

**CMS Contribution on the Topic of Focus of the Fifteenth Round of Informal Consultations to the United Nations Fish Stocks Agreement (ICSP-15):
“Implementation of an Ecosystem Approach to Fisheries Management”**

21 February, 2022

Migratory aquatic species face multiple, cumulative and often synergistic threats with possible effects over vast areas, such as over-fishing. The latest OECD Review of Fisheries concluded that of the assessed fish stocks reported, almost a quarter were found to have an unfavourable biological status, and that under half of the stocks assessed to have a favourable biological status (66%), additional management objectives such as maximising catch volume within sustainable limits were either not met or not defined¹.

Article II of Convention on the Conservation of Migratory Species of Wild Animals (CMS) requires all Parties to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention, and to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II. Article III requires Parties to prevent, reduce or control factors that are endangering or are likely to further endanger species in Appendix I.

Actions needed to strengthen the implementation of Ecosystem Approach to Fisheries (EAF):

- One positive thing is that the EAF concept is increasingly being used and understood, particularly within the fisheries ministries/departments. Some countries that have received capacity building through various workshops (e.g. FAO) have updated their legislations in the past five years where the concept is defined and included in the preamble of Fisheries Codes. However, **many countries still require support for a complete overhaul of their legislative framework** that dates back to the 1990s or earlier and therefore doesn't include the concept of EAF.
- **Follow-up to support countries in implementation/enforcement is urgently required.** Not necessarily from a funding perspective but in terms of prioritization exercises and increased coordination between various institutions that have a mandate for fisheries management. Loopholes in regulations, that make it difficult or impossible for authorities to persecute violators, need to be closed.
- **There is still a large disconnect between what fisheries management should take into consideration and economic benefits/profits.** Most decisions in relation to management are not based on scientific evidence but rather on profits (particularly when it comes to fisheries agreements with distant water fleets) – countries need to understand the impact of these fisheries on their stocks and how to integrate science into the negotiations of these agreements.

¹ OECD (2020), *OECD Review of Fisheries 2020*, OECD Publishing, Paris, <https://doi.org/10.1787/7946bc8a-en>.

- **Countries need support to better understand ecosystem structures within their jurisdiction and prioritize species/ecological community conservation and management.** Most countries don't have a system in place where qualitative, risk-based assessments are undertaken to identify species most at risk and then design appropriate management approaches. These decisions are mostly based on NGOs/groups providing funding for a certain project/species group (e.g. BirdLife International). This leads to short-term projects that often overlap with each other, lots of funding spent on similar projects that have no long-term conservation benefits.
- **Countries need support to better understand the impact of fisheries management measures on coastal communities that depend on fishing for their subsistence.** These communities are often marginalized, are not consulted for any management decisions, and are often the ones that suffer the most from fisheries management measures that include catch limits, spatial closures, and species protections. The impact of actions on these communities need to be better understood and taken into consideration and alternative livelihood options rolled out for fisheries management to be successful. Without this, considering the weak governance structure in these developing countries as well as the limited enforcement, behaviours will not change and management measures will not be successful.
- The ocean's top predators, many of them protected species, play an important role in the ecosystem. With an abundance of food available to them, they thrive and as a result the entire ocean ecosystem becomes more fertile, increasing fish stocks. It is crucial that **countries take into account not just the immediate economic needs of fisheries, but also the needs of protected species using these fish for food.** Even though counter-intuitive, the more top predators there are, the more productive the oceans become, benefitting both nature and fisheries in the medium-term.