPOA-sharks, twelve RFBs reported on their respective contribution or that of their Members. All RFBs which responded to the questionnaire indicated that they, or their Members individually, had contributed to the implementation of the IPOA-IUU. With regards to the implementation of the Strategy-STF, twelve RFBs declared that mechanisms are in place to address the Strategy.

58. Nine RFBs provided additional remarks in relation to the implementation of the Code. The strengthening of fisheries data collection programmes and standards, the development of management programs consistent with the principles elaborated in the Code, together with the adoption specific measures, such as those on port State measures and transhipment procedures, were among the relevant priorities listed. Moreover, considering international developments in recent years and in the light of performance reviews conducted, some action is being taken by RFBs to update or amend their convention and to adopt new approaches to fisheries conservation and management.

Non-Governmental Organizations (NGOs)

59. The number of responses to the NGO questionnaire on the implementation of the Code was very disappointing, with only four NGOs[12] completing the questionnaire. Nevertheless, these NGOs assessed the objectives listed in Article 2 of the Code in terms of their relevance for sustainable fisheries and aquaculture. In spite of the main constraints for the implementation of the Code

[12] Cluster de Empresas Pesqueras en Paìses Terceros, International Collective in Support of Fishworkers, Marine Stewardship Council, Organization for Promotion of Responsible Tuna Fisheries

identified by NGOs, including the lack of awareness of the Code and guidelines as well as financial and technical resources, all NGOs listed a number of significantly successful activities including their efforts in generating more awareness and cooperation with countries in addressing IUU fishing and working with civil society to increase recognition of access rights to fishery resources. Two NGOs reported on their efforts to assist in the implementation of IPOAs and the Strategy-STF.

60. In their concluding remarks, the NGOs expressed general support for the implementation of the Code and provided some noteworthy suggestions. The introduction into the Code of new elements such as human rights-based approach to fisheries development and management is seen to make the Code more effective.

FAO FISHCODE PROGRAMME

61. Established at the request of Members to respond to the special requirements of developing countries, the FishCode Programme has for the last 15 years operated in support of activities to facilitate the implementation of the Code and related fisheries instruments. As part of the Fisheries and Aquaculture Department's response to reduced budget allocation resulting in reduced non-staff resources for the biennia , FishCode Programme activities have been significantly reduced focussing mainly on coordination of the Global Environment Facility-supported Areas Beyond National Jurisdiction Programme. As a result, resource mobilisation activities and projects operated by FishCode have been placed largely under the direct responsibility of the two Divisions of the Fisheries and Aquaculture Department.

THE ELECTRONIC QUESTIONNAIRE AND DATABASE

62. Although the procedure for the submission of responses through the use of the electronic questionnaire proved to be, in general, satisfactory, it is important to highlight the fact that a number of Members encountered various difficulties, mostly of a technical nature, in completing the electronic questionnaire. In this respect, an alternative and more appropriate IT platform should be considered for future versions of the questionnaire, in order to guarantee the functionality, stability and user friendliness of the questionnaire.

63. In the light of the above, the Secretariat is of the view that the development of an online system for the electronic questionnaires, with secure user registration functions, would be the preferable option. In this way, problems related to PC-software compatibility would be avoided and the efficiency of the reporting tool would be greatly enhanced. Furthermore, submitted responses would be saved directly into a database which would automatically process the data and information; the development of such a database would also be useful for carrying out inter-annual trend analysis. Taking into account that some Members may have limited internet connectivity, an offline version of the questionnaire could also be developed.

64. It is proposed also that the RFB and the NGO questionnaires be revised for content and converted to electronic format to facilitate completion and statistical analysis.