

INTERNATIONAL MARITIME ORGANIZATION (IMO)

FIFTEENTH ROUND OF INFORMAL CONSULTATIONS OF STATES PARTIES TO THE AGREEMENT FOR THE IMPLEMENTATION OF THE PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA OF 10 DECEMBER 1982 RELATING TO THE CONSERVATION AND MANAGEMENT OF STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS, AND RELATED INSTRUMENTS

Proposed contribution to the topic on “Implementation of an ecosystem approach to fisheries management” in relation to the work of the Organization on the fight against IUU Fishing and the promotion of the entry into force of the Cape Town Agreement

BACKGROUND

1 Illegal, unreported and unreported (IUU) fishing is an area of cooperation among the International Maritime Organization (IMO), the International Labour Organization (ILO) and the Food and Agricultural Organization (FAO). This cooperative work, as part of the overall long standing cooperative relationships among the Secretariats of the three Organizations, has been done within the context of each organization's mandate: IMO for safety at sea and protection of the marine environment; ILO for work on labour standards and working conditions in the fishing industry; and FAO for fisheries in general.

2 During the 31st session of the FAO Committee on Fisheries (COFI), many Members stressed the link between safety at sea and forced labour and the occurrence of IUU fishing activities. In this context, it was pointed out that there are possible links between the level of safety on board fishing vessels and IUU fishing practices.

3 In April 1999, the United Nations Commission on Sustainable Development highlighted the issues of flag and port State responsibilities and the need for FAO and IMO to cooperate on solving problems relating to IUU Fishing. As a result, the Secretariats of IMO and FAO worked together to facilitate the creation of the Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters (JWG). Since then, JWG met four times.

MINISTERIAL CONFERENCE ON FISHING VESSEL SAFETY AND IUU FISHING AND JWG

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Cape Town Agreement

4 The fourth session of JWG (JWG 4) took place after the closure of the Ministerial Conference on Fishing Vessel Safety and Illegal, Unreported and Unregulated (IUU) Fishing, which was organized by IMO and the Government of Spain, Torremolinos, Málaga, Spain, from 21 to 23 October 2019. with the kind support of the FAO of the United Nations (FAO) and The Pew Charitable Trusts.

5 The Conference promoted the ratification of the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, the entry into force of which would help deter the proliferation of IUU fishing, by establishing international safety standards for fishing vessels.

6 The Government of Spain called for interested Member States to join them in signing a non-legally binding political declaration to publicly indicate their Government's determination

to ratify and promote the Agreement by the tenth anniversary of its adoption (11 October 2022). During the Conference, which is open for further signatures until 21 October 2020, forty-eight countries signed the declaration.

7 As well as taking action to ensure entry into force, States signing the Torremolinos Declaration, pledged to promote the Agreement, recognizing that the ultimate effectiveness of the instrument depends upon the widespread support of States, in their capacities as flag States, port States and coastal States. They also denounced the proliferation of IUU fishing, recognizing that international safety standards for fishing vessels will provide port States with a mandatory instrument to carry out safety inspections of fishing vessels, thereby increasing control and transparency of fishing activities.

8 JWG 4 considered the outcome of the Conference and recommended that IMO consider developing guidance to assist competent authorities in the implementation of the Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, through the most appropriate process. The process of developing guidance should allow for further discussion on its content and scope and be informed by FAO, ILO, other relevant Organizations and stakeholders.

Joint/global capacity development programmes

9 WG 4 recommended that the FAO/ILO/IMO Secretariats, World Maritime University (WMU), World Fisheries University (WFU), International Maritime Law Institute (IMLI), ILO International Training Centre, any relevant UN-Agency such as Intergovernmental Oceanographic Commission of *UNESCO (IOC-UNESCO)*, and other interested stakeholders, cooperate in the exchange of information and experience in the context of the scope and content of a potential integrated capacity-building and technical cooperation programme on IUU fishing and promotion of international instruments relevant to fishing, taking into consideration existing implementing tools and material.



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SUB-COMMITTEE ON IMPLEMENTATION
OF IMO INSTRUMENTS
7th session
Agenda item 14

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ANY OTHER BUSINESS

Recommendations of the fourth session of the Joint FAO/ILO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters and recent developments

Note by the Secretariat

SUMMARY

<i>Executive summary:</i>	This document provides the recommendations of the fourth session of the Joint FAO/ILO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters and recent developments in the context of IUU fishing and related matters
<i>Strategic direction, if applicable:</i>	Other work
<i>Output:</i>	OW 23
<i>Action to be taken:</i>	Paragraph 2
<i>Related documents:</i>	JWG 4/15 and III 7/14/1

Introduction

1 The annex to this document contains the recommendations* of the fourth session of the Joint FAO/ILO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters (JWG 4) and recent developments in the context of IUU fishing and related matters.

Action requested of the Sub-Committee

2 The Sub-Committee is invited to note the information provided and to take action as appropriate.

* The full report of JWG 4 will be issued under the symbol III 7/14/1

exchange between IOMOU and *IOTC*, as well as potential similar contact opportunities in other regions, for mutual awareness and the consideration of training material, as appropriate.

Agenda item 8 COOPERATION AND DIALOGUE ON LABOUR ISSUES AND FISHERIES

8.1 JWG 4 recommended that FAO, ILO and IMO work together on the proposals contained in document JWG 4/8/2, taking into account the discussions on this item, as well as the responsibilities of flag States under UNCLOS; the lessons learned from the ILO SEA Fisheries project and the SEA Forum for Fishers; and the outcome of the EU social partners' initiative to produce guidelines for decent recruitment, placement and posting of (migrant) fishers. JWG 4 recommended that the outcome of this joint work be submitted to JWG 5, as appropriate.

8.2 JWG 4 also recommended that the work of ILO and IMO, with respect to the issues of abandonment and fair treatment of seafarers, be extended to include fishers.

8.3 JWG 4 further recommended that FAO consider how to promote fisheries observer safety globally, through the most appropriate process. This process should review available information and existing national and regional measures on the safety, security and working and living conditions of fisheries observers under existing observer programmes and be informed by IMO, ILO, other relevant Organizations and stakeholders, while taking into account the views expressed during the discussions on this item.

Agenda item 9 COOPERATION AND DIALOGUE ON ENVIRONMENTAL ISSUES RELATED TO FISHERIES (E.G. MARINE DEBRIS)

9.1 JWG 4 recommended that the FAO/ILO/IMO Secretariats consider a joint intervention and/or commitment during the 2020 UN Ocean Conference (Lisbon, 2-6 June 2020) to raise awareness on its joint work on IUU fishing and related matters.

Agenda item 10 JOINT/GLOBAL CAPACITY DEVELOPMENT PROGRAMMES (INCLUDING PSMA/IUU FISHING, MARINE DEBRIS, ALDFG, PORT RECEPTION FACILITIES AND WASTE MANAGEMENT, REGULATORY ASPECTS OF MARPOL ANNEX V, AND THE LC/LP)

10.1 Following consideration of document JWG 4/10/1, JWG 4 recommended that the FAO/ILO/IMO Secretariats, World Maritime University (WMU), World Fisheries University (WFU), International Maritime Law Institute (IMLI), ILO International Training Centre, any relevant UN-Agency such as Intergovernmental Oceanographic Commission of *UNESCO (IOC-UNESCO)*, and other interested stakeholders, cooperate in the exchange of information and experience in the context of the scope and content of a potential integrated capacity-building and technical cooperation programme on IUU fishing and promotion of international instruments relevant to fishing, taking into consideration existing implementing tools and material.

Agenda item 11 STATUS OF DEVELOPMENT OF THE FAO'S GLOBAL RECORD OF FISHING VESSELS, REFRIGERATED TRANSPORT VESSELS AND SUPPLY VESSELS AND IMO SHIP IDENTIFICATION NUMBER SCHEME (RESOLUTION A.1078(28))

11.1 JWG 4 recommended that the Member States of FAO, IMO and ILO, as appropriate, and Regional Fisheries Management Organizations (RFMOs), consider taking appropriate action for the effective allocation of IMO ship identification numbers to fishing vessels.

11.2 JWG 4 also recommended that the FAO Member States consider the application of the IMO Ship Identification Number Scheme to eligible vessels conducting fishing and fishing-related activities, as per resolution A.1117(30) in the framework of the Global Record.

11.3 JWG 4 further recommended that the review of the IMO Ship Identification Number Scheme be carried out at IMO, as may be necessary, in cooperation with FAO and ILO, as appropriate.

Agenda item 12 AGENCIES' REVIEW PROCESSES OF, AND FOLLOW-UP ACTIONS TO, THE REPORT AND RECOMMENDATIONS OF JWG 4

12.1 JWG 4 recommended that the FAO/ILO/IMO Secretariats bring its recommendations to the consideration of their appropriate bodies.

Agenda item 13 FUTURE COLLABORATION BETWEEN FAO, ILO AND IMO AND PREPARATION OF JWG 5

13.1 Following consideration of document JWG 4/J/3, JWG 4 recommended that relevant FAO, ILO and IMO bodies review the terms of reference of the JWG with a view to providing directions to the FAO/ILO/IMO Secretariats for the development of draft rules of procedure and revised terms of reference to be considered at, and adopted, as appropriate, by JWG 5.
