

**FAO INPUTS IN RELATION TO RESOLUTION A/RES/75/239
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14 JUNE 2021

OPERATIVE PARAGRAPH 4 - *Harmonizing national legislation with the Convention*

The Food and Agriculture Organization of the United Nations (FAO) provides legal advice and assistance to Member Nations including, in the development of fisheries and aquaculture

through co-

and institutional strengthening, and (iv) Supporting implementation: programme management, collaboration and monitoring.

- (i) Awareness raising knowledge products and outreach.

The importance of small-scale fisheries has been reemphasized during Thirty-Fourth Session of the FAO Committee on Fisheries (COFI 34) by the endorsement of the 2021 COFI Declaration for Sustainable Fisheries and Aquaculture¹. The Declaration calls on States and all stakeholders to:

Promote policies that support and recognize the contribution of small-scale fisheries and aquaculture in food security, employment and income, improve data collection systems, especially from small scale and artisanal fisheries, and further support the access of small-scale fishers and fish farmers to local, national, and international markets, ensuring equitable and non-discriminatory trade for small-scale fisheries and aquaculture products, including through the implementation of the FAO Voluntary Guidelines for Securing Small Scale Fisheries (VGSSF).

Examples of events, activities and materials for creating awareness and promoting the uptake of the SSF Guidelines at the global level include:

The FAO-hosted session called Empowering Women in Small-Scale Fisheries for Sustainable Aquatic Food Systems in the African Great Lakes Region on 3rd June during the Virtual Ocean Dialogues by the World Economic Forum 1-5 June 2020, where initiatives to reduce poverty and improve food security and nutrition in small-scale fisheries in the African Great Lakes region by empowering women in the post-harvest sector were presented.

The FAO-led webinar in collaboration with the One Ocean Hub on Small-Scale

UN-Nippon Fellows and Alumni which explored the role and practical relevance of international legal instruments for the recognition and full realisation of the human rights of small-scale fisherfolk, with particular attention to the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas.

A webinar on Small-Scale Fisheries and Aquaculture at the 47th Session of the Committee on World Food Security (CFS), in February 2021 which discussed the mutually reinforcing nature of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) and four related CFS instruments mentioned above.

The FAO led a series of virtual regional workshops from September 2020 to April 2021, on fisheries policy and legal matters delivered under the EAF-Nansen Programme dedicated to implementing the ecosystem approach to fisheries (EAF) in

¹ <http://www.fao.org/3/ne472en/ne472en.pdf>

African and South-East Asian countries and the CFI Programme on coastal fisheries initiatives (CFI) and small-

Senegal. 135 participants (including 47 women) from 31 countries participated in the five virtual regional workshops on the use of A diagnostic tool for implementing an EAF through fisheries policy and legal frameworks. The SSF workshops on the use of the Legislating for sustainable small-scale fisheries guide and the SSF Policy and Legal Diagnostic Tool (yet to be published) covered a total of six countries (wh2uu6 -15(l)38()-89(r)-6(e)).

A virtual dialogue in early December 2020 between FAO and representatives from the African Women Fish Processors and Traders Network (AWFISHNET), the African Union Development Agency (AUDA-NEPAD) and WorldFish on further understanding the link between food loss and gender equality in African fisheries value chains.

The FAO-organised and hosted virtual seminar in collaboration with Dried Fish Matters, fish4food, Small Fish Food, IKAN-F3 in February 2021, on the contribution of small, low-cost fish (mainly epipelagic forage fish) to food security. The webinar considered a food systems approach to examining the role of the various segments of the small fish value chains in meeting the four dimensions of food and nutrition security availability, accessibility, quality (utilization) and stability.

A course developed by the FAO and the International Ocean Institute of Southern
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recognizes the challenges of governing small-scale fisheries and aims at creating an enabling environment for the implementation of the SSF Guidelines by capacitating practitioners to address key small-scale fisheries governance issues using holistic and participatory methods. The first course was held online in

jointly with the European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC).

The publication in September 2020 of -scale
fisheries: A guide and considerations for implementing aspects of the Voluntary
Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food

vessels engaged, or believed to be engaged, in IUU fishing. The effective implementation of the port State measures set out in the PSMA to prevent, deter and eliminate IUU fishing will ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems.

Pursuant to Article 29, the PSMA entered into force on 5 June 2016 with 30 Parties, including the European Union as one Party representing its Member States. As of June 2021, there are 69 Parties to the PSMA, comprising 68 States and the European Union. The number of Parties has, therefore, more than doubled since the entry into force of the Agreement, and now comprises 56% of all port States globally.

In 2017, FAO launched the *Global Programme to support the implementation of the Agreement on Port State Measures (PSMA) and complementary international instruments to combat illegal, unreported and unregulated (IUU) fishing* (The Programme). The Programme, which aims to contribute to national, regional and global efforts to prevent, deter and eliminate IUU fishing, represents the overall framework within which FAO and its development partners articulate and mobilize coordinated actions in support of the implementation of port State measures and complementary international instruments. Developing States and Small Island Developing States (SIDS), both Parties and non-parties to the Agreement, can benefit from the Programme. Since its inception, the European Union (EU), Germany, Iceland, Norway, the Republic of Korea, Spain, Sweden and the United States of America have committed over USD 20 million for the implementation of the programme through fifteen projects, of which eleven are currently ongoing.

The Programme includes activities to:

- (a) Assess the needs for strengthening national legislation, institutional setup, and monitoring control and surveillance (MCS) systems and operations with respect to port, flag, coastal, and market State responsibilities, including the drafting of national strategies and road maps to implement related measures.
- (b) Support the formulation or review of relevant fisheries policies and laws.
- (c) Support the strengthening of MCS institutions, systems and operations, including through mechanisms for regional coordination and cooperation.
- (d) Improve flag State performance and implement market access measures, such as catch documentation and traceability schemes.
- (e) Develop and implement training, capacity building, and operational support material and programmes.
- (f) Develop and implement global information systems in support of the implementation of the PSMA, including the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record), the PSMA global capacity development portal, and a global information exchange system (GIES) to support the implementation of the PSMA.
- (g) Support travel to relevant PSMA meetings, including the meetings of the Parties and subsidiary working groups, and relevant Global Record meetings.

Since its inception, the programme has delivered the following capacity development **activities**:

- (i) formulation of national strategies and action plans for the implementation of the PSMA and complementary international instruments to combat IUU fishing in 34 developing States;
- (ii) support to align national policies and legislation with the requirements of the PSMA and

st of the main duties and responsibilities of coastal, flag and port States,
and internationally agreed market-related measures to prevent, deter and eliminate IUU

designated regional or national officials also, in collaboration with other UN agencies, such as

- published the *Accra Call for Action from the Gulf of Guinea Regional Technical Seminar on safety, IUU fishing and decent work*⁷ as well as the *Mahé Call for Action from the Regional Technical Seminar for the West Indian Ocean on safety, decent work and the fight against IUU fishing*⁸. These brochures present the outcomes of these regional technical seminars which have been organized by the FAO, the Apostleship of the Sea, the Fisheries Committee for the West Central Gulf of Guinea (FCWC), the International Transport

seminars included experts from safety, labour and fisheries authorities along with trade unions, small-scale fishers representatives, national human rights institutions and fisheries associations. The brochures highlight the measures and actions to increase awareness on the protection of human rights in the fishing sector along with the main international legal frameworks covering the issue; promote increased cooperation among responsible international agencies like FAO, IMO, ILO and UNODC and related regional and national authorities; increase political commitment and the development of regional/national actions and measures to fight labour abuses and IUU fishing in the fishing sector; and identify possible ways of inter-agency collaboration and future actions by concerned stakeholders.

FAO is planning to organize another Regional Technical seminar on safety, decent work and the fight against IUU fishing in Latin America, in 2021.

- FAO prepared a Sub-regional Working Conditions Review and guide for fishers and fish workers in the shrimp and groundfish fisheries of Guyana, Suriname and Trinidad and Tobago.

FAO and INVEMAR (the Colombian institute for marine and coastal research), hosted a meeting *platoneras* (post-harvest female fish-workers) as a result of the work on the role women play in the post-harvest sector and the need to support the participation of women in such work. The meeting highlighted the results of the work emphasizing the needs of the post-harvest female fish-workers, the value of the fishproducts they transform and commercialize, and socio-economic development. The meeting was the result of a project supported by FAO and INVEMAR where they built the capacity of government stakeholders to integrate gender and nutrition into a value chain analysis and entrepreneurship endeavours. Similarly, the project mapped the barriers and opportunities to female entrepreneurship, in the fisheries sector, in Buenaventura and supported the formalization *platoneras*, to enhance their connection with public procurement processes. The meeting highlighted the need to i) generate spaces for collaboration between different local actors and representatives of the *platoneras*; ii) apply a gender-

supporting the *platoneras* with social protection ones, either universal or sectoral to help them overcome structural barriers to development.

OPERATIVE PARAGRAPH 124 - *Safety of fishers and fishing vessels*

At its Fourth Session of the Joint FAO/ILO/IMO Ad Hoc Joint Working Group on IUU Fishing and Related Matters (JWG) on 24-25 November 2019, in Torremolinos, Spain, the JWG recommended among others that IMO develop guidance to assist competent authorities in the implementation of the 2012 Cape Town Agreement, welcomed the initiative of the Indian Ocean MoU on Port State Control (IOMOU) to explore a collaborative programme with the Indian Ocean Tuna Commission (IOTC) and called on FAO, ILO and IMO to review the terms of reference of the JWG to be considered at, and adopted as appropriate by its Fifth Session. The 34th session of -5 February 2021 recognized the important role the FAO/ILO/IMO JWG plays in engaging multiple agencies and stakeholders, including on measures to attain safe, healthy and fair working conditions and improve safety at sea.

As recommended by COFI, a focus group of FAO, ILO and IMO is currently working on the t its broadened composition and functions as well as its focus areas, given the recent developments in the fishing sector. With inputs from IMO and ILO, FAO has developed information material to promote ratification and implementation of the four main international fisheries and safety instruments, the 2009 FAO PSMA, 2012 IMO Cape Town Agreement, 1995 IMO STCW-F and the 2007 ILO Work in Fishing Convention (C188)⁹. Since the convening of the Fourth Session of the JWG, the IOTC and IOMOU have developed their exchange through a Letter of Understanding and building upon this, with the support of FAO, IMO and ILO, have started concrete cooperation with a view to coordinate port inspections and to promote interagency cooperation in the Indian Ocean Region. Under F Capacity Development Programme, FAO is providing technical assistance in a number of developing countries and SIDS to integrate the implementation of port State measures to prevent, deter and eliminate IUU fishing into the broader system of port State controls.

Moreover, FAO developed with IMO and ILO inputs a brochure¹⁰ to promote ratification and implementation of the four main international fisheries and safety instruments, such as the 2009 FAO PSMA, 2012 IMO Cape Town Agreement, 1995 IMO STCW-F and the 2007 ILO Work in Fishing Convention (C188).

In 2020 -2021, FAO conducted various safety at sea capacity building projects, particularly in the Caribbean and South-Pacific regions and in South Asia. Capacity building materials¹¹ were developed in close collaboration with the Bay of Bengal Programme Intergovernmental Organization (BOBP-IGO) for trainers on safety at sea and small-scale fishers, and training workshops were organized. An online environment with training resources for safety at sea

⁹ <http://www.fao.org/documents/card/en/c/cb0627en>

¹⁰ FAO 2020. Joining forces to shape the fishery sector of tomorrow: Promoting safety and decent work in fisheries through the application of international standards. Rome. Italy. Available online in English, French and Spanish languages.

¹¹ FAO 2019/2020. Safety at sea for small-scale fishers. Rome. Italy. Available on line in Bangla, Chinese, English, French, Malayalam, Portuguese, Russian, Spanish, Singhalese, Tamil and Telugu languages.

professionals in the Caribbean was introduced, which is being used also by safety trainers in other regions. FAO also continued the promotion of a formal and voluntary accident and fatality reporting system for fisheries in the Caribbean. In 2020

road for small-

-scale fishers

to the maritime traffic rules.

t are presently covered by insurance. Many fishers who get an accident during their working life, cannot work for some time or end up disabled. This creates financial and social hardship for these fishers and their families. Insurance services have shown to be able to reduce the vulnerability of fishers and their families to shocks caused by accidents in fishing and to contribute to sustainable fisheries livelihoods.

Therefore, FAO has been technically assisting States with the introduction and promotion of insurance services for small-scale fishers in particular. Together with the Asia-Pacific Rural and

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training marine biologists with hands-on practice on the data-limited methods.

Thanks to its Regular Program resources complemented with the FMM Trust Fund, FAO has rolled out since 2019, a capacity building program proceeding through regional workshops to train countries on the SDG indicator 14.4.1 methodology. A first workshop involving 17 countries of South Asia was organized in collaboration with SEAFDEC in Bangkok (October 2019), and a second one was organized in Zanzibar (March 2020) in collaboration with the GIZ funded FIDEA project for 10 countries of the South-West Indian Ocean region. A third workshop will take place during the period July-November 2021 with the Pacific countries in collaboration with Infofish and SPC. And 3 to 4 other language/region oriented workshops will be conducted during the second part of 2021 and in 2022 for the other regions, including West Africa, Middle East, the Mediterranean, the Caribbean, and Latin America.

In November 2019, the SDG 14.4.1 questionnaire was dispatched for the first time to 165 countries with marine borders with a call for reporting on their indicator. Eighty-two States submitted their response and two reported independently. The reported indicator values were reviewed by FAO under a quality assurance process. As a result, FAO reported for the first time in February 2021 the indicator values of 13 countries to UNSD. The lessons learned from this first call will be used to improve the questionnaire for the second call planned for the end of 2021.

SDG indicator 14.6.1 - Progress by countries in the degree of implementation of international instruments aiming to combat illegal, unreported and unregulated fishing

Reporting by States on SDG indicator 14.6.1 is facilitated through the FAO questionnaire for monitoring the implementation of the Code of Conduct of Responsible Fisheries and related instruments. The first SDG indicator 14.6.1 score collection exercise was carried out in 2018 followed by the second exercise in 2020.

Between 2018 and 2020, the average degree of implementation of international instruments to combat IUU fishing has improved across the world. A composite measure of the degree of implementation of the five principal instruments, the world score for SDG indicator 14.6.1 rose from 3/5 to 4/5 over this period. On the basis of their reporting for SDG indicator 14.6.1, States have thus made good progress overall in carrying out the recommended measures to combat IUU fishing, with close to 75 percent scoring highly in their degree of implementation of relevant international instruments in 2020 compared to 70 percent in 2018. Small Island Developing States (SIDS), faced with particular challenges in fully implementing these instruments due to their large amounts of waters under their jurisdiction, registered a medium level of implementation both in 2018 and in 2020. The same level of implementation was found in the Least Developed Countries (LDCs) between 2018 and 2020, which often face challenges to implement these instruments. In terms of regional groupings, most have either remained at the same level of implementation or improved, the exception being Oceania (excluding Australia and New Zealand) and Sub-Saharan Africa.

SDG indicator 14.7.1 ±Sustainable fisheries as a proportion of GDP in small island developing States, least developed countries and all countries

resources, marine environment, habitats and marine pollution in the EEZ of partner countries, as well as in Areas Beyond National Jurisdiction covering areas where limited knowledge is available. About 800 days of research surveys with almost 700 participants (approximately 25

transmit their list of designated ports and national contact points to FAO, for due publicity, and exchange compliance information on inspection results and port entry or use denials.

Following the guidance provided by Parties through the meeting of the Parties to the PSMA and its Technical Working Group on Information Exchange, the information-sharing mechanism for the PSMA was developed following a two-staged approach. First, it has prioritized the need for Parties to share and access basic information on designated ports and national points of contact for which FAO released two dedicated applications in June 2018. As of April 2021, 24 Parties (42 States) have provided information on designated ports, and 20 Parties (45 States), along with seven non-Parties, have provided information on national contact points. The FAO then initiated development on an integrated and modular prototype of the Global Information Exchange System (GIES) requested by the Parties, to exchange information on inspection results and port denials. Due to the travel restrictions caused by the COVID-19 pandemic, the third meeting of the TWG IE, scheduled to be held in 2020 was postponed until further notice. The FAO convened a series of webinars in preparation for the third Meeting of the Parties (MOP3), to present the GIES prototype.

Following instructions from the Parties, the GIES prototype version developed by FAO includes functionalities, features and standards such as, but not limited to, online forms for manual data input for denials of entry or use of port and port inspection reports; reference lists for data input; and a connection with the FAO Global Record that prefills relevant vessel information fields and provides data verification from flag State certified information. In addition, the GIES prototype version also incorporates Application Programming Interphases (APIs) to enable automatic connection with regional and national systems electronic port State measure (e-PSM) systems.

Further developments envisaged for the GIES may include, information on the advance request of entry, advanced user management and facilities for creating regional or national e-PSM systems (multitenancy functionality) fully compatible with the standards in the GIES.

Transshipment in fishing-related operations

The international community has expressed concerns about the risks that transshipment may

Estimation of the magnitude and impact of IUU fishing

Estimating IUU fishing is key to understanding progress in combating it: a baseline estimate, plus indicators to follow trends, are required to evaluate the effectiveness of the implementation of instruments, initiatives and tools to fight IUU fishing. Thus, FAO has been coordinating the work to develop a series of Technical Guidelines on methodologies and indicators for the estimation of the magnitude and impact of IUU fishing since 2015. This series is made up of a Global Review of IUU estimation Studies (Volume 1) that was drafted in 2016 and Guiding principles and approaches on methodologies and indicators for the estimation of the magnitude and impact of IUU fishing (Volume 2) that were put forward in 2018. In 2021, a two-part third volume has been developed: Volume 3.1 provides a theoretical step-by-step process that practitioners can follow to set up an estimation of IUU fishing for any given fishery or region and was presented at COFI-34. Volume 3.2 considers a number of case studies and applies the steps from Volume 3.1 to these, thus providing a more detailed approach for most common situations. This work is ongoing. The next steps will be the development of the fourth volume of this series that will apply this approach to a series of case studies. A fifth volume could address the estimation of the impact of IUU fishing, including social, environmental and economic impact. These FAO Guidelines, as requested by COFI, will ensure the comparability of future estimates of IUU fishing, allowing trends to be observed.

SECTION X – MARINE BIODIVERSITY

OPERATIVE PARAGRAPHS 255-257 - Technical support to development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

Marine areas beyond national jurisdiction (ABNJ) represent 64 percent of the t1(r)9u.1W*ñ00000912 0 612 792 r

Moreover, FAO facilitated the contacts and exchange of views among member delegations concerning provisions of the draft text.

and address the specific challenges and lessons learned from countries' experience in applying the CBD OECM criteria in the fisheries sector.

OPERATIVE PARAGRAPH 272 – *Deep-sea fisheries*

FAO has published, in 2020, for deep- which provides an overview of technical measures adopted by

SECTION XI – MARINE SCIENCE

OPERATIVE PARAGRAPH 287 – *Deep-sea biodiversity and ecosystem*

FAO is a partner with the SponGES Project, which is a research and innovation Project funded under the H2020 Blue Growth initiative. This project aims to raise awareness on deep-sea sponge ecosystem function in the North Atlantic, and potential impacts on them that may be caused by extractive activities, including fisheries, by bringing relevant research information on sponges to the attention of policy developers and fisheries managers and to support the exchange of knowledge and information. F

SponGES scientists and stakeholders from the policy, fisheries management, and industry sectors through a variety of fora. More in detail, four science-policy-management roundtables have been organized by FAO to raise awareness on these issues for policy-makers, including a high-level

two side events were also organized and supported by FAO: at the first session of the first BBNJ Intergovernmental Conference in New York (September 2018), and the GFCM Fish Forum (FAO HQ, December 2018). Finally, specific interventions at meetings of the Northwest Atlantic Fisheries Commission (NAFO) and the Northeast Atlantic Fisheries Commission (NEAFC) were organized to share the results of SponGES and discuss management and policy implications.

first phase of this programme is a three and half year project (2020-2023) funded by the Government of Norway. IMO is the lead implementing agency and FAO is the implementing partner dealing with the fisheries sector.

Five FAO fisheries management instruments that address one of the main and harmful sea-based sources of marine plastic litter, the issue of Abandoned, Lost or otherwise Discarded Fishing Gear (ALDFG) and its impacts through fishing gear marking are:

- (1) FAO Code of Conduct for Responsible Fisheries (1995) The CCRF makes reference to the fact that fishing gear should be marked.
- (2) Port State Measures Agreement to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2009) which can be linked to intentional discarding of gear at sea.
- (3) International Guidelines on Bycatch Management and Reduction of Discards (2011) Makes reference to reducing the impact of lost fishing gear
- (4) FAO Voluntary Guidelines on the Marking of Fishing Gear (2018) comprehensive framework for the marking, reporting and retrieval of abandoned, lost and otherwise discarded fishing gear covering all fishing gears with a separate section on FADs.
- (5) Technical Guidelines for the Reduction of Marine Mammal Bycatch in Capture Fisheries (in prep., to be published before the end of 2020) makes reference to entanglement of marine mammals in lost gear and the effect of ghost fishing.

OPERATIVE PARAGRAPH 307 – *UN Ocean*

FAO, together with other UN-Oceans members, continues to actively participate in UN-activities and programmes to promote coordination and coherence of United Nations system activities related to oceans and coastal areas by assisting in the formulation and delivery of joint statements or side events at major international events relevant to the work of UN-Oceans and its of the mandates and priorities approved by \

Global achievements are built upon regional efforts - Regional fishery bodies are key instrumental actors for regional cooperation towards sustainable development

The 2030 Agenda for Sustainable Development emphasizes the importance of regional and subregional dimensions, regional economic integration and interconnectivity in sustainable

community has increasingly recognized the importance of regional cross-sectoral collaboration and cooperation in facilitating the achievements set by the 2030 Agenda that aims at maintaining the health of the ecosystems, including the oceans, so that they can increase their ability to contribute to food security and poverty reduction.

Regional organizations that work toward enhancing the sustainable use and conservation of biodiversity can make such cooperation effective through formal mechanisms and joint activities, especially by creating linkages between existing fisheries management and biodiversity conservation initiatives, as the achievement of food security will require fisheries and environmental management agencies to work together. povert19(r)-ooDwp(m)38(a)41 12 Tf4.Wi